

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

STATEMENT OF POLICY

POLICY NUMBER: 8-7-105

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POLICY TITLE: EMPLOYEE ALCOHOL/DRUG USE

LEGAL AUTHORITY: Section 59-53-20 of the 1976 Code of Laws of South Carolina, As Amended

DIVISION OF RESPONSIBILITY: Human Resource Services

DATE APPROVED BY BOARD: June 28, 1989

DATE OF LAST REVISION: September 28, 2021

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

It is the policy of the State Board for Technical and Comprehensive Education (SBTCE) to provide a drug free, healthful, safe, and secure work environment. Employees are required and expected to report to work in appropriate mental and physical condition to meet the requirements and expectations of their positions.

The South Carolina Technical College System prohibits the unlawful manufacture, distribution, dispensation, possession or use of narcotics, drugs, other controlled substances and the use of alcohol at the workplace and in the educational setting. Unlawful for these purposes means in violation of federal/state/local regulations, policy, procedures, rules, as well as legal statutes.

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For purposes of this policy, workplace means either on System Office/College premises or other approved work locations. Educational settings include both institutional premises or in approved educational sites off campus.

Chemical dependency through use of controlled and uncontrolled substances, including alcohol, is recognized as a major health problem and a treatable illness. The SBTCE supports and recommends the establishment of employee assistance services for employees who may need treatment for such illness.

The Colleges and the System Office will provide drug-free awareness programs for employees regarding both illegal and legal drug use, including alcohol. Annual notice of this policy must be provided to employees as a condition of receiving federal financial aid funding. The South Carolina Technical College Education System and its employees will also comply with applicable Federal and State laws and regulations, including the Drug Free Workplace Act of 1988 and the Americans With Disabilities Act.

ADDENDUM

ALCOHOL AND OTHER DRUG USE

Policy and Information for Employees and Students
South Carolina Technical College System



It is the policy of the South Carolina Technical College System to provide a drug free, healthful, safe and secure work and educational environment. Employees and students are required and expected to report to their work, class, or student activities in appropriate mental and physical condition to meet the requirements and expectations of their respective roles.

The South Carolina Technical College System prohibits the unlawful manufacture, distribution, dispensation, possession or use of narcotics, drugs, other controlled substances and the use of alcohol at the workplace and in the educational setting. Unlawful for these purposes means in violation of federal/state/local regulations, policy, procedures, rules, as well as legal statutes. For purposes of this policy, workplace means either on agency premises or while conducting agency or college business away from the agency or college premises. Educational setting includes both institutional premises or in approved educational sites off campus.

In order to prevent the consequences of alcohol and other drug abuse at the workplace and in the educational setting, the South Carolina Technical College System has implemented this policy to ensure a drug-free work and educational environment.

The South Carolina Technical College System recognizes that chemical dependency through use of controlled or uncontrolled substances, including alcohol, is a treatable illness. The agency supports and recommends employee and student rehabilitation and assistance programs and encourages employees and students to use such programs.

All locations will also implement drug-free awareness programs for employees and students. Such programs will annually ensure that employees and students are aware that:

1. Alcohol and other drug abuse at the workplace and in the educational setting is dangerous because it leads to physical impairment, loss of judgement, safety violations and the risk of injury, poor health, or even death. Health risks and effects of controlled substances and alcohol will be provided to students and employees.
2. Alcohol and other drug abuse can also significantly lower performance on the job and in the classroom, thus impacting on the agency and the college mission as well as seriously affect the student's educational and career goals.
3. Employees must report any personal conviction under a criminal drug statute, for conduct at the workplace, to their human resource officer within five days. Management must report to granting agencies, any employee conviction for conduct in the work place within ten days of receiving notice.
4. It is a condition of employment and admission that all employees and students must abide by the policy on alcohol and other drug use as well as related procedures/statements/laws/guidelines. Violation of any provisions may result in disciplinary action up to and including termination or expulsion respectively, and may have further legal consequences consistent with federal and state laws and regulations. Additionally, management may require an employee or student to enter an employee/student assistance or drug rehabilitation program as a condition of continued employment or enrollment.
5. Use of employee assistance programs (EAP), student assistance programs (SAP), or drug/alcohol rehabilitation services is encouraged.

Chief Executive

Date

ALCOHOL EFFECTS & HEALTH RISKS

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgement 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 (see chart below) 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.

