

POLICY & PROCEDURES MEMORANDUM

TITLE:	DRUG-FREE COLLEGE
EFFECTIVE DATE:	November 18, 1997* <i>(Title Updates 2/29/12, 7/6/10, 5/1/05)</i>
CANCELLATION:	DCI 2530.1 (2/22/90)
CATEGORY:	Safety (SF)* <i>*Initially Distributed as PR-2530.1A</i>

POLICY STATEMENT

As a concerned employer and an educational institution, Delgado Community College is committed to the good health and well being of all of its employees and students and is concerned about the personal problems of any employee or student that could arise from the illegal use or abuse of any controlled substance. Delgado Community College prohibits the abuse of drugs, including alcohol. It is unlawful to possess, use or distribute illicit drugs on Delgado property or at any college-sponsored event, whether or not the event occurs on campus. In addition, Delgado prohibits the use of alcohol on campus, except as designated in the College's current policies on serving alcoholic beverages at student functions and approved College functions. The College provides referral services and other assistance to students, faculty and staff who seek help with substance abuse problems.

Present and potential college employees and students are advised that, as a condition of employment and/or enrollment, they must comply with all terms of the College's Drug-Free College Policy. All reports of alleged illegal use or abuse of any controlled substances by Delgado employees and/or students should be treated as confidential and handled in accordance with the provisions of this memorandum to protect the privacy of the individual. Any Delgado employee or student convicted of violating a criminal drug statute or alleged with violating a criminal drug statute on the College's premises or at an off-campus College function will be required to notify the College of such a conviction or allegation.

Alcohol and drugs can seriously damage physical and mental health, as well as jeopardize personal and public safety. For these reasons, violators of the Drug-Free College policy will face College sanctions. As with all illegal activities, substance abuse can result in criminal prosecution as well, under state and federal laws, including section 22 of the Drug-Free Schools and Campuses Act Amendment of 1989 (Public Law of 101-226). The responsibilities and guidelines for maintaining a drug-free college are outlined in this memorandum.

PROCEDURES & SPECIFIC INFORMATION

1. **Purpose**

To publish the College's policy on maintaining a drug-free environment.

2. **Scope and Applicability**

This policy and procedures memorandum applies to all currently enrolled and prospective students and all employees of the College.

3. **Guidelines for Drug-Free College**

As a result of the College's commitment to its employees and students and in order to comply with the provisions of the Drug-Free Schools and Campuses Act Amendment of 1989, the following guidelines have been instituted to insure that Delgado Community College is and remains a drug-free environment.

- A. Employees and students are prohibited from the unlawful manufacture, distribution, sale, possession or use of any controlled substance on any facility of Delgado Community College.
- B. Any employee or student convicted of a criminal drug statute violation is required to notify the Office of Human Resources (faculty and staff) or the Office of Student Financial Assistance (students) of the conviction. (Students not on financial aid must notify the Vice Chancellor for Student Affairs.) If an employee or student is alleged with, but not yet convicted, of a criminal drug statute violation on the College's premises or at an off-campus College function, he/she must also notify the appropriate College officer listed above. Notification must be made within five (5) working days following the conviction/allegation.
- C. The Assistant Vice Chancellor for Human Resources, the Director of Student Financial Assistance, or the Vice Chancellor for Student Affairs immediately notifies the Chancellor of any drug conviction/allegation reported.
- D. Any employee or student convicted of a criminal drug statute violation must refer himself/herself to an approved drug assistance or rehabilitation program. Notifications of the date of entry and the date of successful completion of such program should be made to the Human Resources Office, Office of Student Financial Assistance, or the office of the Vice Chancellor for Student Affairs, as appropriate. In such circumstances, failure or refusal of an employee or student to undergo professional counseling is grounds for corrective action, which could include suspension and/or dismissal.

- E. Delgado Community College will periodically provide training and information materials and workshops regarding the dangers of drug use and abuse.

4. **Responsibilities**

- A. Each Delgado employee:

- (1) Adheres to the standards of behavior contained in this memorandum.
- (2) Reports incidents of alleged substance abuse to:

Campus Executive Dean - on students and/or employees under overall cognizance of Campus Executive Dean; or

Supervisor - on employees not under cognizance of Campus Executive Dean.

- (3) If convicted of a criminal drug statute violation or if alleged with violating a criminal drug statute on the College's premises or at an off-campus College function, notifies the Human Resources Office within five (5) working days following the conviction/allegation. If conviction is for drug abuse, obtains approved professional treatment and/or counseling.

- B. Each Delgado student:

- (1) Adheres to the standards of behavior contained in this memorandum.
- (2) Reports incidents of alleged substance abuse to the Campus Executive Dean.
- (3) If convicted of a criminal drug statute violation or if alleged with violating a criminal drug statute on the College's premises or at an off-campus College function, notifies the Office of Financial Assistance within five (5) working days following the conviction/allegation. (Students not on financial aid must notify the Vice Chancellor for Student Affairs.) If conviction is for drug abuse, obtains approved professional treatment and/or counseling.

- C. The Campus Executive Dean/Supervisor receiving reports of alleged substance abuse investigates the incident and, if substantiated, makes recommendations for corrective action to the appropriate college official.

- D. The Assistant Vice Chancellor for Human Resources, Director of Student Financial Assistance, or the Vice Chancellor for Student Affairs immediately notifies the Chancellor if an employee or student is convicted of violating a criminal drug statute or alleged with violating a criminal drug statute on the College's premises or at an off-campus College function.

5. **College and Legal Sanctions**

A. **College Sanctions**

Violations of the Drug-Free College policy by faculty or staff can take the form of a written reprimand, suspension, demotion, reduction in pay, or termination of the person's association with Delgado. Disciplinary actions against students, which may include suspension or expulsion, are imposed in accordance with College standards.

B. **Legal Sanctions**

It is unlawful in Louisiana to produce, manufacture, distribute, dispense, or possess illegal drugs. Illegal drugs on college campuses/sites include, but are not limited to, marijuana, opium derivatives, hallucinogens, depressants, cocaine, cocaine derivatives, and amphetamines. Prescription drugs are not considered illegal drugs on college campuses/sites. The Criminal Code of Louisiana carries specific penalties for the possession and use of illegal drugs. It is also unlawful in Louisiana for anyone under 21 years of age to purchase or possess any alcoholic beverages for any reason, in any place open to the public. Driving under the influence of alcohol is illegal in Louisiana, and anyone with a blood alcohol level of .08 or above will be charged with driving while intoxicated (DWI) or driving under the influence (DUI).

6. **Cancellation**

This policy and procedures memorandum cancels DCI 2530.1, *Policy on Substance Abuse*, dated February 22, 1990.

Policy Reference:

Delgado Policy and Procedures Memorandum [Student Judicial Code](#)
 Delgado Policy and Procedures Memorandum [Alcoholic Beverages at Student Functions](#)
 Louisiana Community and Technical College System Policy #3.030, [Drug Free Workplace](#)
 Drug-Free Schools and Campuses Act Amendment of 1989 (Public Law 101-226)
 Criminal Code of Louisiana

Review Process:

Special Needs and Health Services Committee 4/7/97
 Student Government Council 10/17/97
 Student Affairs Council 10/22/97
 Executive Council 11/18/97

Distribution:

Electronic Distribution Via College's Intranet