

Drug and Alcohol Abuse Policy and Prevention Program for Employees and Students

Campus Policy

The purpose of this policy is to communicate the concern of the University regarding the health and safety of its employees and students, and the intent to comply with the Drug Free Schools and Communities Act Amendment of 1989 (P.L. 101-226) 20 U.S.C. Section 11458.

This policy shall apply to all employees (i.e., faculty members, administrators, and staff members) and students of the University of Evansville at all locations. This includes all “direct charge” employees, (i.e., those whose services are directly and explicitly paid for by grant funds) and “indirect charge” employees, (i.e., those members who perform support or overhead functions related to the grant and for which the federal government pays its share of expenses). Any other person who is on the payroll and works in any activity under the grant, even if not paid from grant funds, is also considered to be an employee.

The following statement formalizes the University’s policy regarding the effects of drug and alcohol use and the unlawful possession of controlled substances on University property:

The University strictly prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (as defined in schedule I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and by regulations 21 CFR 1300.00 through 1300.15 and Title 35, and Article 48 of the 1990 Indiana Code) and alcohol on University property or as part of any University activity. Violations of this policy will result in disciplinary action, up to and including expulsion and termination, and may have legal consequences.

Employees and students are expected and required to report for work and classes in an appropriate mental and physical condition. Our intent is to provide a drug and alcohol-free, healthful, safe, and secure learning environment.

Legal Sanctions

(1) Alcohol Use

All members of the campus community and guests are expected to abide by Indiana State Law and university policies regarding the possession, consumption, use, production or sale of alcohol. The state of Indiana defines the legal drinking age as 21 years of age or older. Individuals who are of legal drinking age may possess and consume alcohol within the provisions prescribed in the University Alcohol Use Guidelines – refer to www.evansville.edu/alcoholpolicy.

Under no circumstances is it acceptable for an individual or group to possess, consume, or distribute alcohol in violation Indiana State law (<http://iga.in.gov/legislative/laws/2016/ic/titles/7.1>), or the University’s Alcohol Use Guidelines, or disrupts the educational mission of the university, or contribute to behaviors in violation of the student code of conduct.

At no time can student activity funds be used for the purchase or promotion of alcoholic beverages at a student organization sponsored event. The institution does not prohibit events being held in facilities where alcohol is sold by the facility or business to those of legal age.

The laws of the State of Indiana regarding the purchase and possession of alcoholic beverages will be upheld on campus. These laws may be enforced by University staff or local or state authorities.

(2) Drug Use

The University of Evansville prohibits the possession, consumption, use, or sale of unauthorized prescription drugs, illegal drugs. Unauthorized manufacture, distribution, possession of controlled substances including marijuana, cocaine, and LSD are prohibited by both state and federal law and are punishable by severe penalties. The University does not condone or tolerate such conduct. Employees or students determined to violate the University's policy or state or federal laws may be referred by University authorities for criminal prosecution.

Article 48 of the 1990 Indiana Criminal Code contains the laws which apply to controlled substances. Employees and students should be aware that most drug offenses are classified as felonies and that conviction of such an offense can have serious consequences, including imprisonment.

Disciplinary Action

Whether or not a criminal charge is brought, employees, and students are also subject to University disciplinary action for illegal manufacture, distribution, use, or possession of any controlled substance or for violating the university's alcohol use guidelines: (1) on University-owned or leased property, or (2) at University-sponsored or supervised functions, or (3) off-campus under certain circumstances involving a direct and substantial connection to the University.

Any employee or student found in violation of University policy regarding drugs or alcohol is subject to the entire range of actions specified in the employee manuals or the Student Handbook, including but not limited to suspension or expulsion, probation, termination of employment, and/or referral to a prescribed counseling/rehabilitation program at the employee's or student's expense. Complete information on the University's disciplinary process may be found in the employee manuals or the Student Handbook.