CONTROLLED SUBSTANCES - EFFECTS & HEALTH RISKS

DRUG	SOME TRADE OR OTHER NAMES	DEPENDENCE		POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME
		Physical	Psychological			
NARCOTICS						
Opium	Dover's Powder, Paregoric, Paraplectolin	High	High	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine	Morphine MS-Contin Roxanol, Roxanol-SR	High	High			
Codeine	Tylenol/Empirin/Florinal w/Codeine	Moderate	Moderate			
Heroin	Diacetylmorphine, Horse, Smack	High	High			
Hydromorphone	Dilaudid	High	High			
Meperidine (Pethidine)	Demerol, Mepergan	High	High			
Methadon	Dolophone, Methadone, Methadose	High	High-Low			
Other Narcotics	Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin	High-Low	High-Low			
DEPRESSANTS						
Chloral Hydrate	Noctec	Moderate	Moderate	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Barbituates	Amytal, Butisol, Florinal, Lotusate, Nembutal, Seconal, Tyinal, Phenobarbital	High-Moderate	High-Moderate			
Benzodiazepines	Ativan, Dalmane, Diazepam, Librium, Xanax, Valium, Tranxex, Verstran, Halcion, Cerax, Paxipam	Low	Low			
Methaqualone	Quaalude	High	High			
Glutethimide	Doriden	High	Moderate			
Other Depressants	Equanil, Miltown, Noludar, Placidyl, Valmid	Moderate	Moderate			
STIMULANTS						
Cocaine	Coke, Flake, Snow, Crack	Possible	High	Increases alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, possible death	Apathy, long periods of sleep irritability, depression, disorientation
Amphetamines	Biphedamine, Delcobese, Desoxy, Dexedrine, Obetrol	Possible	High			
Phenmetrazine	Preludin	Possible	High			
Methylphenidate	Ritalin	Possible	Moderate			
Other Stimulants	Adipex, Cylert, Didrex, Ionamin, Melfiat, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2	Possible	High			
HALLUCINOGENS						
LSD	Acid, Microdot	None	Unknown			
Mescaline and Peyote	Mexc, Buttons, Cactus	None	Unknown			
Amphetamine Variants	25-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	Unknown	Unknown			
Phencyclidine	PCP, Angel Dust, Hog	Unknown	High			
Phencyclidine Analogues	PCE, PCPy, TCP	Unknown	High			
Other Hallucinogens	Bufotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	None	Unknown			
CANNABIS						
Marijuana						
Tetrahydrocannabinol						
Hashish						
Hashish Oil						

SOUTH CAROLINA LAWS

ALCOHOL

PURCHASE ON BEHALF OF ONE WHO CANNOT LAWFULLY BUY

It is against the law to buy or give beer, wine, and/or alcohol to anyone who cannot buy it for themselves.

Penalty .Fine up to \$200 or confinement up to 30 days and mandatory driver's license suspension of 90 days .6 months.
(Code 6 1-9-60)

PURCHASE/POSSESSION BY A MINOR/MISREPRESENTING AGE

It is against the law to drink or possess any form of alcoholic beverage if you are under the age of 21. It is also against the law to lie or furnish false information concerning age in order to obtain any form of alcoholic beverage.

Penalty .Fine up \$200 for first offense and mandatory driver's license suspension of 90 days .6 months.
(Code 20-7-370/380, 61-9 -50)

TRANSFERENCE OF BEER OR WINE

It is against the law to give or transfer beer or wine to anyone under the age of 21. This includes serving anyone in your home except your child or spouse.

Penalty .Fine up to \$200 or confinement up to 30 days.
(Code 6 1-13-287)

CONTRIBUTING TO THE DELINQUENCY OF A MINOR

It is against the law for any person over 18 to knowingly and willfully influence a minor to violate any law or municipal ordinance.

Penalty .Fine up to \$3,000 and/or confinement up to three years.
(Code 16-17-490)

POSSESSION OF BEER, WINE, OR LIQUOR

It is against the law to possess beer, wine, or liquor if you are under the age of 21. This includes opened or unopened containers of alcoholic beverage in actual possession or in your immediate surroundings.

Penalty .Fine up to \$100 or confinement up to 30 days and mandatory driver's license suspension of 90 days .6 months.
(Code 6 1-9-87, 20-7-370/380)

SALE TO PERSON UNDER AGE

It is against the law to sell beer, ale, or wine to anyone under 21 years old.

Penalty .Fine up to \$200 or confinement up to 60 days.
(Code 61-9 -40)

DISORDERLY CONDUCT

Students found on any public highway or in any public place who are intoxicated or disorderly may be charged with disorderly conduct.

