



UCCS CAMPUS POLICY

Policy Title: Drug-Free Campus and Workplace Policy

Policy Number: 100-014

Policy Functional Area: Administration/Organization

Effective: September 27, 2014

Approved by: Pam Shockley-Zalabak, Chancellor

Responsible Vice Chancellor: Vice Chancellor of Administration and Finance (VCAF)

Office of Primary Responsibility: Department of Public Safety

Policy Primary Contact: Department of Public Safety, 719-255-5919

Supersedes: N/A

Last Reviewed/Updated: September 27, 2014

Applies to: Students, faculty, and staff

Reason for Policy: This policy complies with the Federal Drug Free Schools and Communities Act, the Drug Free Schools and Campuses Regulations, the Drug Free Workplace Act, the Controlled Substances Act, the drug and alcohol regulations mandated by the Federal Highway Administration of the U.S. Department of Transportation, and other applicable federal, state and local laws and regulations.

I. INTRODUCTION

The University of Colorado Colorado Springs (UCCS or University) has a vital interest in maintaining a safe, healthy and productive work and academic environment for its employees, students, and the public. As such, UCCS complies with the Federal Drug Free Schools and Communities Act, the Drug Free Schools and Campuses Regulations, the Drug Free Workplace Act, the Controlled Substances Act, the drug and alcohol regulations mandated by the Federal Highway Administration of the U.S. Department of Transportation, and other applicable federal, state and local laws and regulations.

II. POLICY STATEMENT

- A. Authority for the creation of campus administrative policies is found in the Laws of The Regents, as amended in 2007, Article 3 Section B.5, which states:

The chancellor of each campus shall be the chief academic and administrative officer responsible to the president for the conduct of the affairs of their respective campus in accordance with the policies of the Board of Regents. The chancellor shall have such other responsibilities as may be required by these *Laws* or regent policy, or as may be delegated by the president.

B. Purpose:

UCCS prohibits the unlawful manufacture, distribution, dispensation, possession, and use of any controlled substance, including illicit drugs, marijuana or alcohol, of any kind or any amount. Although possession and use of marijuana is legal under limited circumstances under Colorado state law, the manufacture, distribution, dispensation, possession or use of marijuana remains prohibited under federal law and consequently remains prohibited on UCCS property or in the conduct of UCCS business or in conjunction with any UCCS activity or associated event, as stated above.

These prohibitions cover any individual's actions occurring while on University property (whether owned or leased by the University) or in the conduct of University business away from University property or in conjunction with any UCCS activity or associated event.

Employees (including all faculty and staff and student employees), contractors, students, visitors, and volunteers are subject to the terms of this policy.

For students, additional information for standards of conduct can be found in Article 7 of the UCCS Student Code of Conduct at www.uccs.edu/dos/student-conduct.html

C. Procedure:

A safe and productive drug-free campus and workplace is achieved through cooperation and shared responsibility. All individuals have important roles to play.

1. Reporting Requirements.

If an individual observes or believes an employee, contractor, student, visitor or volunteer may be under the influence or in violation of this policy, please report so immediately.

- a. For employee-related concerns, contact a supervisor/appointing authority immediately. The supervisor/appointing authority should contact the Human Resources Department.
- b. For student-related concerns, contact the Office of the Dean of Students.
- c. For all other individuals, contact UCCS Department of Public Safety.

Confidentiality will be maintained to the extent possible.

2. Drug and Alcohol Testing

Based on job requirements, employees may, as a condition of employment, be required to participate in pre-employment, periodic, random, post-accident and reasonable suspicion testing, upon selection or request of management.

Specific departments may develop internal testing processes for those employees in safety-related positions, such as those operating motor vehicles or operating other equipment or subject to additional state and/or federal regulations. Safety-related positions may be covered by such department-specific protocols, and these departments shall have written procedures addressing the protocols. All department protocols must be reviewed by the Human Resources Office and the Office of University Counsel and approved by the vice chancellor of the division within which the department resides.

All alcohol and drug-testing information will be maintained in separate confidential records.

Any employee who tests positive will be immediately removed from duty and shall be subject to disciplinary action, up to and including termination of employment.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

3. Criminal Convictions.

Employees are required to inform the Human Resources Department within five (5) calendar days after any criminal conviction involving alcohol, illegal drugs or controlled substances in the workplace. A conviction means a finding of guilty (including a plea of nolo contendere) or the imposition of a sentence, or both, by a judge or jury in any federal or state court.

UCCS shall notify the appropriate federal agency of any convictions of employees working under applicable federal grants that involve controlled substances in the workplace within (10) ten days after it receives notice of the convictions.

D. Penalties and Legal Sanctions for Policy Violations:

UCCS will impose penalties and sanctions against individuals who violate this policy. Consequences are severe and include disciplinary action, up to and including termination from employment, academic sanctions, referral to voluntary/mandatory treatment, and removal/expulsion from campus.

