February 17, 2011

MEMORANDUM

TO: University Faculty and Staff

FROM: Linda L. King, Associate Vice President for Human Resources

SUBJECT: DRUGS, ALCOHOL AND THE UNIVERSITY

This material is being distributed in compliance with federal law (Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendments of 1989) and university policy. It contains important information about drugs and alcohol and the workplace. Contents include:

* The University policy on drugs and alcohol in the workplace, including sanctions for violations;

* Local, state and federal law applying to the possession or distribution of illicit drugs and alcohol;

* Health risks associated with the use of illicit drugs, nicotine, and the abuse of alcohol;

* Description of the UO's Employee Assistance Program and community programs available to assist individuals needing help with drug and alcohol problems.

For up-to-date information on legal sanctions regarding drugs and alcohol, please consult the Office of the Dean of Students website: http://uodos.uoregon.edu/
Drugs, Alcohol, and the University

University of Oregon Policy Statement
3.00 Personnel Practices

TITLE: University Policy on a Drug-free Workplace

PURPOSE: In compliance with the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, to set forth the University's policies on the illegal use of drugs and alcohol by its employees.

POLICY: The illegal use, possession, or distribution of drugs and alcohol on institutionally-owned or controlled property or as part of any University activity is proscribed conduct (See Oregon Administrative Rule (OAR) 580-22-045(8)). The manufacture of illegal drugs on institutionally-owned or controlled property is a malicious misuse or an unauthorized use of institutional property and is also proscribed conduct (See Oregon Administrative Rule (OAR) 58O-22-045(5) and (7)).

The University may impose disciplinary sanctions against any student or employee found to have violated this rule, consistent with applicable provisions of state laws and regulations, collective bargaining agreements and University and Oregon State Board of Higher Education administrative rules. The permissible sanctions include, but are not limited to, suspension without pay, and termination of employment. The University also reserves the right to refer employees’ and students’ actions to appropriate civil authorities for possible prosecution.

All University employees must agree to abide by the University’s rules and policies as a condition of their employment. In addition, all University employees shall receive annually a written copy of this policy statement.

Federal law and this policy require all University employees, as a condition of their employment, to notify the University within five days should they be convicted for violating, while at the workplace, any criminal drug statute. Employees shall give such notification in writing to their immediate supervisor with a copy to the Office of Human Resources. The University is then required to notify the applicable Federal agency if the employee is directly or indirectly engaged in the performance of a federal grant or contract. The Office of Human Resources will contact the Office of the Vice President for Research to determine the appropriate notification process. The University’s Vice President for Research shall notify the granting or contracting agency (if required) within ten days of receiving notice that a person employed on any of the University’s federal grants and contracts was convicted of violating, while at the workplace, a criminal drug statute.

The University shall impose an appropriate sanction on and/or shall require satisfactory participation in a drug abuse treatment program by any employee convicted of a criminal drug statute violation as described above. Students and employees whom the University finds to have violated the University’s rules and policies on the use of drugs and alcohol on campus shall be subject to discipline without regard for the activities of other governmental agencies.

The University, through its Office of Human Resources, shall maintain a drug-free awareness program to inform employees about the dangers of drug abuse, and the availability of the Employee Assistance Program, drug counseling, rehabilitation, and other assistance programs. In addition, all employees shall receive descriptions of applicable legal sanctions under local, state, or federal law and health risks associated with the abuse of drugs and alcohol.

The Office of Human Resources and the Chief Student Affairs Officer shall arrange for the distribution of materials mandated by law and this policy to new and existing employees and students respectively. They shall also be responsible for conducting a biennial review of the University program monitoring legislative changes and ensuring that the appropriate offices comply.

