

I. Purpose

To set forth the College's commitment to providing students and applicants for admission, and employees and applicants for employment, a campus environment free of prohibited drug and alcohol use and intoxication, consistent with federal, state, and local law, other policies adopted by the Board of Trustees, and procedures adopted by the College.

II. Scope

This policy applies to trustees, employees, students, volunteers, guests, contractors, and visitors (1) on college property, (2) at college-sponsored events, or (3) in the conduct of college business or conducting or engaging in an academic program.

III. General

The College complies with the Drug-Free Workplace Act and the Drug-Free Schools and Community Act; therefore, the unlawful manufacture, distribution, dispensation, possession, or illegal use of a controlled substance, illegal drugs, and alcohol are prohibited on any property under the control of the College.

Trustees, employees, students, volunteers, guests, contractors, and visitors are expected to be free of illegal drugs or alcohol while on or using the College property.

A. Definitions

1. A "controlled substance" means a drug, or a substance, defined in the Federal Controlled Substance Act (Title 21 United States Code (USC) Controlled Substances Act.) It includes certain prescriptions and over-the-counter medications.
2. An "illegal drug" is any substance that is unlawful to use, possess, sell, or transfer under state or federal law. In cases where federal and state laws conflict, federal law applies.
3. "Alcohol" means any beverage in liquid form which contains not less than one-half of one percent of alcohol by volume.
4. "Drug paraphernalia", means any equipment, product, material of any kind, or combination of equipment, products, or materials, which is specifically designed for use or primarily intended for use in planting; propagating; cultivating; growing; harvesting; manufacturing; compounding; converting; producing; processing; preparing; testing; analyzing; packaging; repackaging; storing; containing; concealing; injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful under either federal law *21 U.S. Code § 863 (d) or state law (MCL 333.7451)*. It includes items primarily intended or

designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, PCP, methamphetamine, or amphetamines into the human body.

5. A “prescription drug” is any substance prescribed for an individual by a licensed health care provider and used in accordance with the prescription.
6. An “inhalant” is any substance that produces mind-altering effects when inhaled.
7. An “over-the-counter medication” is a substance used in treating a disease or condition or relieving pain that may be obtained without a prescription.
8. “College Property” includes buildings, grounds, structures, and real estate, and vehicles that are owned, rented, leased, or otherwise utilized by or under the control of LCC.

B. Employees

All employees of the College are expected to report for work fit for duty; that is, being able to perform assigned duties safely and acceptably without any limitations due to the use or after-effects of any substance covered by this policy.

Off-the-job and on-the-job involvement with any covered substance, as previously defined, can have adverse effects upon the workplace, the integrity of the College’s ability to serve our students, the safety of other employees, the well-being of our employees’ families, and the ability of the College to implement this policy. The College, therefore, emphasizes that it has zero tolerance for employees who arrive at work impaired by or under the influence of drugs and/or alcohol. You are “under the influence” of any substance if your use of that substance:

- impairs your behavior or your ability to work safely and productively; or
- Impairs your physical or mental conditions in a manner such that you become a threat to your own safety or the safety of others or causing damage to college property.

Accordingly, the following conduct and behaviors are strictly prohibited (1) on college property, (2) at college-sponsored events, or (3) in the conduct of college business or conducting or engaging in an academic program:

1. Use, possession, purchase, sale, dispensation, distribution, or manufacture of any substance, as previously defined with the following exceptions.

Employees who take over-the-counter medications or legally prescribed drugs while at work:

- a) May use prescription drugs or over-the-counter medications only if they do not impair the employee’s ability to work safely.

- b) Must follow applicable directions regarding use, including dosage limits and usage cautions.
2. Being impaired by or under the influence of any substance as previously defined.
3. Use, possession, purchase, sale, transfer, or distribution of drug paraphernalia.
4. Use, possession, purchase, sale, dispensation, or distribution of alcohol is prohibited on campus except when a written request has been submitted for consideration and approved in writing by the President or designee.
5. Nothing in this policy shall be construed as prohibiting the President, his family members, or guests from lawfully possessing or consuming alcohol at the President's residence.

Compliance with this policy, including compliance with mandated drug and alcohol testing, is a condition of employment.

Furthermore, as a condition of continued employment, any employee who is charged with or convicted of a violation of any state or federal criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance or alcohol shall notify the Executive Director of Human Resources, in writing, of the charges or conviction no later than five (5) days after such charges or conviction(s). The Executive Director of Human Resources shall report conviction(s) as required by the Drug-Free Workplace Act.

In accordance with the Drug-Free Workplace Act, the Drug-Free Schools and Communities Act, or applicable College policies, employees shall be subject to mandatory participation in a substance abuse assistance or rehabilitation program; and/or disciplinary action, up to and including discharge or dismissal, as determined by the College for the following reasons:

1. Failure to comply with mandated drug or alcohol testing.
2. Failure to timely report being charged with or convicted of a violation of any state or federal criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance or alcohol.
3. Failure to abide by this policy.

In addition, an employee may be subject to criminal prosecution by federal, state, and local authorities.

C. Students

All students on College property are expected to abide by the Student Code of Conduct. Accordingly, the following conduct and behaviors are strictly prohibited on college property, at college-sponsored events, and while pursuing an academic program:

1. Use, possession, purchase, sale, dispensation, distribution, or manufacture of any substance, as previously defined.
2. Being impaired by any substance as previously defined.
3. Use, possession, purchase, sale, dispensation, or distribution of drug paraphernalia

As required by the Drug-Free Schools and Communities Act, any student found to have violated the above prohibitions may be subject to disciplinary actions as outlined in the Student Code of Conduct up to and including expulsion.

In addition, a student may be subject to criminal prosecution by federal, state, and local authorities.

D. Counseling and Rehabilitation Services

The College offers educational programs, resources, and referral services to employees and students aimed at preventing substance abuse, alcohol abuse, and assisting in rehabilitation. Interested employees should contact the Human Resources Office. Interested students should contact the Center for Student Support. All inquiries are confidential.

E. Drug and Alcohol Prevention Program (DAAPP)

The College has a Drug and Alcohol Prevention Program that is distributed annually to all employees and students and it is provided to new employees and students. The College conducts a Biennial Review of the DAAPP. The DAAPP includes descriptions of drug and alcohol awareness programs; descriptions of health risks associated with the abuse of drugs or alcohol; provides information about available counseling or rehabilitation assistance; and specifies disciplinary sanctions imposed for violations of College policy, the Student Code of Conduct, and federal, state and local laws. The DAAPP may be accessed here at the College website. <https://www.lcc.edu/campuslife/documents/daapp.pdf>

F. Trustees, Volunteers, Guests, Vendors, Contractors, Visitors to campus, or similarly situated individuals.

Individuals listed in this category shall abide by the prohibitions listed in this policy.

IV. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Dean of Student Affairs or designee, and the Executive Director of Human Resources or designee as applicable.

Adopted: January 21, 2003 (original name: Drug-Free Workplace)

Revised: 12/15/2014, 10/28/2019 (renamed: Drug and Alcohol)

Reviewed: 03/19/18, 1/24/2022