

## **Appendix 2**

### **Policy on Prevention of Illegal Drug/Alcohol Use**

The University of Kansas prohibits the unlawful possession, use, manufacture, or distribution of alcohol or drugs by students and employees on its property or as part of its activities. The University is committed to a program to prevent the illegal use of drugs and alcohol by students and employees. Any student or employee found to be using, possessing, manufacturing, or distributing controlled substances or alcohol in violation of the law on University property or at University events shall be subject to disciplinary action in accordance with applicable policies of the State of Kansas, the Board of Regents, and the University of Kansas. For employees, the University will take appropriate personnel action for such infractions, up to and including termination. Students who violate this policy will be subject to sanction, including suspension and expulsion from the University.

As a condition of employment, all employees of the University of Kansas shall abide by the terms of this policy statement and will notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The University will, in turn, notify as appropriate, the applicable federal agency of the conviction within ten days of receipt of notification of the conviction. The University will initiate personnel action, up to and including termination, within thirty days of receiving notice of such conviction. Employees may also be required to satisfactorily participate, at their own expense, in a drug abuse assistance or rehabilitation program before being allowed to return to work. For purposes of this policy, "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

#### **Kansas Law**

Students and employees are reminded that illegal possession or use of drugs or alcohol may also subject individuals to criminal prosecution. The University will refer violations or proscribed conduct to appropriate authorities for prosecution. Kansas law provides that any person who violates the criminal statutes on controlled substances by possessing, offering for sale, distribution, or manufacturing opiates and narcotics, such as cocaine and heroin, shall be guilty of a drug severity Level 3 felony. For a conviction of such a felony, the court may sentence a person to a term of imprisonment in accordance with the Kansas Sentencing Guidelines Act and a fine of up to \$300,000. Unlawful possession of a depressant, stimulant or hallucinogenic drug is punishable as a Class A nonperson misdemeanor, with a penalty of imprisonment and a fine of \$2,500. Depressants include barbiturates, Valium, and barbitol. Hallucinogens include LSD, marijuana, and psilocybin. State law classifies amphetamines and methamphetamines as stimulants. Kansas statutes also provide for criminal penalties for conviction of certain alcohol-related offenses. These penalties include imprisonment of up to six months and fines of up to \$1,000.

#### **Federal Law**

The Federal Controlled Substances Act provides penalties of up to life imprisonment and fines up to \$4,000 for intentional unlawful distribution or possession with intent to distribute controlled substances. For unlawful possession of a controlled substance a person is subject to up to 20 years of imprisonment and fines up to \$5,000. Any person who unlawfully distributes a controlled substance to a person under twenty-one years of age or who distributes a controlled

substance on or within 1,000 feet of the University may be punished by up to twice the term of imprisonment and fine otherwise authorized by law.

### **Health Risks**

Accidents and injuries are more likely to occur if alcohol and drugs are used on University property or as part of University activities. Every year in the United States, over 200,000 people are treated in hospitals for drug-related accidents and mental and physical illness; another 25,000 die every year from drug-related accidents or health problems. Drug users can lose resistance to disease and destroy their health. Drug tolerance and psychological dependence can develop after sustained use of drugs. More specifically, physical dependency, heart problems, infections, malnutrition, and death may result from continued high doses of amphetamines. Chronic use of narcotics can cause lung damage, convulsions, respiratory paralysis and death. Depressants such as tranquilizers and alcohol can produce slowed reactions, a slowed heart rate, damage to liver and heart, respiratory arrest, convulsions, and accidental overdoses, because the abuser is unaware of how much of the drug or alcohol has been taken. Use of hallucinogens may cause psychosis, convulsions, coma, and psychological dependency.

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal lives by affecting finances, health, social relationships, and families. It can have significant legal consequences. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

### **Counseling & Treatment Resources**

At the University of Kansas, alcohol and drug counseling and treatment are available to students at the University Counseling and Psychological Services, Watkins Health Center, and the Psychological Clinic. The Student Assistance Center and the University Information Center are excellent sources for information about University and community resources for counseling and treatment. The Health Education Department of Watkins Health Center can provide further information about health problems and treatment related to alcohol and drug problems.

University employees may contact the Counseling and Psychological Services and the Psychological Clinic for counseling and treatment. Faculty and staff members may also contact the State Lifeline, a 24-hour toll-free assistance line (1-800-284-7575) for a referral. If referred through the Lifeline program, the first counseling session is paid by the State.

### **Definitions**

The term “controlled substance” as used in this policy means those substances included in Schedules I through V as defined by Section 812 of Title 21 of the United States Code and as further defined by the Code of Federal Regulations, 21 C.F.R. 1300.11 through 1300.15. The term does not include the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

The term “alcohol” as used in this policy means any product of distillation or fermented liquid which is intended for human consumption and which is more than 3.2% alcohol by weight as defined in Chapter 41 of the Kansas statutes.