

**STATEMENT FOR FACULTY AND STAFF ON THE UNLAWFUL
POSSESSION, USE OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL**

Standard of Conduct

The University Standard of Conduct is that no employee will report to work under the influence of or unlawfully possess, use or distribute illicit drugs and alcohol on University property or as part of any University activities.

Legal Sanctions

State law prohibits the possession of alcoholic beverages by persons under age 21, punishable for the first offense by a definite term of imprisonment not exceeding 60 days and/or a \$500 fine, and for a subsequent offense by a definite term of imprisonment not exceeding 1 year and a fine of \$1,000. It is similarly prohibited and punishable to distribute alcohol to minors.

State law makes it a crime for any person to possess or distribute illicit drugs (controlled substances as described in Section 893.03, Florida Statutes) under Section 893.13, Florida Statutes. Law provides certain limited exceptions. The crimes range from second-degree misdemeanors (up to 60 days imprisonment and up to a \$500 fine) to first-degree felonies (up to 30 years imprisonment and up to \$10,000 fine).

Trafficking (distributing specified large quantities of various controlled substances under Section 893.03, Florida Statutes) under Section 893.135, Florida Statutes is punishable, depending on the particular illicit drug, quantity involved and location, by a minimum term of imprisonment of 3 to 30 years and a fine of \$25,000 to \$500,000.

Federal trafficking penalties for first offenses, depending upon the illicit drug involved, range from not more than 1 year imprisonment and a fine of not more than \$100,000 for an individual to 40 years to life imprisonment and a fine of not more than \$200,000 for an individual to not less than life imprisonment and a fine of not more than 8 million dollars for an individual.

Florida State University requires that an employee notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Commercial Driver License Drug & Alcohol Testing Program, Pre-employment Testing and Background Checks

Florida State University maintains a random drug and alcohol testing program in accordance with the U.S. Department of Transportation, Federal Highway Administration (49 CFR, Parts 40 and 382), which requires alcohol and drug testing as a condition of employment for those who operate a commercial motor vehicle. Human Resources' Employee/Labor Relations section administers the program. Employees hired into positions requiring a commercial driver license or which are designated safety sensitive are subject to a pre-employment test and CDL required employer background checks.

Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including murder, rape, armed robbery, vandalism, spouse and child abuse, and drunk driving. Moderate to high doses of alcohol can cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Heavy use may cause chronic depression and suicide, and is also greatly associated with the abuse of other drugs. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described. The use of even small amounts of alcohol by pregnant women can damage their fetus.

Long term heavy alcohol use can cause digestive disorders, cirrhosis of the liver, circulatory system disorders and impairment of the central nervous system, all of which may lead to an early death.

Repeated use of alcohol can lead to dependence, particularly in persons with one or more parents or grandparents who were problem drinkers. At least 15-20% of heavy users will eventually become problem drinkers or alcoholics if they continue drinking. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions, which can be life threatening.

All illicit drugs are health threatening. Examples include: cannabis - impairment of short-term memory and comprehension and ability to perform tasks requiring concentration, lung damage, paranoia and possible psychosis; narcotics, depressants, stimulants and hallucinogens - nervous system disorders with possible death the result of an overdose. Illicit inhalants can cause liver damage. Dependence and addiction are a constant threat to users. AIDS is widely spread among intravenous drug users.

Available Rehabilitation and Treatment

Drug and alcohol counseling and rehabilitation programs are available for both faculty and staff through the FSU Employee Assistance Program, 644-2288.

Florida Board of Education rules and faculty Collective Bargaining Agreement provide that faculty whose alcohol or substance abuse impairs their ability to perform assigned duties will be required to enter a prescribed rehabilitation program known as the Compulsory Disability Leave Program. Refusal to comply with its provisions can lead to disciplinary action. Failure to fulfill the terms and conditions of the program can lead to the faculty member being released from employment.

In addition, help is also available through the following:

Alcoholics Anonymous
224-1818
Narcotics Anonymous
599-2876
Telephone Counseling and Referral Service
224-6333

Institutional Disciplinary Sanctions

The University will impose disciplinary sanctions on employees who violate the standards of conduct described. Florida State University requires that an employee notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The disciplinary sanctions for the illegal possession, use or distribution of illicit drugs and alcohol will be consistently enforced and will range from a written reprimand to a 3-day suspension without pay, up to and including dismissal from employment, in accordance with applicable collective bargaining agreements and/or other applicable policies and procedures, as well as referral for violation of the criminal law. A sanction may also include the completion of an appropriate rehabilitation program.

Human Resources
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NOTE: This policy statement is provided to all new employees via the FSU New Employee Wizard Packet and referenced in the FSU & You handbook on-line in compliance with State and Federal regulations (440.101 F.S. and Federal Drug Free Workplace Act).