Responsible Good Neighbor Exemption

If students find themselves in a situation where they believe someone's health and safety is at risk due to excessive alcohol consumption, they should always call for emergency assistance, regardless of concern about the university disciplinary process. Students should call the Office of Safety and Security at ext. 6911 or 812-471-6911 or 911 immediately if there is any possibility that professional medical assistance is necessary for the health and safety of another person. The University has made an amnesty provision for students through the Responsible Good Neighbor Exemption. This exemption provides students the opportunity for University disciplinary action to be waived if medical or other emergency assistance for another has been sought. The decision to grant the exemption shall be at the discretion of the dean of students or her appointee and may be contingent upon participation in an educational program focusing on risky behaviors in college. Students should also be aware that the State of Indiana

provides similar immunity from some alcohol-related criminal charges under the Indiana Lifeline Law. More information about the Indiana Lifeline Law can be found at indianalifeline.org/

NOTE: The Responsible Good Neighbor Exemption does not apply to any criminal charges that might be incurred as a result of an offense.

Drug and Alcohol Violation Disclosures

According to the Higher Education Amendments of 1998, nothing in the General Education Provisions Act or the Higher Education Act of 1965 shall be construed to prohibit an institution of higher education from disclosing, to a parent or legal guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records, if (A) the student is under the age of 21; and (B) the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

Suspension of Eligibility for Drug-Related Offenses

The Higher Education Amendments of 1998 states the following:

(1) In General – A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified below.

If convicted of an offense involving:

The possession of a controlled substance, ineligibility period is

First offense One year

Second offense Two years

Third offense Indefinite

The sale of a controlled substance, ineligibility period is

First offense Two years

Second offense Indefinite

(2) Rehabilitation – A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if

(A) the student satisfactorily completes a drug rehabilitation program that

(i) complies with such criteria as the secretary of education shall prescribe in regulations for purposes of this paragraph; and (ii) includes two unannounced drug tests; or

(B) the conviction is reversed, set aside or otherwise rendered nugatory.

(3) Definitions – In this subsection, the term “controlled substance” has the meaning given the term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802[6]).

Health Risks

Many areas of a person's life can be affected by drug or alcohol use and abuse. The negative physical and mental effects of the use of alcohol and other drugs are well documented. Some of the health risks include the following:

Abusers have higher than normal incidents of illness, ranging from lethargy, depression, irritability, malnutrition, high blood pressure, blackouts, deterioration of brain cells, cirrhosis of the liver, heart collapse, damage to major organs, and sexually transmitted diseases including HIV complex (AIDS). The onset of these effects can be immediate. The withdrawal from chemical dependency may also cause serious physical and psychological problems.

In addition to the physical risks, drug or alcohol use is often associated with increased social isolation, public embarrassment, date/acquaintance rape, vandalism, financial problems, and the deterioration of personal relationships and work or school performance. Alcohol use and abuse is also associated with poor academic performance.

Resources and Assistance

The University recognizes drug and alcohol dependency and abuse as illness and major health problems. The University also recognizes drug and alcohol abuse as a potential health, safety, and security problem. The counselors in the Office of Counseling Services are available for consultation, intervention services, and referral information. Campus resources available for assistance and referral are:

Office of Counseling Services 812-488-2663 Ridgway University Center

Coordinator of Health Education and Wellness 812-488-1082 Ridgway University Center

Crayton E. and Ellen Mann Health Center 812-488-2033 Sampson Hall

Office of Safety and Security 812-488-2051 1 South Frederick Avenue

Crisis Lines Available

Emergency Room, St. Vincent Hospital 812-485-4491

Emergency Room, Deaconess Hospital 812-450-3405

Deaconess Cross Pointe Center 812-476-7200

Southwestern Behavioral Healthcare 812-423-7791

Albion Fellows Bacon Center 800-339-7752

Rape Crisis Line 812-424-7273

Domestic Violence Line 812-422-5622

Alcoholics Anonymous 812-434-4952

Narcotics Anonymous 877-642-5831

National Council on Alcoholism Information Line 800-NCA-CALL

Indiana Prevention Resource Center 800-346-3077

AIDS Hotline 800-232-4636

All University of Evansville students and employees are expected to abide by this policy and cooperate with the University in complying with the Drug Free School and Communities Act. Please contact the director of human resources or dean of students for further information or assistance.