
Subject: Policy on a Drug-Free University

1. Purpose	1
1.1 Background.....	1
2. Policy	1
3. Procedures.....	2
4. Definitions	2
5. References.....	2
6. Approval and Revisions.....	3

1. Purpose

The use of drugs is incompatible with the goals of an academic community. This policy applies both to the University as an educational institution and the University as a workplace.

1.1 Background

On November 18, 1988, the President signed the Drug-Free Workplace Act of 1988. This act requires that federal agencies, including the Department of Defense, NASA, NSF, and NIST, have written drug-free workplace policies and that these agencies make certain their contractors and grantees have such policies in place. The federal Office of Management and Budget has accepted the role of government-wide implementation of the Drug-Free Workplace Act.

Virginia Polytechnic Institute and State University, as a recipient of federal grants and contracts, is required to comply with the terms of the Drug-Free Workplace Act. The Act applies to contracts and proposals created and submitted after March 18, 1989.

2. Policy

The use, possession, or manufacturing of any unlawful drug or controlled substance is strictly prohibited by Virginia Polytechnic Institute and State University, hereafter referred to as the "University." The use of drugs is incompatible with the goals of an academic community. To this end, and to comply with the Drug-Free Workplace Act of 1988, the University will act as follows:

1. Human Resources will distribute to all employees a statement notifying them that the unlawful manufacturing, distribution, dispensation, possession, or use of a controlled substance is prohibited in University workplaces.

Unlawful possession or use of a controlled substance by faculty will be dealt with on a case by case basis by the appropriate superiors. Faculty cases can be reviewed by department heads and deans. Appropriate penalties may include suspension, required counseling and/or finally dismissal. Faculty dismissal must comply with the *Faculty Handbook*, Section 2.11.1, "Due Process For Dismissal For Cause."

Violations by classified employees should be dealt with by supervisors and department heads in communication with appropriate persons in Human Resources. The subject is addressed in State Policy 1.60 *Standards of Conduct and Performance*.

Violation of State Policy 1.05 Alcohol and Other Drugs is considered a Group I, II or III offense depending upon the nature of the violation. The employee may be subject to terminations; however, participation in a drug rehabilitation program may result in the mitigation of disciplinary action.

Unlawful possession or use of a controlled substance by students is a violation of *University Policies for Student Life*. Students will face serious disciplinary action for violation of this policy.

2. On an annual basis the University will distribute to every employee information that:
 - a. identifies drugs as we know them for their medical use;
 - b. provides information on dependent level and possible effects when abused;
 - c. describes illicit drugs and the penalties; and
 - d. encourages persons with drug or alcohol problems to use the services of the State Employees Assistance Service (SEAS) and other agencies that provide assistance and referral information.
3. The University will require that each new employee hired be given a copy of the statement in Section 2.0.

3. Procedures

1. The University will notify all employees, having made them aware of Section 2.0, that as a condition of employment the employee will:
 - a. abide by the terms of the statement,
 - b. notify the employer of any criminal drug statue conviction for a violation occurring in the workplace no later than five days after such conviction.
2. The University will notify the contracting agency within 10 days after receiving notice from an employee or otherwise receiving notice of such conviction.
3. The University will impose sanctions within 30 days of receiving notice under Section 3.0-1b. as described in the appropriate employee regulations for any employee who is so convicted.
4. The University will make a good faith effort to maintain a drug-free workplace through implementation of this policy.

4. Definitions

1. **Controlled substance** - as defined in Schedules I through V of Section 202 of the *Controlled Substances Act* (21 U.S.C. 812) and as further defined in regulation at 21 C.F.R. 1300.11 1300.15 and 21 C.F.R. 1308.11 through 1308.15, are any illegal substances.

5. References

1. State Policy 1.60: *Standards of Conduct and Performance*, published by the Commonwealth of Virginia, Department of Personnel and Training, September 16, 1993, and as revised.
2. *University Policies for Student Life*, published by Virginia Tech.
3. *Drug-Free Workplace Act* (P.L. 100-690, 5151-5160).

6. Approval and Revisions

Enacted March 18, 1989, by the Interim Executive Vice President and Provost, John Perry, and the Executive Vice President and Chief Business Officer, Minnis Ridenour.

- Revision 1

Changed distribution of policy from University Administration to Personnel Services; minor changes to reflect changes in state policy.

Approved May 12, 1998, by Executive Vice President, Minnis E. Ridenour.

February 29, 2008: Technical corrections to update name change for the Virginia Tech Human Resources Office (formerly Personnel Services).