

**MAINE COMMUNITY COLLEGE SYSTEM**

**HEALTH AND SAFETY  
Section 804**

**SUBJECT: DRUGS AND ALCOHOL**

---

**PURPOSE: To address issues regarding drugs and alcohol throughout the Maine Community College System**

---

**A. Introduction**

In accordance with pertinent laws, including the Drug-Free Workplace Act of 1988, Drug-Free Schools and Communities Act Amendments of 1989, and the Omnibus Transportation Employee Testing Act of 1991, the MCCS adopts the following policy.

**B. Policy**

It is the policy of the MCCS to prohibit the unlawful manufacture, distribution, dispensation, possession and/or use of a controlled substance, and to prohibit the unlawful and/or unauthorized possession, use, or distribution of alcohol, on any premises owned, leased or occupied by the MCCS, or in relation to any MCCS activity. This policy applies to all employees, students, independent contractors, persons provided by temporary employment agencies, volunteers, invitees and other visitors of the MCCS.

**C. Notice of Convictions**

All employees convicted of violating a criminal drug statute shall, within five (5) days of such conviction, notify the employee's supervisor of the conviction and any resulting terms and conditions of punishment. Colleges receiving such notices shall promptly notify the MCCS director of human resources. All students convicted of violating a criminal drug statute shall, within five (5) days of such conviction, notify the college's student affairs officer of the conviction and any resulting terms and conditions of punishment.

**D. Required Programs**

In support of this policy, the colleges and/or System Office shall:

1. Make a good faith effort to maintain a drug-free environment;
2. Inform employees and students about the dangers of drugs and alcohol; availability of counseling, rehabilitation, and employee assistance programs; and penalties that may be imposed for abuse violations. This information shall be distributed annually to all employees and students;
3. Provide new employees with a copy of this policy, and publish a copy of this policy for review by existing employees;

4. Require a drug and/or alcohol test for those employees required to operate vehicles that require a commercial drivers license; weigh more than 26,000 pounds; transport hazardous materials; and/or are designed to carry sixteen (16) or more persons; and
5. For work performed by employees, including student employees, paid at least in part by a federal grant or contract:
  - a. Inform such employees that a condition of such employment is to abide by the terms of this policy;
  - b. Notify the appropriate federal agency within ten (10) days after receiving notice that such an employee has been convicted of a drug crime that occurred in the workplace; and
  - c. Impose sanctions on, or require the satisfactory participation in a drug abuse assistance rehabilitation program by, any employee so convicted.

#### **E. Penalties for Violations**

Employees who violate this policy may be subject to disciplinary action, up to and including termination; required to participate satisfactorily in a drug and/or alcohol abuse assistance or rehabilitation program as agreed upon between the employee and the MCCS; and subject to criminal prosecution.

Students who violate this policy may be subject to disciplinary action under the MCCS Student Code of Conduct; subject to penalty under a Residence Hall Agreement; required to participate satisfactorily in a drug and/or alcohol abuse assistance or rehabilitation program as agreed upon between the student and the MCCS; and subject to criminal prosecution.

Independent contractors, persons provided by temporary employment agencies, volunteers, invitees, and visitors of the MCCS who violate this policy may be subject to any appropriate and applicable sanction, including exclusion from MCCS property and events; debarment from MCCS work; and criminal prosecution.

---

REFERENCES: 20-A M.R.S.A. §12706 (1); and §12712 (1), (7) and (9)

DATE ADOPTED: June 24, 2009

DATE(S) AMENDED: