



**SOUTH EASTERN KENYA UNIVERSITY**

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**ALCOHOL AND DRUG ABUSE CONTROL POLICY**

**OCTOBER 2016**

*ARID TO GREEN ..... TRANSFORMING LIVES*



ISO 9001: 2015 CERTIFIED



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# **1. THE UNIVERSITY MANDATE, VISION, MISSION AND VALUES AND PHILOSOPHY**

## **(1) Mandate**

The core mandate of the university is teaching and learning, research and innovation, outreach and community service.

## **(2) Vision**

To be a globally competitive Centre of Excellence in Teaching, Research, Innovation and Services.

## **( 3) Mission**

To provide quality Education, through Teaching, Research, Extension, Innovation and Entrepreneurship with emphasis on Dry land Agriculture, Natural Resources and Environmental Management.

## **(4) Core Values**

- (a) **Professionalism:** In all our actions and interaction, we shall maintain ethical behavior, courtesy and professional etiquette.
- (b) **Innovation:** Innovativeness shall be the hallmark of our business activities through fostering pro-activeness, creativity and adaptability to change.
- (c) **Integrity:** We shall be honest, transparent and accountable always.
- (d) **Freedom of Thought:** We shall promote and defend academic freedom.
- (e) **Teamwork:** We shall maintain a sense of unity and of common interests and responsibilities.
- (f) **Respect for and Conservation of Environment:** We shall strive to respect and protect the natural and working environment.

## **5) Philosophy**

South Eastern Kenya University is transforming lives and improving the environment from arid to green through innovative teaching, research and community service.

### 3. DEFINITION OF TERMS

- (1) **Alcohol:** Alcohol means the product known as Ethyl alcohol or any product obtained by fermentation or distillation of any fermented alcoholic product, rectified either once or more often, whatever the origin, and shall include synthetic Ethyl alcohol but shall not include methyl alcohol and alcohol completely denatured in accordance with the prescribed formulas.(Alcoholic Drinks Control Act ,2010)
- (2) **Alcoholic drink:** Alcoholic drink is the alcohol that contains different amounts of ethanol for example spirits, wine, beer, liquor, traditional alcoholic drink and any one or more of such varieties containing one-half of one percentage or more of alcohol by volume, including mixed alcoholic drinks, modified industrial alcohol blended for human consumption and every liquid or solid, patented or not containing alcohol and capable of being consumed by a human being.(Alcoholic Drinks Control Act ,2010)
- (3) **Drug Abuse:** Drug Abuse means: (1) A habitual use of drugs to alter one's mood, emotion, or state of consciousness. (2) An excessive or improper use of drugs especially through self administration for non medical purposes. (3) The use of drugs for non therapeutic effect. (4) The use of a psychoactive substance for purposes other than medical purposes which impairs the physical, mental, emotional, or social well- being of the user. NACAADA Act No.14 of 2012)
- (4) **Controlled substance:** Controlled substance is drugs or chemical whose manufacture, possession, or use is regulated by a government and is enlisted in the Narcotics and psychotropic substances (controlled Substance Act, 1994).
- (5) **Drug:** A drug is any substance capable of altering the mind, body behaviour or character of any individual and includes alcoholic drinks, lawful drugs, or narcotics drugs and psychotropic substances.(NACAADA Act No.14 of 2012)
- (6) **Premises:** Includes land building, vehicle or vessel on or offshore, movable or removable or other place it may be used for the storage, manufacture, concealment, sale, handling, transport, or other related purposes. (NACAADA Act No.14 of 2012)
- (7) **Supply reduction;** Means any policies and strategies aimed at streamlining the production and trade in drugs.( NACAADA Act No.14 of 2012)

#### **4. LIST OF ACRONYMS AND ABBREVIATIONS**

(1) ADA	Alcohol and Drug Abuse
(2) EAP	Employer Assistance programme
(3) ILO	International Labour Organization
(4) NACADA	National Authority for Campaign Against Alcohol and Drug Abuse
(5) PC	Performance Contract
(6) PSI	Public Sector Institutions
(7) SEKU	South Eastern Kenya University
(8) SUD	Substance User Disorder
(9) UN	United Nation
(10)WHO	World Health Organization

## **5. PREAMBLE**

The world drug report of 2014, jointly prepared by the United Nations office on drugs and crime, the World Health Organization (WHO), the Joint United Nations (UN) Programme on HIV/AIDS and the World Bank observes that we continue to witness arising and worrying trend in the consumption and abuse of drugs globally. The report indicated that in 2012, between 162 million and 324 million people, corresponding to between 3.5 and 7% of the world population aged between 15years and 64 years, had used an illicit drug-mainly substances belonging to cannabis Opioid, Cocaine, or amphetamine type stimulant group at least once in the previous year.

