

## Substance Abuse

### 1.0 Policy

Caltech is committed to providing a safe, healthy, and productive work and academic environment for all members of the Caltech community. Consistent with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, it is Caltech's policy to maintain a work and academic environment free from drug and alcohol abuse. Faculty, staff, postdoctoral scholars, students, visitors, volunteers, and contractors performing work on Caltech's premises, including at the Jet Propulsion Laboratory ("JPL"), are required to comply with this policy.

### 2.0 Scope

#### 2.1 Prohibited Conduct

The unlawful use, manufacture, distribution, cultivation, dispensation, possession, sale, purchase of, or offer to sell or purchase controlled substances or alcohol on the Caltech campus or its off-site locations, including JPL, or as any part of its activities, is prohibited. Controlled substances include, but are not limited to, amphetamines, cocaine, marijuana, opiates, phencyclidine (PCP) and their metabolites. **Despite recent changes to California law, marijuana still is a controlled substance under federal law, and therefore the use, manufacture, distribution, cultivation, dispensation, possession, sale, purchase of or offer to sell or purchase marijuana on the Caltech campus or its off-site locations, including JPL, or as any part of its activities, continues to be prohibited.** The recreational use of nitrous oxide is also prohibited under this policy.

In addition, every employee is prohibited from being under the influence of controlled substances, alcohol, or any substance that may impair the employee's ability to perform their job duties safely or productively, or that may otherwise impair their senses, coordination, or judgment while on duty. Any employee reporting to work (or otherwise at work) under the influence of, or having present in their body, any prescribed drug, medication, or other substances that may adversely affect the employee's ability to work in a safe, productive, or efficient manner, must advise the Disability and Leave Unit. Caltech may require an employee to submit to drug and alcohol testing consistent with Caltech policy and applicable federal and state law. Testing procedures that apply to JPL employees are available on the JPL Human Resources website.

#### 2.2 Requirements for Employees and Students

As a condition of continued enrollment, every student is required to comply with this policy. As a condition of employment, all Caltech employees (this includes faculty, staff, postdoctoral scholars, and student employees), regardless of their location, are required to comply with this policy. A Caltech employee who violates this policy will be subject to disciplinary action up to and including termination of employment. A violation of this policy is likely to result in termination, even for a first offense. Similarly, all students, not just student employees, should understand that disciplinary action including involuntary leave or expulsion from Caltech may be invoked for violation of this policy and that intoxication is never an excuse for misconduct.

Caltech may contact a student's parents when a student under 21 violates this policy. If a student's behavior with respect to alcohol and drugs presents a danger to themselves or others, Caltech may inform the parents.

In addition, pursuant to federal law, a student's eligibility for federal financial aid may be suspended if the student is convicted, under federal or state law, of any offense involving the possession or sale of illegal drugs.

A faculty, staff, postdoctoral scholar, or student who is convicted (including a plea of nolo contendere [no contest]) of a criminal drug statute violation occurring in the workplace or on Caltech property must notify Caltech in writing within five (5) calendar days after the conviction. Campus employees should inform the assistant vice president of human resources, and students should inform their dean. JPL employees should inform the manager of employee relations.

### **2.3 Third Party Requirements**

Persons who are not employees of Caltech but who perform work at Caltech for its benefit (such as contractors and their employees, temporary employees provided by agencies, volunteers, and visitors engaged in joint projects at Caltech, etc.), are required to comply with this policy. Violation of this policy is likely to result in being barred from the workplace even for a first offense.

### **3.0 Health Risks**

The use of any mind- or mood-altering substance, including alcohol, can lead to psychological dependence, which is defined as a need or craving for the substance and feelings of restlessness, tension, or anxiety when the substance is not used. In addition, with many substances, use can lead to physical tolerance, characterized by the need for increasing amounts of the substance to achieve the same effect, and/or physical dependence, characterized by the onset of unpleasant or painful physiological symptoms when the substance is no longer being used. As tolerance and psychological or physical dependence develop, judgment becomes impaired, and the individual often does not realize they are losing control over the use of the substance and that they need help.

It is impossible to predict accurately how an individual will react to a specific drug or to alcohol because effects vary depending on the person, environmental variables, the dosage and potency of the substance, the method of taking the substance, the frequency of use, and whether the substance is taken in conjunction with other substances. Illegal drugs have particularly unpredictable effects due to variability in dosage and purity. Further, the overall potency of street drugs has increased dramatically over the past two decades, making users increasingly susceptible to negative effects.

Alcohol acts as a depressant to the central nervous system and can cause serious short- and long-term damage. Short-term effects include nausea, vomiting, and ulcers; more chronic abuse can lead to brain, liver, kidney, and heart damage, and even to eventual death. Ingesting a large amount of alcohol at one time can lead to alcohol poisoning, coma, and death. Drugs such as LSD, amphetamines, marijuana, and alcohol alter emotion, cognition, perception, physiology, and behavior in a variety of ways. Health risks include but are not limited to depression, apathy, hallucinations, paranoia, and impaired judgment, and all substances have an adverse effect on pregnancy and the fetus. When two or more substances are combined, the effect is often stronger than their additive sum.