Penalty .Fine up to \$100 or confinement up to 30 days.
(Code 16-17-530)

ALTERING AND FRAUDULENT USE OF LICENSE

It is against the law to lend, issue, sell or use your license or anyone's license or a fictitious license (fake ID) for an unlawful purpose.

Penalty .First offense fine up to \$200 and or confinement up .to 30 days, and mandatory driver's license suspension for 90 days .6 months.
(Code 56-1-510/515, 61-9 -50)

DRIVING UNDER THE INFLUENCE (DUI)

It is unlawful for persons under the influence of alcohol or other drugs to drive.

Penalty .Not less than \$200 fine; imprisonment up to 5 years; driver license suspension 6 months .permanent.
(Code 56-1-1330,56-5-2930/2940/2990)

FELONY DRIVING UNDER THE INFLUENCE

If you cause bodily harm or death to someone while under the influence of alcohol, drugs or any combination, you are guilty of a felony DUI.

Penalty .for bodily harm, a mandatory fine up to \$10,000 and mandatory confinement up to 10 years. For death, mandatory fine up to \$25,000 and mandatory confinement up to 25 years.
(Code 56-5-2945)

CONSENT FOR TESTING

Anyone who drives on South Carolina highways automatically has given consent to a breathalyser test if arrested. If you refuse to submit to a urine and/or blood test your driver's license will be suspended. There is no law that states that you have to be given a driver's license, provisional or temporary.
(Code 56-1-1330, 56-5-2930/2940/12950/2990)

OTHER DRUGS

POSSESSION AND DISTRIBUTION OF DRUGS

It is illegal to have, to make, or to intend to distribute any controlled substance, i.e., cocaine, crack, marijuana, etc.

Penalty .Varies depending upon the circumstances under which the arrest was made and the amount of drugs. Fines up to \$200,000, confinement up to 30 years, and mandatory driver's license suspension for 6 months .1 year.
(Code 44-53-370)

DISTRIBUTION OF CONTROLLED SUBSTANCE CLOSE TO A SCHOOL

It is against the law and a separate offense to distribute, sell, make or have a controlled substance within a "specified" distance of schools, technical colleges, and/or colleges/universities.

Penalty .Fine up to \$10,000, and/or confinement up to 10 years.
(Code 44-53-445)

POSSESSION OR SALE OF DRUG PARAPHERNALIA

It is illegal to possess drug paraphernalia; paraphernalia includes, but is not limited to .such things as:

"Roach clips" .Clips used by dentists to clip bibs around the necks of patients.

"Bong" .Pipe that may or may not use water.

"Carburetor" .Circulating tube with holes at each end. Tube may be made out of glass or metal.

Penalty .Fine up to \$500

(Code 44-53-391)

FEDERAL ILLEGAL POSSESSION PENALTIES CONTROLLED SUBSTANCES

First conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both. There are special sentencing provisions for possession of crack cocaine: mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, depending on amount of crack possessed and number of convictions.

In addition, there is forfeiture of personal and real property used to possess, facilitate, transport, or conceal possession of controlled substances. There are also civil fines of up to \$10,000 and denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

(21 U.S.C. 844 (a); 21 U.S.C. 853(a) (2); 881 (a) (7); 21 U.S.C. 881(a) (4); 21 U.S.C. 844a; 21 U.S.C. 853 a)

FEDERAL TRAFFICKING PENALTIES (Examples)

	Minimum		Maximum	
	1st Offense	2nd Offense	1st Offense	2nd Offense
Marijuana Hashish Hashish Oil	NMT 5 years & NMT \$250,000	NMT 10 years & NMT \$500,000	NLT 10 years & NMT Life & NMT \$4,000,000 (If death/serious injury NLT 20 years)	NLT 20 years & NMT Life & NMT \$8,000,000 (If death/serious injury NLT Life)
Amphetamines Heroin Cocaine PCP LSD Cocaine Base Fentanyl	NLT 5 years & NMT 40 years & NMT \$2,000,000 (If death/serious injury NLT 20 years)	NLT 10 years & NMT Life & NMT \$4,000,000 (If death/serious injury NLT 20 years)	NLT 10 years & NMT Life & NMT \$4,000,000 (If death/serious injury NLT 20 years)	NLT 20 years & NMT Life & NMT \$8,000,000 (If death/serious injury NLT Life)

NOTE: **NMT** - Not More Than; **NLT** - Not Less Than

An EEO/Affirmative Action System (M/F/H)

Our locations are committed to equal opportunity and affirmative action and do not discriminate on the basis of race, sex, color, religion, national or ethnic origin, handicap, or age in admissions or employment policies, programs, activities or practices.