

106-01 DRUG- AND ALCOHOL-FREE WORKPLACE—PROCEDURE

1. PURPOSE

To ensure that employees and students comply with state and federal regulations regarding a drug- and alcohol-free workplace/educational environment.

2. PROCEDURE

1. Definitions

As used in this policy, "substances" means any/all of the following:

- a. Illegal drugs/controlled substances.
- b. Legal drugs (either by prescription or over-the-counter) if these legal drugs are illegally possessed, misused or overused to such an extent as to cause impairment of job performance.
- c. Intoxicating beverages/ alcoholic beverages.
- d. Other mind altering chemicals, materials, and/or substances.

2. Scope

Employees and students will be notified that the College provides a drug and alcohol free workplace/educational environment through regular publications such as class schedules, catalog, and website. These notifications will also include information regarding the dangers and health risks of substance abuse as well as a description of the applicable legal sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs and alcohol.

3. Process

- a. No employee or student will manufacture, distribute, possess, or use a controlled substance or alcohol in the workplace/facilities owned or leased by the College. Requests to serve alcohol for College sponsored events must be submitted and approved by the President prior to the date of the event. Abuse of alcohol or illegal drugs at College sponsored events will result in disciplinary action. This procedure does not pertain to the use of wine, beer, vanilla for food preparation, unless the substances are being abused.
- b. No employee or student that is under the influence of, or has recently used alcohol and/or a controlled substance to the extent of causing disruptive behavior or impairment of job or academic performance will be allowed to work or attend CCC classes and/or functions.
- c. Employees and students will be notified that compliance with this policy is a condition of employment/continued active student status.
- d. The following specifically address the process for employees and students should they be in violation of this procedure:

4. Employees

- a. Violations will result in disciplinary action which may include, but is not limited to, suspension, or termination, and referral for prosecution.

- b. Employees who violate the policy or procedures should immediately be brought to the attention of the appropriate Vice President or President (for those employees who do not report to a vice president) by the immediate supervisor for appropriate action to ensure that the policy/procedures provisions are enforced.
- c. Local law enforcement agencies may be utilized to assist in the resolution of problems that may occur.
- d. A detailed incident report should be completed within twenty-four (24) hours of the incident by the immediate supervisor and submitted to the appropriate Vice President or President (for those employees who do not report to a vice president) for review.
- e. The Vice President/President will report the incident to the Security Officer for inclusion in the crime report in accordance with the Jeanne Clery Act.
- f. The appropriate Vice President shall review the incident with the Human Resources Director and shall present to the President a recommendation for action.
- g. If an employee is suspended for violation of the drug and alcohol free policy, a determination shall be made within thirty (30) calendar days as to the continued work status of the individual(s) involved in the incident.
- h. Action taken shall be subject to the established employee grievance procedure.
- i. Any conviction under a criminal drug statute for conduct in the workplace must be reported to the appropriate Vice President no later than five (5) work days after the conviction.
- j. In cases of sufficient grounds for employee termination, the President shall recommend the discharge to the District Governing Board.
- k. Within ten (10) work days after receiving notice, the President or designee will notify the Department of Education of an employee's criminal drug or alcohol conviction for unlawful conduct in the workplace/College or any College sponsored event.

5. Students

- a. Violations will result in disciplinary action which may include, but is not limited to expulsion, and referral for prosecution.
- b. Any conviction under a criminal drug statute for conduct on College owned, leased or controlled property or at a College event must be reported to the appropriate Vice President no later than five (5) work days after the conviction as required under the Drug-Free Schools and Campus Act Amendments of 1989 - Public Law 101-226. Security will also be notified of the incident for inclusion in the crime report in accordance with the Jeanne Clery Act.
- c. Local law enforcement agencies may be utilized to assist in the resolution of problems that may occur.
- d. Within ten (10) work days of receiving notice, the President or designee will notify the Department of Education of a student's criminal drug or

- alcohol conviction for unlawful conduct in the workplace/College or any College sponsored event.
- e. Students who violate the policy or procedures should immediately be brought to the attention of the appropriate Vice President and action should be taken to enforce the policy provisions.
 - f. Students who violate this procedure will be referred to the Student Code of Conduct Judicial process.
 - g. A detailed incident report should be completed within twenty-four (24) hours of the incident and should be submitted to the appropriate Vice President for review.
 - h. Following suspension of the student, a determination shall be made within thirty (30) calendar days as to the active student status of the individual(s) involved in the incident.
 - i. Action taken shall be subject to the established student complaint procedure.

3. BACKGROUND

- 1. References: Drug-Free Schools and Campus Act Amendments of 1989 - Public Law 101-226, Jeanne Clery Act
- 2. Revision history: 06/09/2010
- 3. Legal review: none
- 4. Sponsor: Human Resources

Adopted by College Council: 06/09/2010

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