Drug and Alcohol Policy

Introduction and Policy Statement

Washington University is committed to maintaining a safe and healthful environment for members of the University community by promoting a drug-free environment as well as providing for the use of alcohol.

Violations of this policy will be handled according to existing policies and procedures concerning the conduct of faculty, staff and students.

I want to take this opportunity to reaffirm the University’s commitment to equal opportunity in all aspects of our daily operations, including recruitment, hiring, training and promotion in all jobs without regard to race, color, age, religion, gender, sexual orientation, gender identity or expression, national origin, veteran status, disability or genetic information.

Should you have questions regarding any of these policies, please feel free to contact Human Resources.

Legai Chandler
Vice Chancellor for Human Resources

Standards of Conduct

Washington University strictly prohibits the unlawful manufacture, distribution, dispensation, possession or use of controlled substances or alcohol on University property or as a part of any University activity. All faculty, staff and students must comply with this policy as a condition of their employment or enrollment. Faculty and staff members are prohibited from reporting to work under the influence of alcohol, chemicals, or drugs, including legally obtained prescription drugs, which impair one’s ability to perform normal work activities. All faculty and staff members must notify their immediate supervisors within five (5) days of any criminal drug statute conviction or a violation occurring in the workplace or in the conduct of University business.

Violations

Violations of the standards of conduct will be dealt with on a case-by-case basis following the policies and procedures applicable to, at appropriate, faculty, staff or students. Sanctions may include, among other things, counseling, suspension, probation, expulsion or termination. Referral to an appropriate assistance or rehabilitation program also may be appropriate. Referral for prosecution will occur for serious violations.

The Drug-Free Workplace Act requires the workplace or in the conduct of University business, to notify appropriate government agencies of such conviction; and (2) within 30 days after receiving such notice, to take appropriate personnel action against such employee up to and including termination and/or to require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Drug and Alcohol Counseling, Treatment or Rehabilitation or Re-Entry Programs

Early recognition and treatment of drug or alcohol abuse are important for successful rehabilitation, and for reduced personal, family, and social disruption. Washington University encourages the earliest possible diagnosis and treatment for drug and alcohol abuse, however, the decision to seek diagnosis and accept treatment for drug or alcohol abuse is the responsibility of the individual.

The University encourages faculty, staff and students to seek assistance in dealing with a substance abuse problem, or those problems of a family member, by contacting available resources. University resources include Student Health Services (Danforth Campus, 314-935-6666); Student and Employee Health (School of Medicine, 314-362-5323); the Psychological Service Center (314-935-6555); the Department of Psychiatry (314-362-7002); and the Employee Assistance Program (844-365-4587 - toll-free).

Numerous non-University counseling programs exist in the St. Louis metropolitan area. Many programs advertise extensively in local media. Consultation with one’s personal physician is advised prior to self-referral to such non-University programs. For further information regarding referral to such programs, contact Student Health Services, the School of Medicine Student and Employee Health, or your private physician.

Health Risks

Drugs: A detailed description of the health risks associated with abuse of controlled substances is provided in the chart, Drugs: A detailed description of the health risks associated with abuse of controlled substances, published by the U.S. Department of Justice’s Drug Enforcement Administration as found in Appendix A (PDF).

Alcohol: Abuse of alcohol can produce serious health risks, including death. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive 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 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 withdraw symptoms, including severe, recurrent, and sometimes irresistible urges to eat, tremors, irritability, delusions, 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 liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical and mental defects as a result of maternal alcohol consumption during pregnancy. In addition, research indicated that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Legal Sanctions

Drugs: The manufacture, possession, sale, distribution, and use of controlled substances are prohibited by federal, state and local law; punishments range from fines to life imprisonment.

Section 955.214 of the Missouri statutes makes it a class A felony to distribute or deliver controlled substances on or near University property. Possession, even for personal use, of illegal drugs on University property in the conduct of University business, or in the conduct of University business, to notify appropriate government agencies of such conviction;

or in the conduct of University business, to notify appropriate government agencies of such conviction;

Drugs: Drug Uses and Effects, published by the U.S. Department of Justice’s Drug Enforcement Administration as found in Appendix A (PDF). Alcohol: Missouri’s Liquor Control Law makes it illegal, among other things, for a person under the age of 21 years to purchase, attempt to purchase, or possess any intoxicating liquor (Section 630.5). Violations of this provision can result in a fine between $50 and $5000 and/or imprisonment for a term of one year. County and municipality ordinances contain similar prohibitions and sanctions.

