

Title: Drug Use and Alcohol Abuse Prevention Policy

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- Board Resolution: 87-045, 90-020, 90-079, 20-016
- Last Revised:
  - Policy: 02/05/2020
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- Effective: February 27, 2020
- Next Review: February 2023
- Responsibility: Executive Director of Human Resources

### **Drug Use and Alcohol Abuse Prevention Policy:**

It is the policy of Cecil College to be drug-free in order to ensure a safe, healthy and productive work and learning environment. Cecil College is committed to enforcing this policy consistent with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. This includes notice to campus members about items including policies; disciplinary sanctions for violations of policy by students and employees; educational opportunities available concerning the adverse effects of alcohol and drug abuse; and sources for counseling, treatment and rehabilitation.

### **Procedure:**

#### **Definitions:**

For purposes of this policy and procedure:

- A. “Substance abuse” means the use, misuse or illegal use of drugs or controlled substances.
- B. “Dangerous substances” means illegal drugs, including controlled substances; look-alikes or designer drugs; unauthorized alcoholic beverages; unauthorized prescription drugs; and any other perception-altering substance.
- C. “Test” is a screen of hair, urine, blood or saliva.

### **Standards of Conduct:**

The unlawful manufacture, distribution, dispensation, possession, sale or use of dangerous substances, and the misuse or abuse of drugs or alcohol is strictly prohibited on College premises including any facilities leased or used by the College and transit to and from those locations while in the course of Company employment, in College vehicles, or at any College sponsored activity,

both on or off-campus. Providing alcoholic beverages to individuals under 21 years of age, or the possession or the consumption of alcohol by anyone under 21 years of age, both on and off-campus, is also prohibited.

Reporting to work under the influence of dangerous substances or alcohol, or the presence of dangerous substances on or in an employee's body, is strictly prohibited by Cecil College. College employees are subject to appropriate disciplinary action for violation of this policy, in accordance with College policies and procedures regarding employee discipline, up to and including termination.

Students are subject to appropriate disciplinary action for violation of this policy, in accordance with the Student Code of Conduct, up to and including expulsion.

In addition, any violations may have legal consequences under federal, state, and local law, including fines and/or imprisonment. The College will cooperate with appropriate health and law enforcement agencies.

### **Risks of Alcohol and Drug Use:**

Although it is not possible to list all of the health risks associated with abuse of drugs and alcohol, the following is a non-exhaustive list of such risks:

- Weak immunity system, increasing susceptibility to infections.
- Cardiovascular conditions ranging from abnormal heart rate to heart attacks.
- Nausea, vomiting and abdominal pain.
- Liver damage.
- Seizures, stroke and widespread brain damage.
- Problems with memory, attention and decision-making, including sustained mental confusion and permanent brain damage.
- Behavior such as paranoia, aggressiveness, hallucinations, addiction, impaired judgment, impulsiveness, loss of self-control.

### **Student Resources:**

Students who have questions or concerns about drug and alcohol abuse are encouraged to speak with the Coordinator of Disability and Support Services who can provide appropriate referrals to resources in the community. There is also a Student Support and Resource Center located in the Technology Center staffed by social work interns who can provide helpful information.

Students who have questions related to drug testing and enrollment in specific academic programs should speak to the Dean of that area.

### **Employee Benefits and Other Available Resources:**

The College funds a confidential Employee Assistance Program (EAP) that provides sessions of counseling and referral services to employees and their eligible dependents. EAP staff are licensed, master's level Employee Assistance Professionals. They provide short-term, solutions-

focused counseling by assessing the situation and referring to the appropriate resources as necessary.

Information on all employee benefits may be located on the Employees Page of MyCecil.

*Additional Information Resources Available in the Community:*

The Drug and Alcohol Center- 410-996-5106

Family Services Association-410-398-4060

Union Hospital of Cecil County- 410-398-4000

Elkton Vet Center-410-392-4485

Cecil County Mental Health Department-410-996-5112

**Notification of Employee Criminal Conviction:**

Employees must notify the College's Director of Human Resources, in writing, of any criminal drug statute conviction occurring in the workplace or during the performance of work-related duties or activities, no later than five (5) calendar days after such conviction. Failure to do so may result in disciplinary action, up to and including termination.