The WHO global status report on Alcohol and health of 2014 indicated that in 2012, 3.3 million deaths, or 5.9% of all global deaths (7.6% for men and 4% for women)were attributed to alcohol consumption. The report shows that alcohol contributes to 200 diseases and injury related health conditions, most notably alcohol dependence, liver cirrhosis, cancer, and injuries. In 2012, 5.1% of the burden of disease and injury worldwide (139 million disability adjusted life years) was attributed to alcohol consumption.

In Kenya alcohol and drug abuse are the major social problems, with serious public health ramifications. Most of the consumers are the young aged between 10 and 19 years. The most commonly abused drugs are alcohol, Tobacco, Bhang, Glue, Khat and psychotropic drugs (NACADA 2011). South Eastern Kenya University is aware that there is alcohol and drug abuse in its community, for people abusing drugs are attended to and are identified during disciplinary proceedings or have been caught by the security personnel in the university premises. This policy document is the university's response to the threat of alcohol and drug abuse to its operations and functions.

## **6. LEGAL FRAMEWORK**

This policy concurs with Kenyan statutes as well as relevant legislation on Alcohol and Drug Abuse such as: The Constitution of Kenya 2010, the Narcotic Drugs and Psychotropic substances (control) Act, 1994, the Alcoholic drinks Control Act, 2010, the South Eastern Kenya University Act, the Employment Act, 2007 and the Universal Declaration of Human Rights of 1948.

## **7. JUSTIFICATION**

In keeping with the vision, mission, and core values, the university seeks to be a globally competitive centre of excellence in teaching, research, innovation and service to the society with distinction. The objective of the university is to produce holistic graduates and responsible citizens. The University has recognized the detrimental effect of which alcohol and drugs can have on employees and students, which in turn will result in health hazards, destruction of property, poor performance and poor productivity. For this reason the university both prohibits the illegal use or selling of illicit drugs on its premises and reserves the right of control of the selling and consumption of alcohol on its premises.

## **8. OBJECTIVES OF THE ADA POLICY**

The broad objective of the ADA policy is to provide a framework on the ADA prevention, demand reduction, supply suppression and early detection and management of ADA among SEKU employees and students.

The specific objectives are;

- (1) To prevent and control ADA in the institution.
- (2) To establish and build legitimate structures to coordinate matters relating to ADA.
- (3) To reduce the demand and suppress the supply of Alcohol and Drug Abuse in the university premises.
- (4) To take Measures to prohibit or restrict the availability of ADA in the workplace.

- (5) To prevent ADA related problems in the workplace through provision of information, education, training and any other relevant programmes.
- (6) To Identify, assess and refer those who have ADA related problems for counselling and rehabilitation.
- (7) To provide Measures relating to intervention, treatment and rehabilitation of individuals with ADA related problems.
- (8) To provide guidelines governing conduct in the workplace relating to ADA, the violation of which could result in the invoking of disciplinary procedures up to and including dismissal.
- (9) To provide guidelines on equal opportunities for persons who have, or who have previously had alcohol and drug-related problems (after rehabilitation) in accordance with existing national laws and regulations.
- (10) To enable SEKU to maintain a drug free, healthy and productive workforce.
- (11) To establish a corporate culture and practice that prevents and pre-empt alcohol and drug abuse at the work place.

## **9. GUIDING PRINCIPLES OF ADA POLICY**

The South Eastern Kenya University Alcohol, Drug and Abuse prevention unit was established through the University Statutes. The core functions of the Unit include; develop, implement, evaluate and review the University Alcohol and Drug Abuse Policy.

- (1) To undertake sensitisation of the University Community on effects and prevention of alcohol drug and substance abuse.
- (2) Implement a workplace policy on use of alcohol and drug abuse.
- (3) Submit annual alcohol and drug abuse (ADA) work plan to NACADA at the beginning of the performance contract period in the prescribed format.
- (4) Undertake follow up surveys to establish prevalence of alcohol and drug abuse.

- (5) Establish and operationalise an employer Assistance Programme (EAP) focusing on early identification, treatment and rehabilitation of staff with Substance User Disorder (SUD).
- (6) Submit quarterly and annual reports to NACADA on the progress of prevention alcohol and drug abuse in the University in the prescribed format.

## **10. SCOPE AND APPLICABILITY OF THE ADA POLICY**

- (1) This Policy applies to all constituents of South Eastern Kenya University including students, full-time, part-time and temporary employees and other staff; and to alumni, friends and guests on the University and will apply to all activities conducted on University owned property and to all University sponsored events.
- (2) Those under the age of 18 years are not permitted to consume, possess or be associated with alcohol under any circumstances on University premises or at any University event no matter where the event takes place.
- (3) The designated/licensed areas shall sell alcoholic drinks as per the alcoholic Drinks Act, 2010.
- (4) The University prohibits the illegal use, possession or distribution of controlled substances or association with gatherings involving such use, possession or distribution.
- (5) Members of the University Community are expected to be aware of and obey state and county laws or ordinances regulating the use, possession or sale of alcoholic drinks and federal and state laws regarding controlled substances.
- (6) Those who are cited for violations of laws or ordinances by state or county authorities shall face University disciplinary proceedings and shall be required to pursue counseling, an educational programme or treatment. The University reserves the right to take disciplinary action against any member of the University community for off-campus behavior that violates this policy.

