



## Blue Mountain Community College *Administrative Procedure*

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**Procedure Title:** Drug-Free Workplace  
**Procedure Number:** 03-2006-0003  
**Board Policy Reference:** IV.B.1

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**Accountable Administrator:** President  
**Position responsible for updating:** AVP, Human Resources  
**Original Date:** 7-89  
**Date Approved by Cabinet:** 05-09-06  
**Authorizing Signature:** *Signed original on file*  
**Dated:** 05-10-06  
**Date Posted on Web:** **05-10-06; 07-10-08; 07-15-09**  
**Revised:** 12-03; 04-06; 07-08; 07-09  
**Reviewed:** **07-08; 07-09**

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### **Purpose/Principle/Definitions:**

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 an alcohol/drug-free work and educational environment.

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

#### **1. Definitions**

- a. "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.
- b. "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).
- c. "Alcohol" shall include any form of alcohol for consumption, including beer, wine, wine coolers, or distilled liquor.

## **2. College Policy**

The College prohibits the unlawful manufacture, distribution, dispensation, possession or use of alcohol or illicit drugs in the workplace. Alcohol may be consumed on the campus only upon the written consent, obtained before usage, of the President.

### **Guidelines:**

#### **1. College Awareness Program**

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

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

#### **2. College Action**

An employee who violates the terms of this policy shall, at his/her own expense, satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program approved by the President. If the employee fails to satisfactorily participate in such program, employment may be suspended, his/her contract may be non-renewed, or he/she may be dismissed, at the discretion of the President, who shall base his/her 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 President determines is appropriate.

#### **3. Federal Drug-Free Workplace Act of 1988<sup>1</sup>**

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 his/her supervisor of his/her 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.

#### **4. Good Faith Effort**

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

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<sup>1</sup>Colleges directly receiving grants or contracts of \$100,000 or more from the federal government are required to meet this obligation.

**Legal References:**

[ORS 657.176](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.

Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V; 21 CFR 1308.11-1308.15 (2000).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.