

**DRUG, ALCOHOL, AND WEAPONS POLICY  
HUMAN RESOURCES AND ORGANIZATIONAL DEVELOPMENT  
POLICY No. 105**

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**POLICY STATEMENT**

Champlain College strives to create an academically-focused learning community that promotes the health and safety of all students, staff and faculty. Additionally the College fully supports federal, state and local laws pertaining to drugs, alcohol and weapons.

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**SECTION I PURPOSE OF THE POLICY**

The primary purpose of this policy is to promote the safety and wellbeing of all employees and students.

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**SECTION II ELIGIBILITY PROVISION**

This policy applies to all employees of Champlain College.

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**SECTION III DEFINITIONS**

Illegal/Illicit drug and controlled substances: means any drug or controlled substances a) not legally obtainable or b) legally obtainable but not legally obtained or used and includes controlled substances and analogs as defined by federal and state law.

Alcohol: means any beverage containing not less than 0.5% ethyl alcohol by weight.

Possession: is determined by control over a substance or object with or without regard to ownership.

Property: means any property owned, leased or controlled by Champlain College.

Weapon: is any object or substance designed or used to inflict a wound, cause injury, or incapacitate, including but not limited to all firearms, pellet guns, air pistols, air rifles, any dirk, bowie knife, switchblade knife, ballistic knife, or any other knife having a blade of three or more inches, black jacks, metal knuckles (aka: brass knuckles), nunchaku (aka: numchucks), fireworks, explosives and biological agents. Replicas and facsimiles of weapons are also considered weapons and are therefore prohibited. The use of objects implements or substances not commonly used as a weapon or not expressly prohibited by this section may be a violation of this policy if used as a weapon. The use of mace or tear gas will not be a violation of this policy if used solely for self-defense.



## SECTION IV      POLICY

In accordance with the Federal Drug Free Workplace Act of 1988, the College prohibits the illegal manufacturing, distribution, dispensation, possession or use of narcotics, illegal drugs, or other controlled substances on College premises, at College-sanctioned events or while performing duties for the College. Any illegal substance will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Vermont law requires that an individual must be 21 years old in order to consume alcoholic beverages. Therefore, the College also prohibits possession or use of alcohol beverages on College premises except when sanctioned at special non-student College functions or when specifically authorized by the appropriate College official (Vice President or President). The possession and use of alcoholic beverages shall be authorized in accordance with Vermont state law and College policies for appropriate conduct. Beer kegs and beer balls are not permitted on campus under any circumstances. Public intoxication on campus is also prohibited. Possession of empty containers or any paraphernalia related to the use of illegal drugs is prohibited on campus as such possession implies use of drugs.

Any violation of the College's Drug, Alcohol and Weapons Policy will result in disciplinary action and possible dismissal. The discipline or dismissal will be imposed at the discretion of the College but may include referral to the Employee Assistance Program, a constructive mechanism the College has instituted to assist employees in treating and resolving drug or alcohol abuse problems.

The responsibility to correct unsatisfactory job performance or behavior resulting from alcohol or drug problems rests with the employee. The Associate Vice President, Human Resources and Organizational Development may assist in the referral of employees to a College Counselor or outside resources for treatment. It is expected that an employee with alcohol or drug problems adversely impacting his/her job performance will follow through with appropriate treatment.

If, after any referral to the Employee Assistance Program, or another resource, the drug or alcohol abuse problem is not resolved to the College's satisfaction within a reasonable period of time, the College retains the right to take further disciplinary action, including involuntary termination, against the employee.

If an employee is convicted under a criminal drug statute for a violation occurring in the workplace, the employee must notify the College within five days after the conviction. Failure to notify the College may result in discipline or dismissal. Any conviction under a criminal drug statute or any drug or alcohol abuse adversely affecting the College or the employee's performance will result in disciplinary action or dismissal. At the College's discretion, the employee may be referred to the Employee Assistance Program. As required by the Federal Drug Free Workplace Act of 1988, the College will notify any relevant federal funding agency of any employee convictions within 10 days of actual or written notice of the conviction, and will take disciplinary action within 30 days.

Except as otherwise noted below, employees are prohibited, at any time while on College property or elsewhere in the course of their employment with the College, from possessing a weapon. The prohibitions of this policy apply regardless of whether the employee has a concealed weapon permit or is otherwise authorized by law to possess such a device.



## CHAMPLAIN COLLEGE

The prohibition in the previous paragraph does not apply to:

- a. Certified law enforcement officers who teach on campus and may be required to be in possession of their firearms while traveling back and forth between a class or the police department.
- b. An employee authorized by the College to possess a weapon during the time the employee is engaged in work for the College requiring such a device.

The College reserves the right to discharge an employee without prior warning if, in the opinion of the College, the employee's drug or alcohol abuse problems or possession of a weapon, pose a serious threat to the reputation or welfare of the College and its students. Employees must abide by the terms of this drug and alcohol policy as a condition of employment. An employee who is discharged for distributing drugs or controlled substances or possession of drugs or weapons in violation of this policy, will not be eligible for rehire.

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### SECTION V      POLICY ADHERENCE

The President is the responsible official for this policy. Any exceptions to this policy must be approved by the President.

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### SECTION VI      CONTACT

Questions related to the interpretation of this policy should be directed to the Associate Vice President, Human Resources and Organization Development.

Human Resources policies and procedures are updated on an as-needed basis, as such the College reserves the right to alter, amend or suspend the terms of this policy at its sole discretion; please refer to the policies posted on the Human Resources intranet site for the most current version. This policy does not constitute an employment contract.

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*The above is a summary only. Always refer to the applicable plan documents, policies or guides before making final decisions. Human Resources policies and procedures are updated on an as-needed basis. As such, the College reserves the right to alter, amend or suspend the terms of this policy at its sole discretion; please refer to the policies posted on the Human Resources intranet site for the most current version. This policy does not constitute an employment contract.*

