

**Section 3: Appendix 1**

**Drug-Free Policy Notification**

KCTCS is committed to providing a healthy and safe environment for its students, faculty, and staff. *KCTCS* has defined conduct in relation to the unlawful possession, use, dispensation, distribution, or manufacture of alcohol or illicit drugs. Conduct which is in violation of this definition poses unacceptable risks and disregard for the health, safety, and welfare of members of the KCTCS community and shall result in disciplinary action up to and including suspension or termination.

As a recipient of federal grants and contracts, KCTCS gives this notice to students, faculty, and staff that it is in compliance with, and shall continue to be in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. Students, faculty and staff are herein notified of the standards of conduct which shall be applicable while on KCTCS property, on KCTCS business, and/or at KCTCS sponsored activities.

**STANDARDS OF CONDUCT**

By KCTCS policy, by federal law, by state law, and, in some instances, by local ordinance; students, faculty, and staff are prohibited from the unlawful possession, use, dispensation, distribution, or manufacture of illicit drugs on KCTCS property, on KCTCS business and/or at KCTCS sponsored activities.

Under KCTCS policy, students, faculty, and staff are required to abide by state laws concerning alcoholic beverages. Basically, Kentucky laws state that, if one is under the age of 21, it is unlawful to:

1. possess or consume alcoholic beverages,
2. misrepresent one's age for the purpose of purchasing alcoholic beverages, or
3. use a fake ID in an attempt to purchase alcoholic beverages.

No matter what one's age, Kentucky law states that it is unlawful to:

1. procure any alcoholic beverages for anyone under 21 years of age, or
2. drink or be drunk in a public place.

KCTCS campuses and buildings are considered as public places for purposes of these laws, except for a facility licensed to serve alcoholic beverages, and except for a facility used as a private residence, unless KCTCS policies state otherwise.

Any member of the KCTCS student body, faculty, or staff who violates these defined standards of conduct shall be subject to appropriate disciplinary action up to and including suspension and/or termination. The specifically defined standards of conduct, the disciplinary procedures, and the appropriate sanctions are detailed in the codes of student conduct and in the Kentucky Community and Technical College System policies and procedures.

In addition, it is a violation of state law to operate a motor vehicle while under the influence of any substance (drugs or alcoholic beverages) which may impair one's driving ability.

## **SANCTIONS**

Under KCTCS policies and procedures, students who violate this standard of conduct are subject to disciplinary action from a minimum of a warning to a maximum of suspension from KCTCS. Students who reside in college housing are subject to further disciplinary action which may vary from a warning to termination of their housing contract.

Faculty and staff are subject to disciplinary action from a minimum of a warning to a maximum of termination from KCTCS employment.

Under state and federal drug laws, the gravity of the sanction depends on the classification of the controlled substance, the particular activity involved (possession or trafficking which includes manufacture, sale, and possession with intent to sell), and whether or not multiple convictions are involved.

Under Kentucky law, the most severe penalty for a drug law violation involves trafficking. On a first offense conviction, one may receive a fine of up to \$10,000.00 and/or a sentence of up to ten years in the penitentiary; for subsequent offenses, the penalties may be doubled.

Under federal law, for simple possession of a controlled substance, one may be imprisoned for up to one (1) year and/or fined up to \$1,000.00. For subsequent offenses, one may be imprisoned for up to three (3) years and/or fined up to \$5,000.00. Under federal law, one may be fined up to \$8,000,000.00 and/or may be sentenced from not less than 10 years up to life in prison for drug trafficking. For violations of other federal drug laws, one may receive life in prison or the death penalty.

Under both state and federal laws, one may suffer the loss of whatever property (house, farm) or possessions (vehicle) which one may have used in the drug trade.

Sanctions for violation of state alcohol laws vary from a fine of \$10.00 to \$2,000.00, a sentence of forty-eight (48) hours to twelve (12) months in jail, and/or suspension of one's operator's license.

## **NOTICE OF DRUG-RELATED CONVICTION**

In compliance with the Federal Drug-Free Workplace Act of 1988, any employee shall notify the immediate supervisor if the employee is convicted of a criminal drug offense occurring in the workplace or while on KCTCS business within five (5) days of the conviction. KCTCS shall take appropriate sanction and remedies in accordance within its policies. The provisions of this section are applicable to students who are employees of the KCTCS. If the employee is under a federal contract or grant, the KCTCS shall notify the contracting or granting agency of the conviction and of its actions. This section of this policy is also applicable to students who receive a Pell grant (federal grant).

## **HEALTH RISKS**

The scope and impact of health risks from alcohol and drug abuse are both alarming and well-documented, ranging from mood-altering to life-threatening, with consequences that extend beyond the individual to family, organizations, and society at large. KCTCS, therefore, conducts regular programs to educate its students, faculty, and staff that consumption and use of drugs may alter behavior, distort perception, impair thinking, impede judgment, and lead to physical or psychological dependence.

Alcohol and/or drug abuse may lead to the deterioration of physical health by causing or contributing to various health conditions including but not limited to fatigue, nausea, personal injury, insomnia, pathological organ damage, some forms of cancer, pancreatitis, heart attack, respiratory depression, birth defects, convulsions, coma, and even death. Alcohol and drug abuse may also result in deterioration of mental health by causing or contributing to various conditions such as increased aggression, hallucinations, depression, disorientation, and psychosis.

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.

Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information.

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 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 the 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 risk than other youngsters of becoming alcoholics.

### **TRAINING AND COUNSELING RESOURCES**

Continuous efforts are made to make students, faculty, and staff aware of the on-campus and off-campus programs which provide information and professional services on matters related to the abuse of alcohol and drugs.

Other counseling, treatment, and rehabilitation services are available in the communities throughout the state in which KCTCS employees are located.

Many other services are available and may be located by looking in the local phone directory yellow pages under "Social Services" or "Alcoholism" or in the "Community Service Guide" section at the front of the telephone directory.

### **POLICY REVIEW**

This statement and any revisions thereto shall be distributed annually to students and employees. Distribution shall be the responsibility of the KCTCS Chancellor or designee.

Annual Review Policy - The KCTCS Chancellor or designee shall review and interpret procedures relevant to this statement and shall be responsible for maintaining records of the annual review of this statement.