Supersedes all earlier policies issued on this subject. Reviewed and Recommended for Revision by: President’s Staff 12/12/90. Originally issued: March 8, 1989 Reissued by: Vice-President for Administration

Sanctions for Possession and/or Distribution
For up-to-date information on legal sanctions regarding drugs and alcohol, please consult the Office of the Dean of Students website: http://uodos.uoregon.edu

City of Eugene Municipal Ordinance Sanctions

Alcohol
Furnishing Liquor to a minor / intoxicated person - (Section #3) No person who exercises control over private real property may knowingly allow any other person under the age of 21 years who is not a child or minor ward of the person to consume alcoholic liquor
on the property, or allow any other person under the age of 21 years who is not a child or minor ward of the person to remain on the property if the person under the age of 21 years consumes alcoholic liquor on the property. The prohibitions of this subsection apply only to a person who is present and in control of the location at the time the consumption occurs. This means sells, gives, or furnishes alcohol to a person less than 21 years old or visibly intoxicated. Fine: $375 (Violation) E.C.C 4.110

Minor in possession - means no minor shall attempt to purchase, acquire, or have in their possession any alcoholic liquor; this includes consumption. Fine: $275 (Violation) E.C.C 4.115 Note - For this purpose a minor is someone less than 21 years of age with alcohol or has an alcoholic beverage emanating from his/her breath (By consumption).

Minors - delivery or selling - means minors are prohibited from selling or offering for sale or deliver alcohol. No person shall employ, hire or engage a minor to sell, offer for sale or deliver alcoholic liquor. Fine: $290 (Violation) E.C.C 4.140

Minors - Falsely representing Age - means a person less than a certain age who knowingly purports to be older with the intent of securing a right / benefit / privilege which by law is denied under that certain age. (Jailable) Fine: $290 and/or 30 days in jail. (Crime) E.C.C 4.145 Note - In this case a minor trying to obtain alcohol using a form of identification that would make them old enough to buy the alcohol.

Consumption / Possession in unlicensed public places prohibited - means consumption of alcoholic liquor or possession of an open alcoholic beverage container is prohibited in all public places and all private property extended to the public for use. (Jailable) Fine: $140 and/or 100 days in jail. (Crime) E.C.C 4.190

Possession of unlabeled Keg of Beer - means possession of a keg containing malt beverages which is not properly identified per ORS and/or a person who signs a receipt for a keg knowing the receipt to be false, or who falsifies any information required on the receipt. (Jailable) Fine: 1st offense: $375 and/or 100 days in jail. 2nd offense: $530 and/or 100 days in jail & community service. (Crime) E.C.C 4.191 Note - This means a false name and/or address for the purposes of consuming alcohol without detection from OLCC or Law Enforcement.

Illicit Drugs
Possession of less than 1 oz. marijuana means knowingly or intentionally use or possess less than 1 oz. of marijuana. Fine: $275 (Violation) E.C.C 4.240

Other Common Citations
Giving false information to a police officer for a citation (Jailable) - means knowingly uses or gives a false name, address, or date of birth, for the purposes of the officer issuing or serving a citation. Fine: $530 and/or 100 days in jail. (Crime) E.C.C 4.906

Interfering with a police officer (Jailable) - means knowing that another person is a police officer, intentionally acts in a manner that prevents, or attempts to prevent, a police officer from performing the lawful duties of the police officer with regard to another person, or the person refuses to obey a lawful order by the police officer. Fine: $790 and/or 1 year in jail. (Crime) E.C.C 4.907

False Swearing (Jailable) - means a person commits the crime of false swearing if the person makes a false sworn statement, knowing it to be false. Fine: $530 and/or 100 days in jail. (Crime) E.C.C 4.908

State of Oregon Sanctions
The crime of a felony if it is so designated in any statute of this state or if a person convicted under a statute of this state may be sentenced to a maximum term of imprisonment of more than a year. The classifications for felonies are: Class A Class B Class C Unclassified Felonies ORS 161.525

The crime of a misdemeanor if it is so designated in any statute of this state or if a person convicted thereof may be sentenced to a maximum term of imprisonment of not more than one year. The classifications for misdemeanors are: Class A Class B Class C Unclassified Felonies ORS 161.545

Alcohol
MIP - Minor in possession-any attempt to purchase by a person under 21 years is a class B violation punishable by a fine of not more than $360. ORS 471.430
Providing liquor to a minor-No one other than a minor’s parent or guardian may sell or give alcoholic liquor to a person under the age of 21 years. Class A misdemeanor Mandatory minimums: first conviction - $350, second conviction - $1000, third or subsequent convictions - $1000 and not less than 30 days imprisonment. ORS 471.410(2)
For the purposes of the state of Oregon DUII statutes, for a person under 21 years of age, any amount of alcohol in the blood constitutes being under the
influence of intoxicating liquor (class A misdemeanor, penalty of up to 1 year and $2,500 fine and suspension and/or revocation of driving privileges).

