

Louisiana Tech University Drug Policy for Aviation Faculty, Students, and Staff

INTRODUCTION

This document describes the Louisiana Tech University's Department of Professional Aviation drug policy as it applies to specified personnel in the Tech Aviation Program.

BASIS FOR THE POLICY

Louisiana Tech University recognizes that poor job performance by individuals involved in aviation-related activities can lead to injury or death. Faculty, students, and staff (flight instructors) involved in any flight training function must conduct operations competently and with a full focus on safety.

Louisiana Tech cannot, and will not tolerate the use, or possession of, alcohol, illegal drugs, or any substance which may impair cognitive or psychomotor functions by faculty, students, or staff on campus property, or during participation in any aviation-related program or event.

POLICY

Louisiana Tech maintains a teaching and learning environment which is drug and alcohol free in accordance with the Drug-Free Schools and Communities Act Amendments of 1989. Therefore, Tech requires that all aviation faculty, students, and staff to be free of any chemical impairment during participation in any activity related to flight training or any movement of an aircraft, flight training device (FTD), flight simulator, or other equipment/vehicle under the department control.

Therefore, possession and/or use of any substance or drug which may impair cognitive or psychomotor function by an aviation faculty, student, or staff member involved in Tech's Aviation Program is strictly prohibited, either on institution property, in vehicles (including aircraft), or during internships. Within the scope of this policy, faculty, students, and staff are prohibited from using, possessing, distributing, manufacturing, selling, or attempting to sell, illegal substances or drugs.

APPLICABILITY

Faculty, students, and staff of the Department of Professional Aviation are subject to this drug policy.

TESTING PROGRAM PROCEDURES

The Department Head is responsible for directing and overseeing administration of the drug testing program. Reports of drug test results are received by the Department Head and passed to the Tech administrators through the normal chain of command.

Drug Testing

Drug Testing will be performed by an outside agency (Green Clinic) contracted by the Department of Professional Aviation and Louisiana Tech University. A negative report must be received before any individual will be allowed to continue operating as a faculty member, student within the department, or staff member performing duties.

Neutral Selection (Random) Testing

Faculty, students, and staff employees are subject to drug testing on an on-going basis. Drug testing will be administered at random times during each quarter, as determined by the Department Head. Failure to report for drug screening within the allotted time frame, without approval from the Department Head, constitutes refusal to submit to drug screening (see below).

Individuals selected for testing will have two hours, after notification, to report to the contracted agency for testing. In case the individual notified is out of town (Ruston), a selected neutral drug-testing facility will be chosen by Louisiana Tech University and the same two-hour deadline applies.

Reasonable Suspicion Testing

Individuals subject to drug testing also may be tested if reasonable suspicion of being under the influence of drugs exists based on observation, behavior, or other relevant, corroborated facts. The individual will have two hours, after notification, to report to the contracted agency for testing. In case the individual notified is out of town (Ruston), a selected neutral drug-testing facility will be chosen by Louisiana Tech University and the same two-hour deadline applies.

Testing Following an Accident or Incident

Individuals involved in an accident or incident will be drug tested at the discretion of the Department Head or Tech administrators. The individual will have two hours, after notification, to report to the contracted agency for testing. In case the individual notified is out of town (Ruston), a selected neutral drug-testing facility will be chosen by Louisiana Tech University and the same two-hour deadline applies.

DRUG TESTING PROCESS/DUE PROCESS

Test results that are negative: The Department Head advises the individual of the results, provides a copy of the report to the individual, and places the report in the individual's file. No further action is required.

Test results that are positive ("non-negative"): The Department Head advises the individual and the Tech administration of the results, provides a copy of the report to the individual, and places the report in the individual's file. The Department Head and the Registrar notifies the individual in writing of official dismissal from the Tech Aviation Program.

REFUSAL TO SUBMIT TO DRUG TESTING

Refusal to submit to drug testing will lead to automatic dismissal from the Tech Aviation Program. This includes any degree program or concentration under the Department of Professional Aviation.

