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600.01 -- Drug Free Schools and Communities and Drug Free Workplace

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Drug Free Schools and Communities and Drug Free Workplace

This policy applies to all University “Community Members” - employees, students, and visitors, including, but not limited to, faculty, staff, graduate associates, student employees, students, volunteers, contractors, and vendors.

CATEGORY <i>(category type is found in the index)</i>	Requested Implementation Date: ASAP	POLICY NUMBER <i>(assigned by CPAC)</i>
	Approval Date: 2/11/2016 Updated: 2/6/2017	
HUMAN RESOURCES (600)		600.01

POLICY STATEMENT

A. General Provisions

1. Alcoholic beverage consumption is prohibited on University property. There is to be no possession, consumption or sale of alcohol on-campus by anyone of any age. In addition, students may not consume alcohol or be intoxicated at any off-campus student event sponsored and funded by the University. Disruptive or self-abusive behavior including, but not limited to, intoxication or the display of alcoholic beverage containers are considered violations.
 - a. Persons under the age of 21: Possession or use of alcohol by any person on campus (and off-campus in most cases) under the age of 21 is a clear violation of law and thus University policy. Police officials may be contacted. In addition to regular university conduct sanctions for campus policy violations, the university reserves the right to notify students’ parents or legal guardians.
 - b. Persons 21 years of age and older: All persons entering the campus, whether 21 years of age or older, are required to comply with the university alcohol free policy. Violations of this policy will result in university conduct sanctions. In addition, our community emphasizes that supplying alcohol to minors is a clear violation of civil law and University policy. Any exceptions to this policy must be pre-approved by the President.
 - c. Any University Community Member in the presence of others in violation of this alcohol policy may be held accountable for not taking appropriate action (confronting those



violating policy or reporting the policy violation). Such behavior is considered “passive approval” and is also a violation of the policy.

- d. The University reserves the right to confiscate, retain, and dispose of/destroy any and all alcohol-related items regardless of value or ownership.
2. The unlawful manufacture, sale, distribution, delivery, possession or use of narcotics or controlled substances or drug paraphernalia on University property or as part of University activities is strictly prohibited. This includes the abuse or other improper use of prescription drugs or any mood-altering substance.
 - a. The state of Oregon voted to legalize and/or decriminalize small amounts of marijuana possession or use for persons over the age of 21 as of July 2015, but marijuana possession/use is still illegal under federal law. Concordia is required to uphold federal law and be in compliance with the Drug Free Schools Act. It is therefore against federal law and University policy to use, possess, distribute, or consume marijuana by anyone of any age.
 - b. Drug paraphernalia (including hookahs) is not allowed on campus or at University-related events off campus.
 - c. The University reserves the right to confiscate, retain, and dispose of/destroy any and all drug-related items regardless of value or ownership.
 - d. Any University Community Member in the presence of others in violation of this drug policy may be held accountable for not taking appropriate action (confronting those violating policy or reporting the policy violation). Such behavior is considered “passive approval” and is also a violation of the policy.
 - e. Medical marijuana users should be aware that Concordia does not permit marijuana use or possession on campus, including residential facilities, even with official medical documentation. All student questions regarding the reasonable accommodation of medical conditions should be directed to the office of Disabilities and Learning Services, and all employee questions regarding the reasonable accommodation of medical conditions should be directed to the Human Resources Department.

B. Basis for Reasonable Suspicion of Use

1. The Reasonable suspicion of a University Community Member’s use of a controlled substance or alcohol shall be based upon one or more of the following:



- a. Observed abnormal behavior, smell or impairment in mental or physical performance (for example, slurred speech or difficulty walking);
- b. Direct observation of use on University property;
- c. The opinion of a medical professional;
- d. Reliable information concerning use on University property, with the reliability of information determined by Concordia;
- e. An accident that occurs on University property or at an off-campus event sponsored and funded by the University, in conjunction with a basis for reasonable suspicion as listed above.

C. Enforcement

1. Concordia, having reasonable suspicion as defined under Section B of this policy, of unlawful actions and/or violations described in Section A shall, pending any criminal drug statute conviction for the violation, take disciplinary action with regard to the University Community Member, which may include, but is not limited to, suspension, transfer, termination of student or employment relationship.

