

CLARK UNIVERSITY



CHALLENGE CONVENTION. CHANGE OUR WORLD.

Drug Free Workplace Policy

POLICY

In accordance with the Drug-Free Workplace Act of 1988, and the Drug-Free Schools and Communities Act of 1989, Clark University prohibits the unlawful cultivation, manufacturing, dispensing, distribution, possession, use or sale of illicit drugs (including marijuana) and the abuse of alcohol in the workplace.

Please also note that both the Americans with Disabilities Act and the Rehabilitation Act explicitly exclude illegal drug use from being protected as a reasonable accommodation. In addition, the appendix to M.G.L. c. 94C (Humanitarian Medical Use of Medical Marijuana), specifically states that nothing in that law requires the violation of federal law or purports to give immunity under federal law. In summary, marijuana is still prohibited under federal law regardless of legal changes with respect to marijuana possession and usage in Massachusetts.

As a condition of employment, each faculty and staff member must abide by this policy. Violation of this policy may result in a variety of sanctions up to and including discharge from the University.

The University provides a drug and alcohol counseling and rehabilitation program through its Employee's Assistance Program (EAP). This program is available to all faculty and staff and their families. Additional information on this resource is available in the Office of Human Resources.

As part of the Drug-Free Workplace Act requirements, if a faculty or staff member is convicted of any criminal drug statute violation in the workplace, he/she must report this conviction to the Office of Human Resources within five (5) days following conviction.

RISKS

The consequences associated with the use of illegal drugs or the abuse of alcohol range from adverse impact on social, vocational, and educational functioning to illness, injury, and premature death. Abusers are more likely to experience problems in their relationships and typically cause harm to those closest to them--family, friends and colleagues. Health risks vary considerably depending on the nature of the abused substance but all drugs pose serious health risks. Some, such as cocaine, can cause serious harm even on first use.

In Massachusetts, the penalties for the use, sale, or possession of illegal drugs range from fines and probation to mandatory jail sentences. Varieties of federal laws exist on the possession, use, sale, and manufacture of illegal drugs. As with state law, the federal sanctions may result in fines or imprisonment. The use or possession of alcohol by minors, those under 21, is illegal in Massachusetts.

International students and visitors at Clark risk loss of the right to remain in the United States if convicted. Family or staff in sensitive positions would risk loss of their security clearance.

A detailed description of the adverse effects of drug and alcohol abuse, as well as a summary of local, state, and federal sanctions covering such abuse, are included with this document.

THE EFFECTS OF ALCOHOL ABUSE

Alcohol consumption causes a number of marked changes in behavior. Even low doses can significantly impair the judgment and coordination required driving a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol can also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause illness, depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater of becoming alcoholics.

SERVICES

An array of services is available to assist persons who may be concerned about his or her use of drugs or alcohol. Most of these services will assist faculty, staff, and family members whose concern is for a loved one or a colleague.

The services range from self-help groups (AA, NA, AL-ANON) to professional counseling. Arrangements can be made for consultants, interventions, detoxification, and aftercare.

From time to time, Clark will also introduce to the community other education programs about drug and alcohol abuse and provide training in identifying and addressing the problems of drug and alcohol abuse.

Timely assistance is important for those who may be abusing drugs or alcohol. Clark urges anyone who needs assistance to seek it. Alcohol and drug

abuse services are private and confidential. Delaying necessary help is invariably harmful and makes success in rehabilitation more difficult.

Clark University's Employee Assistance Program (EAP) is managed by an off campus agency, E4Health. The staff at E4Health can provide both assessment and referral services to faculty and staff (as well as family members) who self-refer for treatment or advice on drug and alcohol abuse. In addition, they can provide information and education of the types and effects of drugs, symptoms of drug or alcohol use as well as related treatment, rehabilitation and confidentiality issues.

You may access this **confidential service** by calling the following number and identifying yourself as a member of Clark University's faculty or staff (or a family member): **1-800-828-6025**, or by visiting the website at: www.HelloE4.com Username: Clark University Password: Guest

SELF-HELP GROUPS

Narcotics Anonymous (NA, 508- 756-2284): Twelve-step, self-help group that assists those attempting to recover from the abuse of drugs (not confined to narcotic drugs). Meetings are available in more area towns.

Alcoholics Anonymous (AA, 508-752-9000): Twelve-step, self-help group that assists those attempting to recover from alcoholism. Meetings are generally available on campus and in area towns.

AL-ANON (508-791-3431): Twelve-step, self-help group that assists those who are in a relationship with an alcoholic person. The relationship may be ongoing or from the past. Typically attended by persons whose parents or spouse are alcoholic. Meetings are available in most area towns.

AdCare Hospital of Worcester, 107 Lincoln Street, (508-799-9000) For specific information of the wide array of substance abuse recovery services offered by AdCare please refer to:

<http://www.addictionresourceguide.com/listings/adcare.html>

SUMMARY OF LEGAL SANCTIONS COVERING ALCOHOL AND DRUG ABUSE

Local, state, and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines and assigned community service. Courts do not lift imprisonment sentences in order for convicted persons to attend college or continue their jobs. A felony conviction for such an offense can prevent you from entering many fields of employment or professions.

Cities and towns in Massachusetts prohibit public consumption of alcohol and impose fines for violation. The Metropolitan District Commission also prohibits public consumption of alcohol in its parks.

Massachusetts's laws prohibit sale or delivery of alcoholic beverages to persons under 21 with a fine of up to \$2,000 or imprisonment for not more than one year or both. Misrepresenting one's age or falsifying an identification to obtain

alcoholic beverages is punishable by a fine of \$300, and conviction of driving under the influence of alcohol has a fine of not less than \$500 nor more than \$5,000 or by imprisonment for not more than 2 ½ years, or both.

Massachusetts has criminal penalties for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, narcotic, addictive drugs with a high potential for abuse have heavier penalties.

Possession of drugs is illegal without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served.

Massachusetts makes it illegal to be in a place where heroin is kept and to be "in company" of a person known to possess heroin. Anyone in the presence of heroin at a private party or dormitory suite risks a serious drug conviction. Sale and possession of "drug paraphernalia" is illegal in Massachusetts.

Persons convicted of drug possession under state or federal law are ineligible for federal student grants and loans for up to one year after the first conviction, five years after the second. The penalty for distributing drugs is loss of benefits for five years after the first, 10 years after the second, permanently after the third conviction.

Under federal law, distribution of drugs to persons under age 21 is punishable by twice the normal penalty with a mandatory one-year in prison; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture and distribution of drugs, if death or serious injury results from use of the substance.