

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 2)

6 November 2019

VMI Alcohol and Controlled Substances Policy

The VMI Post is Commonwealth of Virginia property and subject to its laws concerning consumption of alcohol and controlled substances.

1. EMPLOYEES

- A. The Commonwealth of Virginia's Policy 1.05 on Alcohol and Other Drugs states that the following acts by all classified and non-classified employees, including teaching, research, and administrative faculty are prohibited (a copy of the entire Commonwealth of Virginia's Policy on Alcohol and Other Drugs can be obtained at [DEPARTMENT OF HUMAN RESOURCE MANAGEMENT POLICIES AND PROCEDURES MANUAL ALCOHOL AND OTHER DRUGS POLICY NO. 1.05](#)):
- 1) the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol and other drugs on the workplace;
 - 2) the impairment in the workplace from the use of alcohol or other drugs, (except the use of drugs for legitimate medical purposes);
 - 3) any action which results in the criminal conviction for:
 - a. a violation of any criminal drug law, based upon conduct occurring either on or off the workplace, or
 - b. a violation of any alcoholic beverage control law, or law which governs driving while intoxicated, based upon conduct occurring on the workplace;
 - 4) the failure to report to their supervisors that they have been convicted of any offense, as defined in 3 above, within five calendar days of the conviction.
- B. VMI employees shall not consume alcohol while on duty, during work hours, and/or while in the workplace, including while on meal breaks. The workplace consists of any site, including state owned or leased property, where state employees are performing official duties.
- C. Employees may not be impaired by or under the influence of alcohol while working.
- D. Employees may not participate in the unlawful use of controlled substances and may not be impaired by controlled substances while working.
- E. Alcoholic beverage-related sponsorship of VMI activities, as well as the advertisement and promotion of alcoholic beverages on Post is prohibited. Any exceptions to this policy must be approved by the Superintendent.

convicted of Driving under the Influence of drugs will be similarly subject to these policies and the Blue Book.

- D. Any violation by a VMI employee of the alcohol and drug policies contained in this General Order must be reported to the Director of Human Resources or the Dean of the Faculty by supervisors through the employee's chain of command; for cadets, the Commandant's office must be notified. This ensures that VMI sanctions are appropriately administered and are consistent with the nature of the offense, applicable laws, policy, and other legal requirements. These actions are independent of any law enforcement or criminal prosecution that may be ongoing or may have preceded VMI sanctions.

4. **CRIMINAL SANCTIONS FOR EMPLOYEES, CADETS, VISITORS, AND OTHER PERSONS**

- A. Alcohol - Virginia's Alcohol Beverage Control Act contains a variety of laws governing the possession, use, and consumption of alcoholic beverages. The Act applies to cadets and employees of the Institute. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below:
 - 1. It is unlawful for any person under age 21 to purchase or possess any alcoholic beverage. Violation of the law exposes the violator to a Class 1 misdemeanor conviction for which the minimum penalty is a fine of at least \$500 and/or performance of a minimum of 50 hours of community service and suspension of the individual's driver's license for at least six months. The maximum punishment is confinement in jail for twelve months and a fine of \$2,500, either or both, and suspension of the individual's driver's license for one year.
 - 2. It is unlawful for any person to sell alcoholic beverages to persons under the age of 21 years of age. Violation of the law exposes the violator to a Class 1 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, and a suspension of the individual's driver's license for up to one year.

3.

Appendix I

Alcohol Medical Safety Policy

Blue Book regulations clearly state penalties for underage consumption of alcohol and drinking alcohol on Post. Cadets are expected to fulfill all their obligations, and intoxication is not an excuse for failing to do so. Members of the VMI faculty and staff will enforce Blue Book regulations.

Intoxicated cadets reporting to the VMI Infirmary will be treated as medical patients. Pursuant to state laws and the professional ethical obligations of licensed health care providers, the Infirmary staff cannot break confidentiality. Any assessment and treatment in the Infirmary, including referral to the emergency room when intravenous hydration is required, is confidential.

Because of confidentiality, cadets treated in the Infirmary will not be reported to the Commandant for discipline. All intoxicated cadets seen in the Infirmary or the emergency room will be referred to Cadet Counseling for mandatory assessment and alcohol education.

If a VMI faculty or staff member discovers the alcohol abuse through channels other than the Infirmary or Cadet Counseling, penalties will be at the discretion of the Commandant's Office. Any cadet who brings a highly intoxicated cadet to the Infirmary will not be subjected to an alcohol penalty.

Pursuant to General Order 16, cadets who report a violation involving sexual misconduct and other prohibited forms of discrimination may be given amnesty for minor disciplinary infractions, including underage drinking, at the time of the incident, except respondents in any such investigation shall not be granted amnesty for any infractions if found responsible in the emergency room.