

ADMINISTRATIVE PROCEDURE

Southwestern Oregon Community College

AP 3550 Drug Free Environment and Drug Prevention Program

Legal Reference(s):

Drug Free Schools and Communities Act Amendment of 1989;

20 U.S. Code Section 10111i;

34 Code of Federal Regulations Parts 86.1 et seq.;

Federal Drug-Free Workplace Act of 1988;

41 U.S. Code Section 8103

ORS 475.005

Federal Controlled Substances Act, 21 U.S.C. Section 812

The College is committed to providing its employees and students with a drug-free workplace and campus environment. It emphasizes prevention and intervention through education.

The College recognizes controlled substance abuse as illegal and interfering with effective teaching, work and the development of a safe and healthy environment for learning. The College has a fundamental legal and ethical obligation to prevent controlled substance abuse and to maintain a drug-free work and educational environment.

This policy applies to all members of the College (students, faculty, staff) while at the workplace, as that term is described below.

Definitions

1. "Workplace" shall mean the site for the performance of work done for the College in connection with a federal grant or contract, including any building premises used by the College, any College-owned vehicle (or any other College-approved vehicle used to transport students or fellow employees to and from work-related activities or to transport fellow employees to and from different work sites) and any off-College property used for any College-sponsored or College-approved activity, event or function.
2. "Drugs" shall include any illegal drug, hallucinogenic drug, prescription drug (in the possession of an individual without a valid prescription), narcotic drug, amphetamine, barbiturate, marijuana or any other controlled substance (as the same is defined in ORS 475.005 or Schedules I through V under the Federal Controlled Substances Act, 21 U.S.C. Section 812).

College Policy

The College prohibits the unlawful manufacture, distribution, dispensation, possession or use of illicit drugs in the workplace.

[No College employee shall knowingly sell, market or distribute steroid or performance enhancing substances to College students with whom the employee has contact as part of the employee's College duties; or knowingly endorse or suggest the use of such drugs.]

Southwestern Oregon Community College does not discriminate on the basis of race, color, gender, sexual orientation, marital status, religion, national origin, age, disability status, gender identity, or protected veterans in employment, education, or activities as set forth in compliance with federal and state statutes and regulations.

College Awareness Program

The College shall provide notice at least annually through in-service or otherwise of the following:

1. The dangers of drug abuse in the workplace;
2. The College's policy of maintaining a drug-free workplace/College;
3. Information on appropriate, available drug counseling or assistance programs; and
4. Notice of the penalties that may be imposed upon employees/students for drug abuse violation in the workplace/College.

College Action

An employee who violates the terms of this policy shall, at their own expense, satisfactorily participate in a drug abuse assistance or rehabilitation program approved by the administration. If the employee fails to satisfactorily participate in such program, employment may be suspended, their contract nonrenewed or they may be dismissed, at the discretion of the administration, which shall base its decision on the risk to the health or welfare of students or staff posed by the employee or on the probability of recurrence of the employee's violation of the policy in the future. Any student who violates the terms of this policy shall be subject to such disciplinary actions as the administration determines is appropriate.

Federal Drug-Free Workplace Act of 1988*

No employee engaged in work in connection with a direct federal grant or contract of \$100,000 or more shall unlawfully manufacture, distribute, dispense, possess or use any drug or alcohol on or in the workplace.

Each employee who is engaged in work related to a direct federal grant or contract of \$100,000 or more shall notify their supervisor of their conviction of any criminal drug statute based on conduct occurring in the workplace, as defined above, no later than five days after such conviction. The College shall notify the federal granting agency within 10 days after receiving notice of an employee's conviction on any criminal drug violation occurring in the workplace.

Good Faith Effort

The College shall make a good faith effort to maintain a drug-free workplace through implementation of this policy.

*Colleges directly receiving grants or contracts of \$100,000 or more from the federal government are required to meet this obligation.

Approved by Board of Education:

Procedure #3.056, 4.019,5.014, 6.063 September 17, 1990

Changed to Administrative Procedure January 22, 1996

Reviewed: April 23, 2014 (Formerly Admin Policy 5.008)

Reviewed: August 8, 2018

Revised: July 10, 2019

Revised: March 13, 2024 (Formerly APP 7135)

Revised: May 8, 2024

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