



SUNY Orange Policies and Procedures

Policy Number	Policy Title
BP3.5	Drug-Free Workplace

Orange County Community College is committed to maintaining a drug free environment and will comply with “The Drug-Free Schools and Communities Amendments Of 1989” as mandated by Section 22 of Public Law 101-226, and the “Drug-Free Workplace Act of 1988.”

From a safety perspective, those who use or possess drugs or alcohol may impair the well-being of students and employees, interfere with the College’s educational and workplace environment, or cause damage to College property.

The unlawful manufacture, distribution, dispensation, possession or use of narcotics, drugs, other controlled substances or alcohol is prohibited in any College building or on any College premises; in any College-owned vehicle or in any other College-approved vehicle used to transport students to and from the College or College activities; and off-campus property at any College-sponsored or College-approved activity, event or function (such as a field trip or athletic event where students are under the jurisdiction of the College).

“Controlled substance” means any drug listed in Title 21 of the United States Code and other federal regulations, as well as those listed in Chapter 90 of the New York General Statutes.

Standards of Conduct for Employees and Visitors

The College has a vital interest in ensuring safe, healthful and efficient working conditions for employees and learning conditions for students. The College is also committed to offering visitors a safe environment in which to enjoy the College premises, programs and offerings. The unlawful presence of controlled substances on College premises conflicts with these vital interests and constitutes a violation of the public trust. For these reasons, the College has established, as a condition of employment and continued employment, the following:

- The unlawful manufacture, distribution, dispensation, possession or use of narcotics, drugs, other controlled substances or alcohol at any College work location or premises is prohibited
- Employees who unlawfully manufacture, distribute, possess or use a controlled substance will be subject to disciplinary procedures consistent with applicable and collective sanctions
- Employees must notify the Human Resources Office of any criminal drug statute conviction for a violation occurring in the workplace, or at a work site, no later than five (5) days after such a conviction
- All employees are hereby advised that full compliance with the foregoing policies shall be a condition of employment at the College
- Advance written approval and authorization is required from the President of the College for the consumption of alcohol at College-sponsored functions

For the purposes of this policy, students are governed by the College’s Student Code of Conduct.

Disciplinary Sanctions of the College

Local, state and federal laws stipulate mandatory fines and imprisonment of individuals convicted of possessing, using or distributing illicit drugs or alcohol on campus and at all College-sponsored events. The College will strictly enforce the Student Code of Conduct which specifies the disciplinary measures for students who have



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been found to have possessed, used or distributed drugs or alcohol on College property and at all College-sponsored events. Please refer to the Student Code of Conduct for disciplinary procedures and possible sanctions specified for students.

The disciplinary measures specified for employees include:

- Completion of an appropriate rehabilitation program
- Disciplinary sanctions will be applied pursuant to applicable law or, where appropriate, the individual's collective bargaining agreement. These sanctions may include a reprimand, a fine, and suspension without pay, demotion and dismissal

In addition to disciplinary action or College sanctions, students and employees found possessing, using or distributing illegal drugs and alcohol on College property may be referred to local authorities for prosecution.

In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and a recommendation to the chief administrative officer shall be made under the "Code of Student Conduct" for the disposition of charges.

In the case of a faculty member, charges of misconduct in violation of these rules shall be made by the chief administrative officer, or designee, and thereafter heard and determined by the Board of Trustees of Orange County Community College within 30 days.

In the case of a staff member, charges of misconduct in violation of these rules shall be made by the chief administrative officer, or designee, and thereafter heard and determined by the Board of Trustees of Orange County Community College within 30 days.

Drug-Free Awareness Program

In order to maintain a drug-free workplace, the College has established a drug-free awareness program to educate employees on the dangers of drug abuse in the workplace, its drug-free workplace policy, the availability of any drug-free counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed for violations of our drug-free workplace policy. Such education may include:

- Distribution of the College's drug-free workplace policy at the employment interview
- Discussion of the policy at the new employee orientation session
- Distribution of a list of approved drug assistance agencies, organizations and clinics
- Distribution of published educational materials regarding the dangers of drug abuse
- Re-orientation of all involved employees in cases in which a drug-related accident or incident occurs
- Inclusion of the policy in employee handbooks and any other personnel policy publications
- Lectures or training by local drug abuse assistance experts
- Discussion by the College's safety experts on the hazards associated with drug abuse
- Video presentations on the hazards of drug abuse

The Board of Trustees directs the President to develop such procedures as to fairly implement this policy.

Amended: March 16, 2022