

Drug Free Environment

ALCOHOL/DRUGS

Philosophy Statement

Fox Valley Technical College recognizes that the misuse and abuse of alcohol and other drugs is becoming increasingly commonplace and in certain instances leads to dependency. It also recognizes that such chemical dependency is a serious illness. Chemical dependency interferes with academic achievement and work performance for both students and employees. FVTC is committed to a drug free environment which includes education, intervention, referral, and treatment.

Policy Statement

Fox Valley Technical College is committed to upholding all local, state, and federal laws concerning the use and abuse of alcohol and other drugs and will support all efforts of the campus community to confront violations of these laws.

1989 Wisconsin Act 121 requires that local WTCS District Boards adopt rules relating to possession of drug paraphernalia and subjecting WTCS students to disciplinary action for drug offenses. In addition, the Drug-Free Schools and Community Acts Amendments of 1989 (Public Law 101-226) requires institutions to sign a certification of compliance with the law in order to receive any federal funds. An institution must adopt and implement a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. Such policy must be distributed annually to each student and employee.

1. Unlawful possession, use, sale, or distribution of controlled substances, illicit drugs, or alcohol by any student, employee, or vendor on College property or at any College sponsored activity is strictly prohibited.

For off-campus, College-sponsored activities, alcohol use is prohibited during the time enroute to and from the activity and during the time of the College sponsored activity as defined by the Advisor.

Drugs prescribed by a physician, dentist, or other person licensed to prescribe or dispense controlled substances or drugs used in accordance with their instructions are not subject to this policy. Students and staff using any substances, drugs, or medicines that cause drowsiness or other side effects that may impair their ability to perform their task properly and safely are obligated to inform his/her supervisor and/or his/her instructor of such medications. Staff will not allow students to operate equipment or perform activities that have the potential for injury to themselves or others if they suspect a student to be impaired.

2. No student or employee shall be under the influence of alcohol and/or illegal substances or in possession of any drug paraphernalia on College premises or at any College-sponsored activity.

3. The use of any beverage containing alcohol, which includes beer or other malt beverages, wine, wine coolers, or distilled beverages, on FVTC premises is prohibited with the exception of preparation and cooking of foods in the culinary arts courses, providing of beverages by FVTC Food Service at functions authorized by the President of the College, and controlled use in law enforcement training. No alcohol will be provided by the College at any other College-sponsored activities.
4. Staff permission will not be given for any person to operate a motor vehicle while impaired. If transportation is needed, arrangements for alternative transportation will be made, i.e., a ride with a friend, family member, cab, etc. Failure to cooperate with such arrangements will be documented and will be submitted to the appropriate Vice President or Division Dean (Appleton Campus), Campus Director (Oshkosh), or Regional Center Manager (hereafter referred to as Administrator).
5. Because of the potential dangers to a person presented by his/her acute intoxication with alcohol or other drugs, individuals exhibiting evidence of acute intoxication, incapacitation, or a drug overdose on campus or at any College-sponsored activity will be transported immediately to the local hospital or facility designated to provide detoxification services. Following his/her return, standard disciplinary procedures as outlined in the policy will be followed.

Procedures

- I. Violations of these policies will result in disciplinary action up to and including expulsion from school or termination of employment. Illegal violations will be reported to local law enforcement.
 - A. Students
 1. Any student violating these policies or showing behavioral evidence of alcohol or other drug abuse will be referred to the appropriate Administrator.
 - a. **First Offense:** Law enforcement will be contacted immediately upon verification of any illegal violation(s). The student violating this policy for the first offense may result in disciplinary action up to and including suspension and/or expulsion from school. The appropriate Administrator may reduce or alter the disciplinary action if:
 - i. The student agrees to see the AODA Prevention Specialist and follows his/her recommendations satisfactorily; OR,
 - ii. The student agrees to an alcohol/drug assessment provided at a state approved alcohol/drug agency in the community and conducted by a certified Alcohol/Drug Abuse Counselor, and follows his/her recommendations (all non-school counseling and treatment costs related to this policy shall be the responsibility of the student);
 - b. **Second Offense:** Law enforcement will be contacted immediately upon verification of any illegal violation(s). The Administrator will recommend

expulsion to the Building Expulsion Committee which will consist of the lead teacher from the Division in which the offense(s) occurred, the Associate Dean of Student Services, the AODA Prevention Specialist, a representative of Student Government, and the Administrator. Due process procedures will be followed. The Administrator or the Building Expulsion Committee may hold a recommendation for expulsion in abeyance if:

- i. The student agrees to see the AODA Prevention Specialist and follows his/her recommendations satisfactorily; OR,
 - ii. The student agrees to an alcohol/drug assessment provided at a State approved alcohol/drug agency in the community and conducted by a certified Alcohol/Drug Abuse Counselor, and follows his/her recommendations (all non-school counseling and treatment costs related to this policy shall be the responsibility of the student);
2. Reductions in the length of disciplinary action such as suspension or withholding of expulsion may be revoked whenever a student fails to demonstrate compliance with expectations of, or satisfactory progress with, the services.
3. All school staff members are expected to refer to the Administrator:
 - a. Any student who they witness in violation of this policy.
 - b. Any student exhibiting signs, symptoms, or indications of an alcohol or other drug related problem.
 - c. Any student whose self-disclosed alcohol/drug related behavior places them or others at risk or in imminent danger.
4. Students may also be referred directly to the AODA Prevention Specialist/Student Assistance Program through self-referral or referral by peers, parents, community representatives, or by staff who are concerned about a student who exhibits a definite and repeated pattern of unacceptable school performance and who has not responded positively to usual and customary attempts to correct it.
5. All contacts with the AODA Prevention Specialist and the Student Assistant Program (SAP) will be handled sensitively and confidentially.
6. Except for witnessed violations, a student who is referred to the AODA Prevention Specialist and the SAP through other means will not be liable to suspension or any other disciplinary action for behavior which occurs prior to referral unless the student discloses conduct already reported as a witnessed violation.

7. Participation in the Student Assistance Program is voluntary. At all times, it is the prerogative of the student to accept or reject referral to the AODA Prevention Specialist/SAP or to community based services.
 - a. Regardless of whether a student accepts or rejects assistance, it remains his/her responsibility to bring school performance up to acceptable levels or face such corrective or disciplinary actions as may be warranted.
 - b. If a student would accept treatment for chemical dependency, that fact would be regarded as it would for any other illness with respect to the student's rights, benefits, and privileges.
 - c. Any student judged to present a risk of imminent danger to him/herself or others may be removed from the school pending the results of a professional evaluation.
8. No records of the student's participation in the SAP will become part of the student's permanent record or cumulative file.
9. Protection from liability will be extended to all staff to the extent that they act in accordance with this policy and observe the procedures consistent with it established within their respective buildings.
10. The responsibility for operating the SAP will be in the hands of the AODA Prevention Specialist.

II. Employees

The College recognizes alcohol/drug dependency as a major health problem. Employees needing help with such problems are encouraged to use the Employee Assistance Program voluntarily. Conscientious efforts to seek such help will not jeopardize any employee's job or appear on their personnel record.

A. Employees must, as a condition of employment, report any conviction under a criminal drug statute for a violation occurring on or off College premises while conducting College business. A report of the conviction must be made to the Director-Human Resources within five (5) days after the conviction. (This requirement is mandated by the Drug Free Workplace Act of 1988.) Failure to provide this notification in the required timelines will result in immediate termination.

B. Any employee violating these policies or showing behavioral evidence of alcohol or other drug abuse shall be referred to their immediate supervisor. In addition to following the progressive disciplinary steps outlined in the master agreement, the supervisor will refer the employee to the Employee Assistance Program.

C. FVTC will notify the federal granting agency within ten (10) days after receiving notice of the employee's conviction.

D. As a condition of continued employment, any employee convicted under a criminal drug statute must participate in and complete a drug abuse assistance or rehabilitation program.

E. Drug testing shall not be required of employees, except as otherwise required by federal statutes, rules, or regulations such as the Department of Defense Contract Rules, Department of Transportation Rules, Federal Highway Administration, FAA, Federal Railroad Administration, Urban Mass Transportation Administration, Research and Special Projects Administration, NRC, or the like, or as required by contracting organizations operating under such rules.

III. Written Documentation

Written documentation which specifically outlines the controlled use of alcohol in both Food Services and Law Enforcement courses shall be maintained on file in the office of the College President. In addition, written documentation which specifically outlines the display of illicit drugs and drug paraphernalia, as defined by Wisconsin Statutes, in Law Enforcement training programs shall be maintained on file in the office of the College President.

TOBACCO

It is the policy of Fox Valley Technical College to prohibit the use of tobacco products in all buildings and vehicles owned and leased by FVTC. Furthermore, use of tobacco products will only be permitted in designated areas outside of buildings owned or leased by the College.