



KENTUCKY STATE UNIVERSITY POLICIES AND PROCEDURES

DRUG AND ALCOHOL-FREE POLICY

1. Policy

All faculty, staff and students will be given a copy of the Drug Free Institution policy at least once a year and be requested to sign an acknowledgment stating that the Policy was received, read, and understood. If an individual refuses to sign and return the acknowledgment, it will be so noted but not mandated. There will be no sanctions, punishment, or discipline for failing to sign and return the acknowledgment; however, an audit trail of those receiving the policy will exist. Under federal statute, KSU must be able to verify that all employees, students, and faculty are aware of the Drug Free Policy.

Investigation: Faculty, staff and students have an obligation to report policy violations to the appropriate authority, i.e., university police, supervisor, dormitory supervisor, vice president, or cabinet member. Whoever receives the reported violation must immediately notify the University Police who will inform the President. An investigation will be conducted by the University Police in conjunction with the General Counsel and the appropriate cabinet member. As a result of the investigation, if no policy violations are found, the investigation will terminate. If, as a result of the investigation, University, state, or federal or local violations are found, the involved individuals will be confronted by the University Police and appropriate cabinet member.

The University Police must comply with federal, state and local law regulations and procedures in reporting and handling violations; therefore, formal reports of all violations will be filed with the local authorities. All persons involved in investigations must be knowledgeable of investigation procedures and University policies for handling investigations and reporting violations.

Sanctions: Sanctions will depend on the type of violation.

Possession, use or consumption of a controlled substance or possession of drug paraphernalia:

Staff -Suspended for 30 days without pay. If the investigation determines a possession of a controlled substance or possession of drug paraphernalia violation, normal hearing procedures outlined in the Personnel Manual will apply. If the investigation determines a use or consumption violation, the staff member, within 48 hours of being suspended, may request a drug test, at own expense, at a testing facility selected by KSU. If the drug test results are negative, the staff member will be returned to active status with pay. If

the drug test results are positive, the staff member, at own expense, can voluntarily participate in a rehabilitation program approved by KSU. If the staff member successfully completes the rehabilitation program and provides a statement of completion, reinstatement will occur with back pay. If paid sick time was used during the rehabilitation period, the individuals paid sick time will be reinstated. If rehabilitation is not elected or is unsuccessful,

employment will be terminated after the 30-day suspension. If the individual does not elect to take a drug test, normal hearing procedures as outlined in the Personnel Manual will apply. Any controlled substances or drug paraphernalia confiscated during the investigation will be destroyed.

A second violation to this policy will result in immediate termination of employment.

Faculty -Suspended for 30 days without pay. If the investigation determines a possession of a controlled substance or possession of drug paraphernalia violation, normal hearing procedures outlined in the Faculty Handbook will apply. If the investigation determines a use or consumption violation, the faculty, within 48 hours of being suspended, may request a drug test, at own expense, at a testing facility selected by KSU. If the drug test results are negative, the faculty member will be returned to active status with pay. If the drug test results are negative, the faculty member will be returned to active status with pay. If the drug test results are positive, the faculty member, at own expense, can voluntarily participate in a rehabilitation program approved by KSU. If the faculty member successfully completes the rehabilitation program and provides a statement of completion, reinstatement will occur with back pay. If paid sick time was used during the rehabilitation period, the individuals paid sick time will be reinstated. If rehabilitation is not elected or is unsuccessful, dismissal procedures as outlined in the Faculty Handbook will apply. If the faculty member does not elect to take a drug test, normal hearing procedures as outlined in the Faculty Handbook will apply.

Any controlled substances or drug paraphernalia confiscated during the investigation will be destroyed.

A second violation to this policy will result in immediate termination of employment.

Students -Suspended for remainder of semester. If the investigation determines a possession of a controlled substance or possession of drug paraphernalia violation, normal hearing procedures outlined in the Student Handbook will apply. If the investigation determines a use or consumption violation, the student, within 48 hours of being suspended, may request a drug test, at own expense, at a testing facility selected by KSU. If the drug test results are negative, the student will be reinstated. If the drug test results are positive, the student, at own expense, can voluntarily participate in a rehabilitation program approved by KSU. If the student successfully completes the rehabilitation program and provides a statement of completion, reinstatement to the

University can be sought under the guidelines described in the Student Handbook. Upon readmission, the student can request to complete the course work missed in accordance with the guidelines of the Student Handbook. If rehabilitation is not elected or is unsuccessful, the student will be expelled. If the student does not elect to take a drug test, normal hearing procedures as outlined in the Student Handbook will apply. Any controlled substances or drug paraphernalia confiscated during the investigation will be destroyed.

A second violation to this policy will result in immediate expulsion.

Violation for Trafficking as defined in the Policy Statement as a Drug Free Institution:
Staff –Immediate termination.

Faculty -Immediate suspension without pay and commencement of dismissal procedures as outlined in the Faculty Handbook.

Students -Immediate expulsion.

2. Entities Affected

- Academic Affairs
- Campus Community

3. Policy Owner/Interpreting Authority

Office of Human Resources

4. Related Policies

5. Statutory or Regulatory References