## **11. UNIVERSITY REGULATIONS GOVERNING THE USE OF ALCOHOL BY STUDENTS**

- (1) Resident students and their guests who are 18 years or older may consume moderate amounts of alcohol in University designated areas and in a manner that recognises the rights of others.
- (2) No drinking or carrying of open containers of alcohol is allowed in common areas, offices, hallways, kitchens or lounges of University's premises.
- (3) No student shall sell an alcoholic drink within the University.
- (4) Alcoholic drinks are prohibited at University sponsored sports or other events on and off campus.
- (5) Students or passengers in University vehicles and University sponsored vehicles shall not use alcohol.
- (6) "Grain" alcohol is prohibited on campus except for supervised laboratory use.
- (7) Intoxication or alcohol abuse is not a permissible excuse for unlawful behavior or misconduct. Public drunkenness (identified by slurred speech, erratic behavior or difficulty with physical coordination), disorderly conduct, property destruction, intimidation or other infringements of the rights of others as a result of alcohol use are prohibited.
- (8) Any student found to be drunk and incapable or drunk and disorderly in or near an office, lecture hall, Halls of resident, street, road, licensed premises, shop, hotel or other public places shall be apprehended.
- (9) Advertising or promoting alcohol as a primary attraction of an event and the marketing of alcohol by beverage manufacturers or distributors or by clubs, organisations, departments or divisions of the University are prohibited in the university.

## **12. UNIVERSITY REGULATIONS GOVERNING THE USE OF ALCOHOL BY STAFF MEMBERS**

- (1) Alcoholic beverages may be served at events registered with the Deputy Vice Chancellor, Academic Research and Students Affairs or his/her designee at the licensed areas only or in the private areas.
- (2) No staff member shall sell and or use an alcoholic drink in the work place or office.
- (3) Drivers or passengers in University vehicles and University sponsored vehicles shall not use alcohol.
- (4) No persons under the age of 18 years shall be allowed to consume alcohol at the University social functions.
- (5) South Eastern Kenya University identification card or a valid driver's license, or both, are required for proper identification and verification of age during social events.
- (6) Alcohol shall not be served to any person drunk and incapable or drunk and disorderly.
- (7) Advertising or promoting alcohol as a primary attraction of an event and the marketing of alcohol by beverage manufacturers or distributors or by clubs, organisations, departments or divisions of the University are prohibited in the university
- (8) A division, department, club or organisation that fails to follow these guidelines and procedures shall lose the privilege to conduct social events
- (9) Any staff member found to be drunk and incapable or drunk and disorderly in or near an office, street, road, licensed premises, shop hotel or other public place shall be apprehended.

### **13. REGULATIONS REGARDING DRUG ABUSE IN THE UNIVERSITY BY STUDENTS**

- (1) Students involved in the use or possession of a controlled substance shall be expelled from the University
- (2) Students involved in any way in the distribution or sale of any amount of controlled substances shall be expelled from the University.
- (3) The University reserves the right to evict a resident student from its halls of residence for use or possession of a controlled substance at any time during the academic year.
- (4) These regulations are in addition to, not substitutes for, criminal sanctions provided for in Laws of Kenya. When required by law, violations of those regulations will be reported to the appropriate law enforcement agencies.

### **14. REGULATIONS REGARDING DRUG ABUSE IN THE UNIVERSITY BY STAFF MEMBERS**

- (1) Staff involved in the use or possession of a controlled substance shall be dismissed from the University.
- (2) Staff involved in any way in the distribution or sale of any amount of controlled substances shall be dismissed from the University even on a first offense.

These regulations are in addition to, not substitutes for, criminal sanctions provided for in Laws of Kenya. When required by law, violations of those regulations will be reported to the appropriate law enforcement agencies.

### **15. POLICY IMPLEMENTATION**

The University ADA Prevention committee whose composition is as per the University Statutes shall implement this Policy. The policy shall be reviewed after every two years.

## **16. REFERENCES**

- (1) Liquor Licensing Act, Cap 121
- (2) National Authority for Campaign against Alcohol and Drug Abuse (NACADA) Act, 2012
- (3) The Alcoholic Drinks Control Act, 2010.
- (4) The Alcoholic Drinks Control (Licensing) Regulations Legal notice No. 206 of 2010.
- (5) The Chang'aa Prohibition Act, Cap 70.
- (6) The constitution of Kenya 2010
- (7) The Narcotic Drugs and psychotropic substances (control) Act, Act no.12 of 1994.
- (8) The South Eastern Kenya University Statutes
- (9) The south Eastern Kenya University strategic plan 2015-2019
- (10) The south Eastern Kenya University Students' Rules and Regulations
- (11) The Traditional Liquor Licensing Act, Cap 122