## 4.0 Local, State, and Federal Legal Sanctions

Local, state, and federal laws establish severe penalties for violations of drug and alcohol statutes. These sanctions, upon conviction, may range from a fine to life imprisonment. In the case of possession and distribution of illegal drugs, these sanctions could include the seizure and summary forfeiture of property, including vehicles. It is especially important to know that federal laws have established penalties for illegally distributing drugs to include life imprisonment and fines of up to \$10,000,000.

### 4.1 Examples

- Unlawful possession of a narcotic drug is punishable by imprisonment in the state prison.
- The purchase, possession, or consumption of any alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited.
- It is illegal to provide alcohol to a person under the age of 21.
- Serving alcohol to an intoxicated person is prohibited.
- Selling any alcoholic beverages, except under the authority of a California Alcoholic Beverage Control License, is prohibited.
- It is a felony to induce another person to take various drugs and "intoxicating agents" with the intent of enabling oneself or the drugged person to commit a felony. The person who induced the other may be regarded as a principal in any crime committed.
- Any person found in a public place to be under the influence of an intoxicating liquor or drug and unable to care for their own safety, or who is interfering with the use of a public way, is guilty of disorderly conduct, which is a misdemeanor.
- It is illegal for a person to possess nitrous oxide (e.g., whippets) with the intent to inhale it for purpose of altering their mood or mental functioning.

## 5.0 Resources for Staff, Faculty, Postdoctoral Scholars and Students

Caltech recognizes drug and alcohol abuse and dependency as treatable conditions and offers faculty, staff, postdoctoral scholars, and students support programs for individuals with substance use problems. Faculty, staff, and postdoctoral scholars are encouraged to seek assistance for drug- and alcohol-related problems through the Caltech Staff and Faculty Consultation Center (SFCC) at campus and the Employee Assistance Program (EAP) at JPL. Individuals can contact the SFCC by calling (626) 395-8360, and the EAP by calling (800) 367-7474. Students are encouraged to seek assistance from the [Student Wellness Services](#) (SWS) at (626) 395-8331. In addition, faculty, staff, postdoctoral scholars, and students can seek confidential referral information through the Center for Inclusion & Diversity at (626) 395-3221.

The staff of the SFCC, the EAP, and the SWS will help employees and students to identify appropriate treatment resources and will refer them to counseling, treatment, or rehabilitation programs, as appropriate. Health insurance plans provide varying amounts of coverage for

substance-abuse programs to address substance abuse and rehabilitation. Individuals may contact their health providers or the Caltech Human Resources Benefits office at campus at (626) 395-6443, or JPL at (818) 354-4447, for plan details. Information obtained regarding a faculty, staff, postdoctoral scholar, or student during voluntary participation in services at the SFCC, EAP, SWS, or any related program will be treated as strictly confidential, and no information, including whether or not an individual is receiving services, will be shared with third parties, except by written consent or as required by law.

## **6.0 Drug and Alcohol Awareness Program**

Caltech has established and will maintain a drug and alcohol awareness program to educate faculty, staff, postdoctoral scholars, and students about:

1. Caltech's substance abuse policy;
2. the dangers of drugs and alcohol in a work and academic environment; faculty, staff, postdoctoral scholar, and student assistance programs; and
3. disciplinary action that may be imposed on faculty, staff, postdoctoral scholars, and students for violations of this policy.

Caltech will distribute to all faculty, staff, postdoctoral scholars, and students a copy of this policy on an annual basis.

## **7.0 Supervisor's Responsibilities**

If an employee is suspected of violating this policy, the employee's supervisor should consult with the director of employee and organizational development (EOD) at campus or the Employee Relations Department of the Human Resources Directorate at JPL regarding appropriate actions, which may include an investigation and discipline up to and including termination of employment. If a supervisor believes an employee's behavior raises safety concerns for the employee or others, the supervisor must take immediate action, including calling EOD on campus or the Employee Relations Department of the Human Resources Directorate at JPL, to assess and address the situation and to remove the employee from the worksite if necessary.

## **8.0 Caltech Sanctions**

Caltech will impose sanctions for violations of or failure to comply with the requirements of this policy. These sanctions will be consistently enforced, and penalties will depend on the severity of the offenses. Penalties may include employment termination, student expulsion, being permanently banned from Caltech premises, and referral to law enforcement for the most serious violations of the law and this policy (e.g., the manufacture or distribution of banned substances). Disciplinary action may be invoked entirely apart from any civil or criminal penalties that the faculty, staff, postdoctoral scholars, and students might incur.