D. Assistance Program

1. All University Community Members having a drug or alcohol problem are encouraged to seek assistance, on a confidential basis, using either Concordia's available resources or available other programs.

E. Leave for Participation in Abuse Assistance or Rehabilitation Program

1. Concordia may, upon request, grant leave to permit University Community Member to participate in a drug abuse assistance or rehabilitation program.

F. Establishment of Drug-Free Awareness Program

1. Concordia shall establish a drug-free awareness program to inform University Community Members of the:
 - a. Dangers of drug abuse;
 - b. Existence and content of this policy for maintaining a Drug-Free School and Community and a Drug Free Workplace;



- c. Availability of drug-counseling, rehabilitation and other assistance programs; and
- d. Penalties that may be imposed for drug and/or alcohol abuse violations.

G. Notification by Employee of Conviction

- 1. An employee shall notify his/her supervisor of his/her conviction of any criminal drug statute based on conduct occurring on University property, as defined above, no later than five days after such conviction.

H. Notification by Concordia of Employee Conviction

- 1. Concordia shall notify the appropriate federal granting or contracting agency of an employee's criminal drug statute conviction for a violation occurring on University property no later than 10 days after receiving notice of such conviction.

I. Copy of Policy to University Community Member

- 1. Concordia shall make available to each University Community Member a copy of this policy.

REASON FOR POLICY

Concordia University is a drug and alcohol-free community, and its primary concern is for the health, safety, and welfare of the university community. Concordia complies fully with local, state, and federal laws regarding the sale, possession, and consumption of alcoholic beverages. Additionally, the unlawful manufacture, possession, consumption, use, sale, or distribution of any illicit drugs, controlled substances, and mood-altering substances or possession of paraphernalia (including hookahs) on university property or as part of university activities is also strictly prohibited. All members of the university community are held responsible for their behavior and for respecting the rights of others.

Concordia endeavors to encourage a culture of compliance and is committed to providing education regarding the negative impacts of illicit drug use, misuse of prescription drugs, and the excessive or illegal consumption of alcohol. The University provides programs, support, and resources to promote health-enhancing experiences. Additionally, the University seeks to encourage responsible bystander behavior and timely reporting.



RELATED INFORMATION (Optional)

Definitions:

Term	Definition
Controlled Substance	A controlled substance shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other controlled substance as defined in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. Section 812) and regulations at 21 C.F.R. Sections 1308.11-1308.15. Section 202 of the Controlled Substances Act (21 U.S.C. Section 812) and regulations at 21 C.F.R. Sections 1308.11-1308.15.
Alcohol	Any beverage containing more than one half of one percent alcohol by volume, and very liquid or solid containing alcohol and capable of being consumed by a human being. Alcohol shall include any form of alcohol for consumption, including beer, wine, wine coolers or liquor.
Community Members	Employees, students, and visitors, including, but not limited to, faculty, staff, graduate associates, student employees, students, volunteers, contractors, and vendors.
Concordia University property	Property that is owned, operated, or controlled by Concordia University. This policy excludes the K Street facility.
Conviction	A finding of guilt (including a plea of no contest) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
Local, State, and Federal Laws	A local, federal or state criminal statute involving the manufacture, distribution, dispensation, possession or use of any controlled substance or alcohol.
Deliver or Delivery	The actual, constructive or attempted transfer, other than by administering or dispensing, from one person to another of a



	controlled substance, or alcohol, whether or not there is an agency relationship.
Manufacture	The production, preparation, propagation, compounding, conversion or processing of a controlled substance, or alcohol, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container.
Possession	To physically possess or otherwise to exercise dominion or control over a controlled substance or alcohol.
Remedial Action	A response which attempts to eliminate the negative effect on student performance, job performance, or the risk of injury.
Use	To consume by ingestion, injection, inhalation or any other means, in whole or in part, a controlled substance or alcohol, including being under the influence of either.

RESPONSIBLE UNIVERSITY DEPARTMENT / OFFICE

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Concordia University – Portland
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FORMS / ONLINE PROCESSES