



Drug and Alcohol Abuse Prevention Program  
2017-2018

*Prepared by*  
The Office of Community Life and Human Resources

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## Executive Summary

**Background:** The Education Department General Administrative Regulations (EDGAR) Part 86 requires institutions of higher education, which receive funds or any other form of financial assistance under any Federal program, to adopt and implement a drug prevention program in compliance with the Drug-Free Schools and Communities Act. The Drug Abuse and Alcohol Prevention Program (DAAPP) must include the following for annual notification to all student and employees:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on Liberty University's property or as part of any of its activities;
- A description of applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
- A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- A clear statement that Liberty University will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law) for violations of the standards of conduct, and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution.

Liberty University is committed to maintaining a safe and drug-free campus and provides its students and employees with preventative education and resources. Given the objective outlined above, and in accordance with the University's mission statement, the University prohibits the possession, use, manufacture, or distribution of alcohol or illegal drugs (including non-prescribed controlled substances).

# 1. Standards of Conduct

## Students

Liberty University is a private institution providing a world-class education experience with a solid Christian foundation to equip men and women with the values, knowledge, and skills essential for success in every aspect of life. With our unique heritage and expanding influence, Liberty is dedicated to preparing students to succeed in their chosen profession and service to others as a true Champion for Christ. To support and sustain the mission, the University must provide guidelines to encourage and instruct our students. By virtue of a student's enrollment at Liberty University, he/she consents to follow the policies and procedures of the university. A student may access the full version of [The Liberty Way \(Student Honor Code\)](#) online to review university policies related to student conduct.

The Office of Community Life is responsible for the adjudication of student conduct cases involving students in violation of the Liberty Way. All student conduct proceedings, including appeals, are decided by using a preponderance of the evidence standard (the greater weight of the evidence; what is more likely than not) based upon available information and evidence.

## Substance Use Policy

Liberty University prohibits the possession, use, manufacture, or distribution of alcoholic beverages, tobacco, nicotine, illegal drugs, and non-prescribed controlled substances by its students, whether this occurs on or off campus. This includes the use or possession of prescription medication not prescribed to the student and the abuse of medication prescribed to the student.

Violations of this prohibition may result in disciplinary action, including a sanction of non-return or administrative withdrawal. In addition, possession, use, manufacture, and distribution of illegal drugs and non-prescribed controlled substances is a crime, and Liberty University will cooperate with law enforcement authorities who are charged with enforcing the law.

## Sanctioning

The violations of "Possession, use, manufacture, or distribution of illegal drugs or non-prescribed controlled substances or involvement with another person engaged in any of these acts" and "Possession or consumption of alcoholic beverages" are 30-points violations. These violations traditionally would be accompanied by a \$500 fine and 30 hours of community service. These traditional sanctions may be adjusted or altered in instances such as a self-report or a Restorative Conference, where educational sanctions are given.

## Employees

### Drug and Alcohol Use Policy

The welfare and success of the University depends on the physical and psychological health of all its employees. The abuse of drugs and alcohol poses a serious threat to both the University, its students, and other employees. The University is committed to providing a drug-free, healthy, safe, and efficient workplace for its employees. For that purpose, the University has adopted these policies:

- The unlawful manufacture, sale, purchase, transfer, dispensation, distribution, possession, and use of any controlled substance (including alcohol) while on University business at the office, or on the premises of any of its property or while operating a University vehicle/equipment, or while representing the University is prohibited and will constitute grounds for termination.
- Reporting to work under the influence of any illegal substance or alcohol will be subject to discipline, up to and including termination.
- Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law (and that has been prescribed by a physician for the employee's medical use), to the extent that it does not impair an employee's job performance, safety, or the safety of others. Employees who take over-the-counter medication or other medication prescribed by a physician for their personal medical use that can legally be prescribed under both federal and state law should inform their supervisor if they believe the medication will impair their job performance, safety, or the safety of others. The University retains the right to determine if an employee's performance has been seriously impaired or affects the workplace adversely.

Employees are directed to notify Human Resources immediately of any criminal charge for a drug-related (including alcohol) activity occurring in the workplace, while on University business, or at any other time. Failure to inform the University of any criminal charge (including criminal charges other than drug-related or alcohol-related charges) may lead to disciplinary action, up to and including termination of employment.

