

**CATEGORY:** SAFETY AND SECURITY

**SUBJECT:** Drug-Free Campus Policy

The Maine College of Health Professions works to provide a drug-free environment for all employees and students.

On the College premises or at College-sponsored activities, the following acts are prohibited:

- distribution, possession, use of, or attempt to purchase any illegal drug or controlled substance without legal authorization
- providing alcoholic beverages to individuals under 21, or possession of alcoholic beverages by individuals less than 21
- possession of an open container of an alcoholic beverage in a public place without the express permission of the owner, public intoxication, driving while intoxicated, and drinking alcoholic beverages in an unlicensed public place

### **Marijuana Use**

Federal law and the Drug Free Schools and Workplace Acts make possession and use of marijuana on campus and clinical settings illegal, even in states with medical or recreational marijuana laws, including Maine. Thus, the College does not permit the use of medical or recreational marijuana anywhere on campus or in the clinical setting.

### **Disciplinary Sanctions**

As an employee/student of the College, you are hereby informed that the unlawful manufacture, distribution, dispensing, possession, use of, or attempt to purchase any illegal drug or controlled substance will result in dismissal from the College or termination of employment with the College. A controlled substance includes opiates, cocaine and its derivatives, hallucinogenic substances, marijuana, amphetamines, barbiturates, and other narcotic drugs, a complete list of which is found in Schedules I-V of Section 812 in Title 21 of the United States Code. In accordance with Maine Law, the College will proceed to appropriately involve police officials to enforce this policy, and thus individuals may be subject to prosecution.

The sanctions here also pertain to the prohibited acts listed above related to alcoholic beverages possession and use.

To continue to work for or attend the College, you must agree to abide by this drug-free campus policy

**Annual Notification**

The College will provide to employees and students on an annual basis information on the following:

- Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on the school's property or as part of any of the school's activities.
- Description of applicable legal sanctions under state, local and federal law.
- Description of health risks.
- Description of available counseling, treatment rehabilitation, or re-entry programs
- Clear statement that the school will impose sanctions for violation of standards of conduct and a description of sanctions.

Approved: \_\_\_\_\_

Monika Bissell, DBA  
President

Date: March 18, 1989, Reviewed: September 14, 2000

Amended: November 1, 2010, February 24, 2012, November 30, 2015, January 8, 2016,  
April 22, 2016, August 1, 2017

*The Drug-Free Workplace Act of 1988  
(\*DOD Drug-Free Workforce)*

The 1988 Drug-Free Workplace Act of 1988 requires that no department, agency, or instrumentality of the United States receive any federal funds unless a written policy be in place, prior to January 16, 1989, to ensure that all its workplaces are free from illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees. The legislation prohibits the payment of any fiscal year 1989 funds to a contractor or recipient who does not have such a written policy statement in place.

Necessary provisions appear in "Subtitle D," of the "Drug-Free Workplace Act of 1988." A federal contractor should:

- Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the workplace. The sanctions as a result of violation to this policy should also be specified.
- A drug-free awareness program should be established to inform employees about the dangers of drug abuse in the workplace; the policy for maintaining a drug-free workplace; available drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations.
- Provide to each employee on contract a copy of the published statement.
- Notify the contracting agency within 10 days of receiving a notice of conviction from an employee.
- Either sanction the convicted employee or require participation in a rehabilitation program.

There is currently no indication as to how these provisions will be enforced. Certain federal benefits can be denied to anyone convicted of distributing or possessing illegal drugs.

The Department of Defense issued interim regulations requiring all DOD contractors to institute and maintain a program, including drug-testing programs, to provide for a drug-free workforce. It is intended that DOD requirements are to cover employees who have access to classified information. To achieve a drug-free workplace program, contractors will be required to include:

(1) employee assistance; (2) teaching supervisors to detect and address illegal drug use; (3) confidential treatment referral; and (4) identification of illegal drug users, including testing.

\*Excerpted from the College and University Personnel Association Newsletter