Under the Oregon Criminal Code ORS 162.075, a person who commits the crime of false swearing, is a person who falsifies the information knowing that what they say is untrue. False swearing is a class A misdemeanor. Anyone purchasing a keg using a false name or any other deceitful information shall be subject to this definition.

Illicit Drugs
In Oregon, penalties for possession and distribution are determined by the Controlled Substance Schedule upon which the drug appears. Examples from the drug schedules appear below. (Note: Most drugs appear on the same federal and state schedule.)

**Schedule I** Heroin, LSD, Marijuana, Ecstasy, Peyote, Mescaline, Psilocybin

**Schedule II** Opium, Cocaine, Methamphetamine, Amphetamine, PCP

**Schedule III** Depressants, Vicodin, Anabolic Steroids, Codeine, Testosterone

**Schedule IV** Valium, Xanax, Phenobarbital

**Schedule V** Other less dangerous prescription drugs and small amounts of certain drugs (Robitussin A-C, Cophene-S, Parepectolin)

Marijuana
Delivery for consideration (selling, dealing, or bartering)-Class B felony (up to 10 years and up to $250,000 fine, or twice the value of any resulting gain of property or money); delivery not for consideration (less than 1 oz.)-Class A misdemeanor (up to 1 year and up to $6250); delivery not for consideration (less than 5 gm.)- Violation (fine of at least $500, but not more than $1000); unlawful possession (less than 1 oz.)-violation (fine of $500-$1000, plus twice the value of any resulting gain of property or money); unlawful possession (more than 1 oz.)-Class B felony (up to 10 years and up to $250,000 fine, plus twice the value of any resulting gain of property or twice the value of any resulting gain of property or money).

**Schedule I Drugs**
Manufacture or distribution (except marijuana)-Class A felony (up to 20 years and up to $375,000 fine, or twice the value of any resulting gain of property or money); unlawful possession-Class B felony (up to 10 years and up to $250,000 fine, or twice the value of any resulting gain of property or money).

**Schedule II Drugs**
Manufacture or distribution-Class B felony (up to 10 years and up to $250,000 fine, or twice the value of any resulting gain of property or money); unlawful possession-Class C felony (up to 5 years and up to $125,000 fine, or twice the value of any resulting gain of property or money).

**Schedule III Drugs**
Manufacture or distribution-Class C felony (up to 5 years and up to $125,000 fine, or twice the value of any resulting gain of property or money); unlawful possession-Class A misdemeanor (up to 1 year and up to $6250 fine, or twice the value of any resulting gain of property or money).

**Schedule IV Drugs**
Manufacture or distribution-Class C misdemeanor (up to 6 months and up to $2500 fine, or twice the value of any resulting gain of property or money); unlawful possession-Class C misdemeanor (up to 30 days and up to $1250 fine, or twice the value of any resulting gain of property or money).

**Schedule V Drugs**
Manufacture or distribution-Class C misdemeanor (30 days and up to $1250, or twice the value of any resulting gain of property or money); unlawful possession-violation ($250 fine, or twice the value of any resulting gain of property or money). It is unlawful for a person to manufacture or deliver a schedule 1, 2 or 3controlled substance within 1,000 feet of the real property comprising a public or private elementary, vocational or secondary school attended by minors (Class A felony, penalty of up to 20 years and $375,000 fine). In addition, the court may order the defendant to pay the cost of prosecution, and the defendant's vehicle used in the crime may be forfeited to the state. Finally, the defendant may forfeit any property used in the crime to the county in which the crime occurred.