PAYMENT FOR DRUG TESTING

All Department of Professional Aviation students will pay an "Aviation Drug Test" fee each quarter. Funds will be budgeted for drug testing administered to faculty, and staff employees. Funds collected from students will be held in a separate account and used to fund all drug tests administered to students. The fee amount will be determined on an on-going basis by the Vice President of Finance and Administration.

DEFINITIONS

Alcohol is defined as ethyl alcohol.

Controlled Substance, by definition, is any of a category of behavior-altering or addictive drugs, whose possession and use are restricted by law. The Tech Aviation Program may test for the following in the Substance/Drug Policy: marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), or metabolites of any of these substances, alcohol (ethanol) and any other substance/drug governed by the U.S. Department of Health and Human Services.

Dangerous Drugs is an even broader category of illegal substance, which describes hundreds of chemicals and other compounds.

Illegal Drug is defined as any substance, other than alcohol, having psychological and/or physiological effects on a human being that is not a prescription or non-prescription medication.

Intern Agency is defined as any agency that has agreed to provide learning opportunities for Tech aviation students. Faculty, students, or staff members who are engaged in intern learning experiences in agencies that require mandatory drug testing are expected to comply. The Tech Aviation Program may elect to subject an individual to drug testing should an incident occur at an intern agency.

Non prescription medication is defined as a drug that is authorized by federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailment, or injuries.

Neutral Selection (Random) Testing is defined as a mechanism of faculty, student, or staff selection for drug testing at any given time throughout the course of study at Tech.

Prescription medication is defined as a drug that is authorized by federal or state law for general distribution and use with a doctor's prescription in the treatment of human diseases, ailments, or injuries.

Reasonable Suspicion Testing is defined as reasonable suspicion based on the belief that a staff member, flight instructor, or student enrolled in a course of study in the Tech Aviation Program has been in violation of the Substance/Drug Policy according to the following:

1. Observable phenomenon, such as direct observation of substance/drug use and/or the physical symptoms or manifestations of being under the influence;
2. Abnormal conduct or erratic behavior such as absenteeism, tardiness, significant deterioration of performance, and/or verbal or physical aggression;
3. A report of substance/drug use provided by reliable and credible sources and which have been independently corroborated;
4. Evidence that an individual has tampered with a substance/drug test while in a course of study at Tech;
5. Information that a student has caused or contributed to an accident in the Aviation Program or its intern agencies;
6. Evidence that a faculty, student, or staff member is involved in the use, possession, sale, solicitation or transfer of illegal substances/drugs while at Tech or its affiliated intern agencies.

Refusal to Test is defined as a person's verbal statement or actions by not submitting to a screening test within the prescribed time requirements. Refusal to test also extends to an individual's failure to fully cooperate or failure to act in good faith with regard to the drug testing process (e.g., attempts to "trick" or "beat" the system).

Relevant Federal Aviation Regulations:

FAR 65.12 Offenses Involving Alcohol or Drugs

FAR 65.23 Refusal to Submit to a Drug or Alcohol Test

FAR 65.46 Use of Prohibited Drugs

FAR 65.46a Misuse of alcohol.

FAR 65.46b Testing for Alcohol

FAR 91.17 Alcohol or Drugs

FAR 91.19 Carriage of Narcotic Drugs, Marijuana, and Depressant or Stimulant Drugs or Substances

CONFIDENTIALITY

All information, reports, statements, memoranda, and test results requested or received by the Louisiana Tech Department of Professional Aviation Program in accordance with the Substance/Drug Policy are confidential communications and may not be used except under certain circumstances as allowed by the subject individual, the Federal Aviation Administration's Shared Information Act, or court order.

I have read and understand the ramifications of failing a drug test or refusing to take a drug test when told to do so within the time-limits specified.

Student's Printed Name (First MI, Last)

Student's Signature

Date