Loss of Workers’ Compensation Benefits

The Missouri Workers’ Compensation Act requires the forfeiture of benefits or compensation otherwise payable to an employee when the use of alcohol or non-prescribed controlled drugs is the proximate cause of the employee’s injury. At a minimum, the Act provides for a reduction in benefits or compensation when the employee is injured while using alcohol or non-prescribed controlled drugs.

Testing Requirement for Commercial Drivers Licenses (CDLs)

To meet requirements of the U.S. Department of Transportation (DOT), the University has established a drug and alcohol testing program for its employees who are drivers of its commercial motor vehicles requiring commercial driver’s licenses (CDLs), and who perform safety-sensitive functions, e.g., operate a vehicle requiring the display of hazardous material placards. This drug and alcohol testing program also applies to applicants selected for hire for designated safety-sensitive positions. Participation in the drug and alcohol testing program is a condition of employment for these positions.

This program requires pre-employment drug testing as well as DOT mandated random testing of current employees who are required to have CDLs.

Accidents Involving University-Owned Vehicles

The university reserves the right to require that an employee undergo immediate drug and/or alcohol testing if the employee is involved in a recordable or a significant accident while driving a university-owned vehicle.

Inspections

When the university has reasonable grounds to suspect that an employee unfaithfully manufactured, distribute, possessed or used controlled substances, alcohol or drug paraphernalia on university property or at any of its activities, the university reserves the right to inspect the employee’s personal effects and/or university property under the control of the employee.

Updated April 2012
Discrimination and Harassment

Policy Statement
Washington University is committed to providing a positive and educational learning and working environment for its students, faculty, staff and visitors. This Policy prohibits discrimination and harassment on the basis of race, color, national origin, age, religion, sex, sexual orientation, gender identity or expression, veteran status, disability or genetic information. Such conduct may also violate federal, state or local law.

What is Discrimination?
Discrimination is generally defined as a materially adverse action affecting the terms and conditions of employment or academic status that is taken because of an individual’s race, color, national origin, age, religion, sex, sexual orientation, gender identity or expression, veteran status, disability or genetic information.

What is Harassment?
Harassment is a form of discrimination. It is generally defined as unwelcome conduct, on or off campus, that is based on race, color, national origin, age, religion, sex, sexual orientation, gender identity or expression, veteran status, disability or genetic information, that (1) is subjectively and objectively offensive, (2) has the purpose or effect of unreasonably interfering with an individual’s work or academic performance and creating an intimidating, hostile or abusive educational or employment environment for work or learning. Whether particular conduct constitutes harassment often depends on the total circumstances.

Sexual harassment is a form of discrimination based on sex. It may include unwelcome sexual advances or other nonconsensual conduct of a sexual nature, when

(1) submission to or rejection of such conduct is used as a basis or threatened as a basis for academic evaluation, grades, or advancement, or

(2) such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance and creating an abusive, hostile or intimidating work or academic environment. Sexual violence is a form of sexual harassment and includes physical sexual acts perpetrated against a person’s will or when, due to a person’s use of drugs and/or alcohol, cognitive impairment or other disability, it would be apparent to a reasonable observer that the person is incapable of giving consent.

Harassment can be written, oral, visual or physical. Some conduct obviously constitutes harassment, such as a person immediately asking for a personal or sexual conversation on submission to a sexual advance. But whether particular conduct constitutes harassment will often depend upon the total circumstances, including the participants’ reasonable understanding of the situation, their past dealings with each other, the nature of their professional relationship (e.g., supervisor-subordinate, professor-student, colleague), the frequency and severity of the conduct, and the particular setting.

The inquiry can be particularly complex in the classroom and the broader academic community, where the free and open exchange of ideas and viewpoints reflected in the concept of academic freedom may sometimes prove distasteful, disturbing or offensive to some. Indeed, the examination and challenging of assumptions, beliefs or viewpoints that is intrinsic to academic freedom can be distracting or unwelcoming to some individuals. Allowing academic freedom to be distracting or unwelcoming to the individual. Allowing academic freedom is permitted by the University’s obligation to investigate and determine whether such behavior is harassment.

