**DRUG AND ALCOHOL FREE WORKPLACE POLICY**

**Policy**

The safety and health of our employees and students is our paramount concern. Drugs and alcohol abuse are harmful to the health and well-being of the employees and students of Asheville-Buncombe Technical Community College (the “College”). People who use prohibited drugs and abuse alcohol tend to be less productive, less reliable and prone to greater absenteeism resulting in greater costs, delay and risks in the College’s operations. The College will not tolerate any drug use or alcohol abuse, which imperils the health and well-being of its employees and students or threatens its operations. The College is committed to maintaining a safe workplace and an educational environment free from the influence of drugs and alcohol.

**Violations and Consequences**

A violation of the policy occurs when an employee or student:

1. Possesses, manufactures, distributes, dispenses or uses prohibited drugs while on campus, while engaging in official College activities, or on official College business;
2. Is under the influence of prohibited drugs while on campus, while engaging in official College activities, or on official College business;
3. Distributes prohibited drugs on or off the College’s premises;
4. Is charged and convicted of possessing, manufacturing, distributing, or being under the influence of prohibited drugs;
5. Fails to report a conviction for a violation of a criminal drug statute occurring in the workplace to his or her supervisor within five (5) days of such conviction;
6. Engages in the unauthorized possession, manufacture, distribution, sale or use of alcohol, or is under the influence of alcohol, while on campus, while engaging in official College activities, or on official College business.

Commission of the above violations may result at the College’s sole discretion, in disciplinary action, up to and including suspension or termination of any employee and suspension or expulsion of a student. At its sole discretion, in lieu of or in addition to taking disciplinary action against an employee, the College may require the employee to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.

**Definitions**

“Prohibited drugs” means any “Controlled substances” as defined at 21 U.S.C. §802 and listed in Schedules I through V of 21 U.S.C. §812, as revised from time to time, and other federal laws and regulations. Generally, these are drugs that have a high potential for abuse and include but are not limited to, heroin, marijuana, cocaine, PCP, amphetamines, and “crack”. Also included are any other drugs that are illegal under federal, state or local law, legal drugs that have been obtained illegally or are not intended for human consumption (such as glue).

The term “alcohol” means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.
The term “criminal drug statute” means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use or possession of a controlled substance.

The term “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug and alcoholic beverage statutes.

“Disciplinary action” may include suspension, probation, expulsion, dismissal or termination.

Procedure

Each employee or student is required by law to inform the College within five (5) days after a conviction for violation of any Federal or State criminal drug statute where such violation occurred on the College campus or on official business or as a part of any official College activity.

The President of the College must notify the federal governmental agencies granting funds to the College within ten (10) days after receiving notice of the conviction. Any employee or student convicted of violating a criminal drug statute while on the College campus or on official business of the College or as part of any official College activity will be subject to disciplinary sanction up to and including termination of the employee or expulsion of a student. Alternatively, the College may require the employee or student to finish successfully a drug or alcohol counseling treatment or rehabilitation program sponsored by an approved private or governmental institution as a precondition to continued employment or enrollment.

Extracurricular student activities sponsored by the College or any student organization of the College will not provide alcohol to students. Students or employees suspected of using alcohol while on campus, while engaging in official College activities, or on official College business will be subject to identification verification and other appropriate verification necessary to the enforcement of this policy.

Condition of Employment

As a condition of employment the College requires all employees to abide by this policy. Employees are also required to sign an acknowledgment of receipt of a copy of this policy.

Dissemination to Students and Employees

A copy of this drug and alcohol prevention program will be distributed annually to each employee of the College and to each student taking one or more classes of any kind for academic credit regardless of the student’s program of study. Each student taking a class for academic credit shall be given a copy of this program in September of each year.

Policy Review

The College will review this drug and alcohol program in August of even numbered years beginning with the year 1992.