Employees: It is a violation of this policy for any employee to jeopardize the operation or interests of the University through the unlawful manufacture, dispensation, possession, use, or distribution of any controlled substance, including illicit drugs, marijuana or alcohol. Some departments have adopted required testing policies that may include additional provisions regarding the possession or use of drugs or alcohol in the workplace. Sanctions for employees who are found to be in violation of this policy may include discipline up to and including termination of employment. Compliance with this policy is a condition of employment for all employees.

Students: Students found in violation of this policy shall be subject to sanctions or consequences in accordance with the Student Code of Conduct. A list of possible sanctions can be found in Article 9 of the Student of Conduct at www.uccs.edu/dos/student-conduct.html

UCCS may adjudicate violations of standards occurring both on and off-campus that are determined to have caused, or may have threatened to cause, an impact on the University's activities, or on the health, safety and/or security of the University, its members, or the community. This decision is made at the discretion of the Dean of Students.

UCCS Athletics: The National Collegiate Athletics Association (NCAA) has specific guidelines and information related to Collegiate Athletes, which can be found at the following links: NCAA Banned Substances and Drug Testing Information www.ncaa.org/health-and-safety/policy/drug-testing

Criminal Sanctions: Violations of this policy may also violate local, state and federal criminal law and will be referred to the UCCS Department of Public Safety for investigation which may result in separate penalties such as monetary fines or imprisonment. Individuals concerned about specific circumstances should seek the advice of their personal attorney.

E. Health Risks Associated with Alcohol and Drug Use and/or Abuse:

Serious health risks are associated with the use and/or abuse of drugs and alcohol.

Alcohol: Alcohol consumption causes a number of marked changes in behavior. Even low amounts can significantly impair judgment and coordination, including that required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate amounts also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high amounts can cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high amounts can cause respiratory depression and death. If combined with other depressants of the central nervous system, it is possible for much lower amounts of alcohol to have effects similar to those described above.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.¹

Other Drugs: Detailed information on health risks associated with the use of drugs and controlled substances can be found at <http://www.uccs.edu/aod/health-effects.html>.

F. Alcohol and Drug Treatment Programs:

Numerous options exist for alcohol and drug abuse treatment, and individuals are encouraged to voluntarily seek help.

1. Employees:

Employees may contact the Employee Services/Benefits Office (1-855-216-7740) or Human Resources (719-255-3372) for information regarding available resources, programs and services.

¹ Information taken from Appendix 4, *Complying with the Drug-Free Schools and Campuses Regulations Guide*, a publication of the Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention.

2. Students:

Students may contact the University Counseling Center (719-255-3265) or the Student Health Center (719-255-4444). The Office of the Dean of Students maintains an Alcohol and Other Drugs resource webpage that is a source of information to include policies, on and off-campus resources, and general drug/alcohol information. That site can be found at <http://www.uccs.edu/aod/index.html>.

Medical Amnesty & Emergencies for Persons Under 21 Years of Age:

UCCS encourages all students to call for help when any sign of alcohol poisoning or drug overdose is observed. Students who call for help to assist a friend or themselves may be eligible for medical amnesty (C.R.S. 18-13-122 (4.5)).

Students granted this amnesty may not be subject to disciplinary sanctions, but UCCS reserves the right to impose educational sanctions. This amnesty is granted at the discretion of the Dean of Students.

3. Additional Resources.

Additional specific resources for employees and students can be found at <http://www.uccs.edu/aod/resources.html>. The following agencies are also available for more information, consultation or assistance:

- Colorado Department of Personnel Colorado State Employees Assistance Program (C-SEAP) 303-866-4314 or 800-821-8154
- Colorado Department of Human Services Community Behavior Health, Prevention & Intervention 303-866-7400
- National Cocaine Hotline 1-800-COCAINE
- Alcoholics Anonymous General Services Office in Colorado Springs 719-573-5020
- University of Colorado Hospital Center for Dependency, Addiction, and Rehabilitation (Denver) 888-698-9429
- National Institute on Drug Abuse Substance Abuse & Mental Health Services 1-800662-HELP (4357)
- Mile High Council on Alcoholism and Drug Abuse Denver 303-825-8113
- Drug-Rehab.Org 1-877-655-8287

III. KEY WORDS

- A. Alcohol
- B. Controlled Substance
- C. Impairment
- D. Safety-Related Positions

IV. RELATED POLICIES, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

- A. Administrative Policy Statements (APS) and Other Policies

1. Student Code of Conduct Alcohol and Other Drug Information:
<http://www.uccs.edu/aod/index.html>
2. Campus Alcohol Policy (Policy Number 100-003):
3. Department of Transportation Regulations:
<http://www.fmcsa.dot.gov/regulations/title49/part/382>

B. Procedures

C. Forms

D. Guidelines

E. Other Resources (i.e. training, secondary contact information)

F. Frequently Asked Questions (FAQs)

V. HISTORY

Initial policy approval September 27, 2014