Confidentiality
The University will strive to protect, to the greatest extent possible, the confidentiality of persons reporting discrimination and harassment and those accused of such conduct. However, the University cannot guarantee complete confidentiality where it would conflict with the University’s obligation to investigate meaningfully or take corrective action. Even when such disclosure violates the University’s confidentiality, such disclosure will be limited to the extent possible.

If you believe you might have been subjected to discrimination or harassment and want to discuss the matter in a more confidential setting or clarify your feelings about whether and how you want to proceed, you may want to contact a social worker, therapist or clergy member who may be permitted by law to keep communications confidential. Information about counseling and clergy resources can be found in the University’s Saftey and Security brochure (available at www.police.wustl.edu). In addition, students may contact the Student Health Services (935-6666 on Danforth Campus; 362-3532 on School of Medicine Campus) and employees may contact the Employee Assistance Program (1-844-365-4597) for confidential assistance and, if desired, referral to other resources. Discussions with Student Health Services and the Employee Assistance Program are confidential and are not considered notice to the University.

Options for Resolution
If you believe that you have been subjected to discrimination or harassment, you have a number of options. You should select the route you feel most appropriate for your circumstance. You are not required to proceed, you may proceed at any time with a Discrimination and Harassment Response/Title IX Coordinator (listed in the Appendix), whose resposibility is to assist faculty, staff or students with questions regarding this Policy and options for addressing concerns about discrimination or harassment. Regardless of how you choose to address your concerns, the University must respond fairly and reasonably to them. If you believe you have been subjected to such harassment, you may use the procedures described above to seek redress.

The University seeks to protect the rights of all persons, members and accused, to fair procedures. Accusations of discrimination or harassment may have injurious far-reaching effects on the careers and lives of accused and accusers and accused, to fair procedures. Accusations of discrimination or harassment must be made in good faith and not out of malice. Knowingness making a false or frivolous allegation of discrimination or harassment, whether in a formal or informal context, will be treated as a serious offense under this Policy. If you have a reasonable basis to believe that a complaint of discrimination or harassment against you was not made in good faith, you may use the procedures described above to seek redress.

Obligations of Vigilance and Reporting
When the University receives the right, independent of other complaint or reporting processes, to review allegations of discrimination and impose disciplinary or other remedies against the accused, the University reserves the right, independent of or in conjunction with other complaint or reporting processes, to take interim or remedial measures appropriate to the situation, in accordance with applicable University policies. Examples of such measures include administrative leave, altering of reporting structures or job duties, temporary suspension, no-contact orders, temporary housing or course/classroom assignment changes, medical and counseling services, restrictions of campus activities, or other academic support services and accommodations.

Disciplinary and Remedial Actions
Potential disciplinary and remedial consequences for violations of this Policy include but are not limited to the following:

Retaliation and Protection of Rights
The University will not tolerate retaliation against persons who report discrimination or harassment against those who testify, assist or participate in any investigation, proceeding or hearing involving a complaint of discrimination or harassment. In this context, retaliation means behavior engaged in because of a person’s participation in the reporting or investigation of an allegation of discrimination or harassment that adversely affects that person’s terms or conditions of employment or education. Any such retaliation – or any encouragement of another to retaliate – is a violation of this Policy, regardless of whether the particular claim of discrimination or harassment is substantiated. If you believe you have been subjected to such retaliation, you may use the procedures described above to seek redress.

Other University Action
The University reserves the right, independent of other complaint or reporting processes, to review allegations of discrimination and impose disciplinary or other remedies against the accused, to the extent possible. The University reserves the right, independent of or in conjunction with other complaint or reporting processes, to take interim or remedial measures appropriate to the situation, in accordance with applicable University policies. Examples of such measures include administrative leave, altering of reporting structures or job duties, temporary suspension, no-contact orders, temporary housing or course/classroom assignment changes, medical and counseling services, restrictions of campus activities, or other academic support services and accommodations.