Based on the mission and reputation of the University, any employee who is charged with a felony may be placed on administrative leave without pay, and may be terminated based on conviction of such charges or receipt of other evidence that the University, in its discretion, deems sufficient. Employees are required to notify their supervisor/department head and Human Resources in the event they receive a DUI traffic violation charge. The report must be made the next working day after receiving such charge prior to beginning work.

### Drug and Alcohol Testing

The University does not conduct pre-employment or random drug testing with the exception of certain designated positions as required under law in the Transit and Transportation Departments as well as certain positions requiring Commercial Drivers Licenses (CDL). The University reserves the right to conduct additional drug and alcohol testing in a non-discriminatory manner as prescribed by state and federal law.

## 2. Federal, State, and Local Laws and Sanctions

### Alcohol

The Commonwealth of Virginia laws concerning the purchase, possession, consumption, and sale of alcoholic beverages include:

- **Underage Possession of Alcohol:** An individual must be at least 21 years of age to purchase, possess, or consume alcohol. The purchase or possession of alcohol by an individual under age 21 is prohibited. Penalties for violation include a fine of up to \$2,500 and/or one year in jail. Mandatory minimum penalties include a \$500 fine or 50 hours of community service and revocation of driving privileges for at least six months. Code of Virginia §§ 4.1-305(c), 16.1-278.9 and 16.1-278.8.
- **Purchasing Alcohol for Individuals Under 21:** It is illegal for any person to purchase for, or otherwise give, provide, or assist in providing alcoholic beverages for another person whom they know to be less than 21 years of age. This is a Class 1 misdemeanor and, if convicted, the court may order jail time for up to 12 months and/or a fine of up to \$2,500. Code of Virginia § 4.1-306(A1).
- **Drinking in Public:** An individual may be fined up to \$100 for drinking in public. Code of Virginia § 4.1-308.
- **Drinking and Driving:** It is illegal for an individual to drive while under the influence of alcohol. Individuals are considered impaired if their blood alcohol content (BAC) exceeds .08. Individuals under the age of 21 who drive with a BAC of at least .02, but less than .08, may be fined up to \$500 and have their driver's license suspended for up to six months. Individuals with a BAC of .08 or higher or persons refusing a breath test will have their driver's license automatically revoked. Code of Virginia § 18.2-266.

### Controlled Substances

Controlled substances are classified under the Controlled Substances Act into "schedules" that indicate their relative medicinal use and probability of abuse and dependence (addiction). Code of Virginia §§ 54.1-3446 through 54.1-3456.

- **Schedule I:** The drug or other substance has a high potential for abuse. The drug or other substance has no currently accepted medical use in treatment in the United States. There is a lack of accepted safety for use of the drug or other substance under medical supervision. Some Schedule I substances are heroin, LSD, marijuana, GHB, MDMA (Ecstasy), and methaqualone.
- **Schedule II:** The drug or other substance has a high potential for abuse. The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions. Abuse of the drug or other substance may lead to severe psychological or physical dependence. Schedule II substances include morphine, PCP, cocaine, methadone, Ritalin, and methamphetamine.
- **Schedule III:** The drug or other substance has a potential for abuse less than the drugs or other substances in Schedules I and II. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence. Anabolic steroids, codeine and hydrocodone with aspirin or Tylenol, Ketamine, and some barbiturates are Schedule III substances.

- Schedule IV: The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III. Included in Schedule IV are Darvon, Talwin, Equanil, Valium, Rohypnol, and Xanax.
- Schedule V: The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV. Over-the-counter cough medicines with codeine are classified in Schedule V.

The Commonwealth of Virginia laws concerning the purchase, possession, use, and sale of controlled substances include:

- **Manufacture, Sell, Distribution, or Possession of a Controlled Substance:** It shall be unlawful for any person to manufacture, sell, give, distribute, or possess with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance. Code of Virginia § 18.2-248
  - Possession of a controlled substance classified in Schedule I or II of the Drug Control Act, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment ranging from one to ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to twelve months and a fine up to \$2,500, either, or both.
  - Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to \$2,500, either, or both.
  - Possession of a controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to six months and fine up to \$1,000, either, or both.
  - Possession of a controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to \$500.
  - Possession of a controlled substance classified in Schedule I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a felony conviction for which the punishment is imprisonment from five to forty years and a fine up to \$500,000. Upon conviction, the violator must be imprisoned for not less than five years, but may suffer life imprisonment, and a fine up to \$500,000.
  - Possession of a controlled substance classified in Schedules III, IV, or V of the Drug Control Act or an imitation controlled substance which imitates a controlled substance classified in Schedule III, IV, or V, except for an anabolic steroid classified in Schedule III constituting a violation of Virginia Code § 18.2-248.5, with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to \$2,500, either, or both.

