



<p align="center"><b>Policy Title</b></p> <p align="center">Drug-free Workplace/Schools/Communities</p>	<p align="center"><b>Original Adoption Date</b></p> <p align="center">4/20/89</p>	<p align="center"><b>Policy Number</b></p> <p align="center">HR-302</p>
<p align="center"><b>Responsible College Division/Department</b></p> <p align="center">Human Resources</p>	<p align="center"><b>Responsible College Manager Title</b></p> <p align="center">Executive Director of Human Resources</p>	
<p align="center"><b>Policy Statement</b></p> <p><u>Introduction</u></p> <p>Drug use and the unlawful possession of controlled substances on the Lakeshore Technical College (hereinafter "college") premises undermines the integrity of a productive work and student environment. The college recognizes drug and alcohol dependency as an illness and a major health problem. The college also recognizes drug and alcohol abuse as a potential health, safety, and security problem. As a condition of program/course enrollment and employment at the college, both students and employees shall abide by the terms of this policy so that the college may remain in compliance with all federal, state, and local drug-free laws.</p> <p>Employees and students are expected and required to report to work and class on time and in an appropriate mental and physical condition. It is the college's intent and desire to provide a drug-free, healthful, safe, and secure work and educational environment.</p> <p><u>Instructional Use</u></p> <p><b>Limited use of alcoholic beverages in LTC programs may be permitted if authorized in advance by the College President or his/her designee. The use of the alcoholic beverages must be a part of an approved course curriculum and supervised by an LTC instructional manager or professional staff.</b></p> <p><u>Prohibited Acts</u></p> <p>The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on college premises or while conducting college business off the college premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination of employment for employees or dismissal of students.</p> <p><u>Confidentiality</u></p> <p>Conscientious efforts by employees and students to seek assistance for drug and alcohol abuse problems will not jeopardize any employee or student's position and will not be noted in any record. Employees needing help are encouraged to use the college's Employee Assistance Program. Students are encouraged to contact the Alcohol and Other Drug Abuse (AODA) specialist in Student Services for specific referral information.</p> <p><u>The Drug-Free Workplace Act of 1988</u></p> <p>The Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 USC Secs. 701-707) requires grantees of federal agencies to certify that they will provide drug-free workplaces.</p>		



Because the college is a grantee of federal agencies as that term is defined in the Drug-Free Workplace Act of 1988, the college is required to certify to any federal agencies from which it receives grant monies that it will provide a drug-free workplace.

Because the college is a grantee of federal agencies, the act requires that the college report criminal drug offense convictions of an employee that has been convicted of a criminal drug offense occurring in the workplace within ten calendar days, in writing, to the appropriate person or office in the federal agency for each grant upon which the convicted employee was working.

Any employee is required to report his or her conviction, as that term is defined in the Drug-Free Workplace Act, of any federal or state criminal drug statutes concerning illegal activity involving a controlled substance as defined in the act to the Human Resources Department within five days after the conviction.

Within ten days of receiving the written notice of the conviction from an employee or any other form of notification, the college shall provide written notice, including the convicted employee's position title, to every grant officer or other designee on whose grant activity the convicted employee was working. Within 30 days of receiving the written notice of the conviction from an employee or any other form of notification, the actions which may be taken by the college could require the employee to participate satisfactorily in an approved drug abuse assistance rehabilitation program, or the college may take disciplinary action against the employee, up to and including termination, but in compliance with state and federal laws.

The policy adopted herein applies to any and all persons working for the college who work on any activity covered under any grants covered by the act as well as any persons whose services are paid indirectly from any grants received that are covered by the act.

The college is required to establish and maintain an ongoing drug-free awareness program while receiving federal grants which are subject to the act.

#### The Drug-Free Schools and Communities Act Amendments of 1989

This portion of the policy is intended to comply with the Drug-Free Schools and Communities Act Amendments of 1989 (Pub. L. 101-266; 20 USC Secs. 3171-3232).

In order to comply with the Drug-Free Schools and Communities Act Amendments of 1989 (Pub. L. 101-226), the college is required to certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

In order to comply with the Drug-Free Schools and Communities Act of 1989, the college, on an annual basis, will distribute in writing to each employee and each student who is taking one or more classes for any type of academic credit, except for continuing education units, the following:

1. The standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.



2. A description of the applicable legal sanction under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
3. A description of the health risks associated with the illicit drugs and abuse of alcohol.
4. A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students.
5. A statement that the college will impose disciplinary sanctions on students and employees, in accordance with local, state, and federal law, and a description of those sanctions, up to and including dismissal or termination of employment and referral for prosecution for violations of standards of conduct of the college.

In addition, the college will conduct a biennial review of its program to comply with the Drug-Free Schools and Communities Act to determine the effectiveness and implement any changes to the program, if needed, and to insure the disciplinary sanctions prescribed therein are consistently enforced.

**Reason for Policy**

**Historical Data, Cross References and Legal Review**

Created/Adopted: 4/20/89

Reviewed/Revised: 11/16/89; 5/17/90; 9/19/90; 8/21/91; 5/19/93; 6/18/96; 10/10/00; 9/20/05; 11/19/10; 3/26/13, 11/14/17

Legal Reference: Drug-Free Workplace Act of 1988, 41 USC 701-707; Drug-Free Schools and Communities Act Amendments of 1989, 20 USC 3171-3232 (Public Law 101-226)

Cross Reference:

**Legal Counsel Review and Approval:** 9/20/2005

**Board Policy:** III.A. General Executive Constraint, III.B. People Treatment

**Definitions**

- See [Staff Social Events Policy](#)  
[Employee Code of Ethics and Conflict of Interest Policy](#)  
[Employee Progressive Discipline Policy](#)  
[Student Conduct Code Policy](#)  
[Alcohol Use by Students Policy](#)