Retaliation and Protection of Rights
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Obligations of Vigilance and Reporting
The University can respond to specific instances and allegations of discrimination and harassment only if it is aware of them. The University therefore encourages any one who believes that he or she has experienced discrimination or harassment to promptly come forward with inquiries, reports or complaints and to seek assistance from the University. In addition, any University employee who becomes aware of any instance of alleged discrimination or harassment by or against a person under his or her supervisory authority, and any faculty member who becomes aware of instances or allegations of discrimination or harassment against a student, must report it to those charged with responding to such reports, such as a Coordinator, department head, director or another similar administrator. It shall be the responsibility of those individuals to respond to reports of discrimination and harassment or refer them to other University officials for such response.
Any department head, director, or other similar admin-
istrator who becomes aware of information indicating a
significant likelihood of discrimination or harassment
must report such information to the Coordinator. These
administrators must respond not only when they receive
a specific complaint or report alleging improper activ-
ity, but also when such matters come to their attention
informally. Unconfirmed or disputed allegations should
be clearly labeled as such and reports should indicate any
steps already taken to investigate or otherwise respond.
Administrators may wish to consult with a Coordinator
prior to investigating or otherwise responding to any situ-
ation involving alleged discrimination or harassment.

Education

Education is the best way to prevent discrimination and
harassment. Please contact the Coordinator to find out
more about available training programs and for informa-
tion and guidance on how to handle issues involving dis-
crimination and harassment.

Other Policies and Procedures

This Policy and its associated procedures supersede any
existing University, school, departmental or other policies
and procedures concerning prohibited discrimination and
harassment.

Washington University Code of Conduct

Statement of General Principles

This code applies to the following members of the
Washington University community: (a) individuals who
are paid by Washington University when they are work-
ning for the University—this category includes faculty and
staff; (b) consultants, vendors, and contractors when they
are doing business with the University; and (c) individu-
als who perform services for the University as volunteers.
The Code of Conduct refers to all these persons collective-
ly as “members of the University community” or “commu-
nity members.”

Integrity and Ethical Conduct

Washington University is committed to the highest ethical
and professional standards of conduct as an integral part
of its mission, the promotion of learning. To achieve this
goal, the University relies on each community member’s
ethical behavior, honesty, integrity, and good judgment.
Each community member should demonstrate respect for
the rights of others. Each community member is account-
able for their actions.

This Code of Conduct describes standards to guide us
in our daily University activities, standards we believe
are already being followed.

Compliance with Laws and University
Policies

The University and each community member must trans-
act University business in compliance with all laws, regu-
lations, and University policies related to their positions
and areas of responsibility. Managers and supervisors are
responsible for teaching and monitoring compliance in their
areas.

Procedures for Reporting Violations or
Concerns

The University’s compliance effort focuses mainly on
reporting teaching members of the University community the appro-
riate compliance standards for the areas in which they work.
Nevertheless, violations may occur. In addition, members
of the University community may have concerns about
matters that they are not sure represent violations. This
section describes community members’ responsibilities
for reporting violations or concerns, and how these responsibilities may be carried out.

Each community member is expected to report violations
or concerns about violations of this Code of Conduct that
come to their attention. Managers have a special duty to
adhere to the standards set forth in this Code of Conduct,
to recognize violations, and to enforce the standards.

A Statement Regarding Title IX

Title IX of the Education Amendments of 1972 prohib-
its discrimination based on sex (including sexual harass-
ment and sexual violence) in the University’s educational
programs and activities. Title IX also prohibits retaliation
for asserting claims of sex discrimination. The University
has designated the Title IX Coordinator identified in the
Appendix to coordinate its compliance with and response
to inquiries concerning Title IX. You may also submit a
complaint or inquiry regarding Title IX by contacting the
United States Department of Education’s Office of Civil
Rights at 400 Maryland Avenue S.W., Washington, DC,
20202-1100 or by visiting www2.ed.gov or calling 1-800-
421-3481.

(1) Communications with ombudspersons are con-
fidential unless there is an imminent risk of serious
physical harm or disclosure is compelled by a court.
Communicating a concern to an ombudsperson does not
constitute notice to Washington University.