- Possession of marijuana, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to thirty days and a fine up to \$500, either, or both. Upon a second conviction, punishment is confinement in jail for up to one year and fine up to \$2,500, either, or both.
- Possession of less than one-half ounce of marijuana with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to \$2,500, either, or both. If the amount of marijuana involved is more than one-half ounce to five pounds, the crime is a felony with a sanction of imprisonment from one to ten years, or in the discretion of the jury or court trying the case without jury, confinement in jail for up to one year and a fine up to \$2,500, either, or both. If the amount of marijuana involved is more than five pounds, the crime is a felony with a sanction of imprisonment from five to thirty years.
- Notwithstanding the aforesaid provisions, Rohypnol shall be deemed to be listed on Schedule I for the purposes of penalties for violations of the Drug Control Act. Any person knowingly manufacturing, selling, giving, distributing, or possessing Rohypnol shall be punished under the penalties prescribed for other Schedule I controlled substances.

### 3. Health Risks

Extensive medical research has identified various health risks associated with the use, misuse, or abuse of alcohol and other drugs. Alcohol or any other drug used in excess over time can produce illness, disability, or death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long-term, such as liver deterioration associated with the prolonged use of alcohol. In addition to health-related problems, other substance abuse concerns include the following:

- Individuals who abuse alcohol and other drugs often have erratic lifestyles which interfere with work and family responsibilities, sleep, nutrition, and exercise.
- Alcohol and substance abuse may lead to financial difficulties, domestic violence, deterioration of the family structure, motor vehicle accident injuries, and reduced job performance.
- Repeated use, misuse, or abuse of alcohol and other drugs can lead to various forms of dependence.

For more detailed descriptions of commonly-abused drugs, including specific health effects and treatment options, refer to the [National Institute on Drug Abuse](#).

## 4. Program Resources

### Students

Liberty University students who are at risk of substance abuse have access to counseling through Liberty's [Student Counseling Services](#) and its programs, including a local chapter of [Celebrate Recovery](#). Student Counseling Services may also refer students to other health-care agencies or counselors as needed.

### Liberty University Resources

#### **Student Counseling Services**

Green Hall, Room 1830

StudentCounselingServices@liberty.edu

(434) 582-2651

#### **Celebrate Recovery**

CelebrateRecovery@liberty.edu

#### **LU Shepherd Office**

Residence Hall 17

LUShepherd@liberty.edu

### Resources in Lynchburg

#### **AA in Central Virginia**

(434) 847-4733

#### **Celebrate Recovery – Blue Ridge Community Church**

2361 New London Rd., Forest, Va. 24551

(434) 525-7481

#### **Counseling Services at Thomas Road Baptist Church**

(434) 592-5630

#### **Roads to Recovery**

(434) 455-0053

## **Employees**

### **Liberty University Resources**

Liberty University provides employees with an Employee Assistance Program through the Hartford Insurance Company, at no cost to the employee. This program offers assistance to employees in several categories, including professional drug and alcohol counseling and rehabilitation services.

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## 5. Statement on Imposing Discipline

### Students

Liberty University will impose appropriate disciplinary sanctions on students found to be in violation of standards of conduct in accordance with the [The Liberty Way \(Student Honor Code\)](#). The Office of Community Life adjudicates all violations of the Substance Use Policy. The Office of Community Life, in accordance with [The Liberty Way \(Student Honor Code\)](#), will institute the following range of sanctions for students found responsible based on a preponderance of the evidence standard: warning, self-report, loss of privileges (campus driving restriction, permission to live off-campus, permission restriction), disciplinary probation, fines, community service, participation in a Restorative Practice, and/or administrative withdrawal.

Sanctions imposed by Liberty University do not preclude the possibility of action by civil authorities.

### Employees

Liberty University will impose appropriate disciplinary actions on employees when it has been determined the employee is in violation of University policy on Drugs and Alcohol. Based on the circumstances and the level of the violation, the employee will be disciplined up to and including immediate termination of employment.

Certain violations may result in a ban from all Liberty property and activities and may result in further action or prosecution by law enforcement agencies.