**Federal Sanctions**

The federal system establishes sanctions for possession and distribution of controlled substances, based on the schedule of the drug and the amount involved. However, in addition, the statutory sanctions for possession and distribution are subject to the "Sentencing Guidelines for U.S. Courts." Imposition of the guidelines may lead to higher offense levels and, thus, stricter penalties than otherwise indicated. Courts must make adjustments in the offense level for victim-related considerations, defendant's role in the offense, multiple counts, obstruction and acceptance of responsibility. Finally,
the guidelines establish sentences for each offense based on the defendant's criminal history. Federal penal sanctions range from: manufacture, distribution or trafficking of large amounts of heroin, cocaine, PCP, methamphetamine, Schedule I and II hallucinogens, marijuana, hashish, or any of their derivatives (30 years to life, regardless of the defendant's criminal history) to Possession of any Schedule III-V drug if defendant has lowest level or criminal history (0-4 months).

Further, if serious injury or death results from the crime, minimums of up to 10 years (serious injury) and 20 years (death), plus fines of up to $4,000,000 maybe added. These penalties maybe doubled for defendants with past felony drug convictions. Finally, penal sanctions in the federal system are "real time," with reductions in sentences only for good behavior. Besides the criminal sanctions, the consequences of unlawful or irresponsible alcohol or drug use include, but are not limited to: Restrictions on future employment opportunities.

1. The loss of Federal Financial Aid (Mandatory for Drug Offenses)
2. Potential risks for injury, including permanent disability
3. The risk of being a victim of a crime and / or committing additional crime(s)
4. The loss of driving privileges
5. Additional sanctions on your educational record and future educational opportunities

Health Risks Associated with Use or Abuse

**Tobacco and Nicotine**
The Surgeon General has confirmed that tobacco use is the number one cause of preventable death in the United States. Smokers are more likely than nonsmokers to contract heart disease. Lung, larynx, esophageal, bladder, pancreatic, and kidney cancers also strike smokers at increased rates. Thirty percent of cancer deaths are linked to smoking. Chronic obstructive lung diseases, such as emphysema and chronic bronchitis, are 10 times more likely to occur among smokers than among nonsmokers. Smoking during pregnancy also poses risks, such as spontaneous abortion, preterm birth, and low birth weights. Fetal and infant deaths are more likely to occur when the pregnant woman is a smoker. Nicotine is both psychologically and physically addictive.

**Alcohol**
Low doses significantly impair the judgment and coordination needed to operate vehicles. Small amounts can also lower inhibitions. Moderate to high doses cause marked impairments in higher mental functions, and loss of memory and the ability to learn and remember information. High doses cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and permanent damage to vital organs such as the brain and the liver. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

**Cannabis (Marijuana, Hashish, Hashish Oil, Tetrahydrocannabinol)**
Physical effects of cannabis include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, reduce ability to perform tasks requiring concentration and coordination, and impair driving ability. Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana, hashish, THC, etc., can also produce paranoia and psychosis. Long term use may result in possible lung damage, reduced sperm count and sperm motility, and may affect ovulation cycles. Cannabis can also be psychologically addictive.

**Inhalants**
(Nitrous Oxide, Amyl Nitrite, Butyl Nitrite, Chlorohydrocarbons, Hydrocarbons)
Immediate effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage. Deeply inhaling vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing oxygen in lungs. Long-term use can cause weight loss, fatigue, electrolyte imbalance, muscle fatigue, and permanent damage to the nervous system.

**Cocaine (Crack)**
Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause nasal irritation; chronic use can ulcerate the mucous membrane of the
nose. Crack or freebase rock is extremely addictive. Physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by cardiac arrest or respiratory failure.

**Stimulants (Amphetamines, Methamphetamines, Crank, Ice)**

Stimulants cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. Users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause rapid or irregular heartbeat, tremors, loss of coordination, and physical collapse. Amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to physical effects, feelings of restlessness, anxiety, and moodiness can result. Use of large amounts over a long period of time can cause amphetamine psychosis that includes hallucinations, delusions, and paranoia. The use of amphetamines can cause physical and psychological dependence.