(2) If the complaint alleges a sexual assault or other crime,
the complainant may also file a criminal report with the
Washington University Police Department or other appro-
priate law enforcement agency and may simultaneously
pursue criminal and University disciplinary proces-
s. The University will ordinarily not delay its investiga-
tion if criminal charges are filed. At the request of law enforce-
ment authorities, however, the University may postpone the
University investigation and proceeding while the authorities
gather evidence.

Appendix to Title IX

Disciplinary actions for proven violations of this Code, or
for retaliation against anyone who reports possible viola-
tions, may be determined on a case-by-case basis and may
include termination of employment. Individuals who vio-
late the Code may also be subject to civil and criminal
charges in some circumstances.

How to Report a Violation or Discuss a
Concern

You may report violations or concerns to your immediate
superior or department head, if appropriate. You may also
call the University Compliance Hotline at the num-
ber established for this purpose: (314) 362-4998. Reports
may be made anonymously to this number, if the caller so
desires. The University Compliance Office telephone line
has no caller identification or number recognition.

You may also access an online form on the Code of
Conduct website (http://codexofconduct.wustl.edu/) that
can be used to report violations or concerns which can also
be reported anonymously.

For matters dealing with one of the specific areas below,
you may call the number indicated, or you may call the
University Compliance Office 362-4915.

Animal Care Issues
Jennifer Lodge, Vice Chancellor for Research
(314) 747-6515

Computer Use & Security Policies
Chris Kieh, Vice Chancellor and Chief Information Officer
(314) 747-2310

Kevin Hardcastle, Chief Information Security Officer
(314) 935-7986

Conflicts of Interest – Research
Jennifer Lodge, Vice Chancellor for Research
(314) 747-6515

Conflicts of Interest – Clinical and Physician
Relationships with Drug and Medical Equipment or
Device Companies
George Macones, M.D., Chair, FPP Board of Directors
(314) 362-7139

Conflicts of Interest – Procurement Issues
Alan Kuebler, Assistant Vice Chancellor for Resource Management
(314) 362-6816

Environmental Health and Safety Issues
Bruce Backus, Assistant Vice Chancellor for Environmental Health and Safety
(314) 362-6816

Export Control
Lauren Langton, Export Control Manager
(314) 747-1378

Jennifer Lodge, Vice Chancellor for Research
(314) 747-0515

Financial Issues
Amy Rekstad, Vice Chancellor for Finance & CFO
(314) 935-9018

HIPPAA (Health Insurance Portability Act)
Privacy Issues
Christine Schub-HIPPA Privacy Officer
(314) 747-2933

Security Issues
Kevin Hardcastle, Chief Information Security Officer
(314) 935-7986

Human Studies Issues
Jennifer Lodge, Vice Chancellor for Research
(314) 747-0515

Human Resources/Personnel Issues:

Staff
Mark Glenn, Chief of Campus Police
(314) 362-8953

Minors at WU or participating in WU programs: Reporting suspected child abuse, neglect or inappropri-
ate interactions with minors
Mark Glenn, Chief of Campus Police
(314) 935-8098

John Ursch, Executive Director of Protective Services at WUSM
(314) 362-4357

Legale Chandler, Vice Chancellor for Human Resources
(314) 362-4900

Appyle Cotton, Assistant Vice Chancellor for HR
(314) 362-6774

International Activities/Foreign Corrupt Practices Act
Barbara Potts, Associate Vice Chancellor for Finance and Controller
(314) 362-8853

Lawsuits at WU or participating in WU programs:
Reporting any suspected child abuse, neglect or inappropri-
ate interactions with minors
Mark Glenn, Chief of Campus Police
(314) 935-8098

John Ursch, Executive Director of Protective Services at WUSM
(314) 362-4357

Legale Chandler, Vice Chancellor for Human Resources
(314) 362-4900

Physician and Medical Professional Billing Issues
Jane Ditch, Director of Physician Billing Compliance
(314) 747-2930

Research Financial Management Issues
Jennifer Lodge, Vice Chancellor for Research
(314) 747-0515

Research Integrity Issues
Jennifer Lodge, Vice Chancellor for Research
(314) 747-0515

This Policy is published in many places, including the Record, the Fax, and the Faculty Information booklet. It may also be found at wustl.edu/policies/sexharass.html or obtained from the Danforth or Medical School Human Resources office.