**Position and Program Specific Testing:**

In order to work or participate in certain positions or programs at the College, the College may require a screen for current illegal drug use or dangerous substances testing. For procedures related to Commercial Transportation, see the College's Alcohol and Controlled Substances Testing for Commercial Transportation Students and Employees Policy, Ref. 315.00.

For procedures related to Nursing and Physical Therapist Assistant Programs, please refer to the *Cecil College Catalog* and the specific program *Student Manual*.

**Employee Testing Procedure:**

The use of drugs or alcohol affects job performance and can create an unsafe environment for the College community. All employees may be required to submit to testing for dangerous substances as a condition of continued employment with the College. An employee's refusal to sign the College's testing consent form, upon request, relating to testing for dangerous substances and workplace-related searches of property, or to participate in a test for dangerous substances, will result in immediate termination.

Employees may be required to submit to dangerous substances testing under the following circumstances:

1. Where the College, in its sole discretion, determines that there is a reasonable suspicion to believe that an employee's behavior could be related to dangerous substances or substance abuse;

2. Where an employee is involved in a work-related accident that requires medical treatment, or where an employee causes an accident that causes personal injury, injury to another, or substantial property damage in the College's opinion;
3. Where an employee is selected for a screening, for current illegal use of drugs; which may be on a random basis,
4. Where the drug screen is part of a physical examination, which the College determines is job-related and consistent with business necessity;
5. Where there are safety or health risks, or sensitive security duties, associated with a specific job, as determined by the College;
6. Following the discovery of dangerous substances or related paraphernalia; or
7. Under other circumstances which, in the College's opinion, suggest that such screening is job-related and consistent with business necessity.

A confirmed positive test (i.e. showing the presence of dangerous substances in the system) will result in discipline up to and including termination, or a requirement that the employee undergo diagnosis or treatment for dangerous substance abuse, in the College's sole discretion. Refusal to participate in diagnosis or a treatment program, or non-compliance, will result in immediate termination.

Prescription drugs are permitted so long as they are prescribed by a physician for the person in possession of them and are used as prescribed. Over-the-counter medications are permitted so long as they are used as directed for the purpose for which they are intended. Prescription drugs and over-the-counter medication should be kept in their original marked containers, and must not result in side effects that, in the College's opinion, pose a direct threat to the safety of the employee or others. Any employee who uses prescribed drugs or over-the-counter medication that may impair their ability to perform an essential function of their job or pose a direct threat to the employee or to others is expected to report this information to their supervisor. The College will make reasonable accommodations to the known disabilities of employees where such accommodations do not create an undue hardship. The College reserves the right to require medical documentation regarding the need for such accommodation.

Nothing in this Policy shall be construed as inconsistent with the College's responsibility for compliance with Federal, State and local laws regarding fair employment practices, and the implementation of this Policy shall be accomplished in accordance with such laws.

### **Testing Procedures:**

In accordance with Maryland law, it is the College's Policy:

- A. To use only State/NIDA certified laboratories for its job-related drug testing;
- B. To inform the person tested, at the person's request, of the address of the laboratory that will test the specimen;
- C. To provide any person who has tested positively and whose test results have been confirmed with the following information within 30 days of the date that the test was performed:
  - 1. A copy of the laboratory test including the test results;
  - 2. A copy of this written policy on the use or abuse of controlled dangerous substances;
  - 3. If applicable, written notice of the College's intent to take disciplinary action, terminate employment or change the conditions of continued employment; and
  - 4. A statement or copy of the following provisions of Maryland law permitting an employee to request independent testing of the same sample for verification of the test result:

"(d)(1) A person who is required to submit to job-related testing, under subsection 2 of this section, may request independent testing of the same urine or blood sample for verification of the test results by a laboratory that:

- i. *Holds a permit under this subtitle; or*
- ii. *If located outside of the State, is certified or otherwise approved under subsection E of this section.*

*(2) The person shall pay the cost of the independent test conducted under this subsection."*