**Depressants (Barbiturates, Methaqualone, Tranquilizers)**

Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Large doses can cause respiratory depression, coma, and death. Combination of depressants and alcohol can multiply effects of the drugs, thereby multiplying risks. Babies born to women who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after birth. Birth defects and behavioral problems may also result. The use of depressants can cause both physical and psychological dependence.

**Hallucinogens (PCP, LSD, Mescaline, Peyote, Psilocybin)**

Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls intellect and instinct. PCP blocks pain receptors, and users can have violent PCP episodes resulting in self-inflicted injuries. Lysergic acid diethylamide (LSD), mescaline, and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors. Narcotics (Heroin, Methadone, Codeine, Morphine, Meperidine, Opium)

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users may experience constricted pupils, watery eyes and itching. Overdoses may produce respiratory depression, clammy skin, convulsions, coma, and death. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms. Use of narcotics can cause physical and psychological dependence.

**Designer Drugs (Analogs of Fenatyl, Analogs of Meperidine, MDMA, Ecstasy Analogs of PCP)**

Many "designer drugs" are related to amphetamines and depressants and have mild stimulant and depressant properties. Use can produce severe neurochemical damage to the brain. Narcotic analogs can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. Analogs of PCP cause illusions, hallucinations, and impaired perception.

**Anabolic Steroids**

Steroid users subject themselves to more than 70 side effects, ranging in severity from acne to liver cancer, including psychological as well as physical reactions. The liver and cardio-vascular and reproductive systems are most seriously affected by use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects in both sexes include very aggressive behavior, known as 'raid rage' and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years.

**References**


**AIDS, Alcohol, & Other Drugs**

Alcohol and other drugs do not cause HIV infection or other sexually transmissible infections. However, alcohol and drugs are often major factors when people have unsafe sex. Alcohol and other drugs can impair judgment and limit your ability to communicate effectively. Alcohol and some drugs (including cocaine, marijuana, and designer drugs) may damage the
immune system itself, making individuals more susceptible to infectious diseases.
Note: The use of any substance used intravenously, with needle sharing, increases the risk of AIDS and Hepatitis B.

**WHERE YOU CAN FIND ASSISTANCE**

**Employee Assistance Program**

The University of Oregon contracts with Cascade Centers, Inc. to provide a comprehensive employee assistance program for eligible employees, their dependents and household members. The services are at no cost to eligible employees and include short-term professional counseling and assessment, child-care and elder-care resource and referral, legal and financial consultations, a listening library, 24-hour crisis counseling and an interactive website. Cascade Centers is located off campus and offers complete confidentiality. More information about the program is available from Human Resources, 346-3159. Call Cascade directly at 1-800-433-2320 to schedule an appointment.

**Eugene-Springfield Community Assistance**

ACES Counseling Center, 541-344-2237
Adult Children of Alcoholics (ACOA), 541-345-4278
AI-Anon, for family and friends of alcoholics, 541-342-4113
Alcoholics Anonymous (AA), 541-342-4113
Co-Dependants Anonymous (CODA), 541-345-4278
Mothers Against Drunk Driving (MAD D), 541-343-8115
Narcotics Anonymous, 541-341-6070
Nar-Anon, for family and friends of the addict, 541-345-2277
Overeaters Anonymous, 541-683-0110
Alcohol and Drug Help Line, 800-621-1646
Info Line, a community human service referral program, 541-342-8255
White Bird Crisis Line, 541-687-4000
Buckley House Detox Center, 541-343-6512
Direction for Employee Assistance (UO Employee Assistance Program), 541-345-2800
Looking Glass Youth and Family Services, 541-485-8448
Prevention and Recovery Northwest 541-484-9274
Serenity Lane Treatment Center, 541-484-7282
White Bird Treatment Center, 541-683-1641
Willamette Family Treatment Services, 541-343-2993

Information provided complies with requirements for institutions of higher education as detailed in the Drug Free Schools Act Amendments of 1989, Public Law 101-226.