



Policy on a Drug-Free University

No. 1020

Policy Effective Date:

3/18/1989

Last Revision Date:

1/24/2018

Policy Owner:

Sherwood Wilson

Policy Author:

(Contact Person)

Kayla Smith

Affected Parties:

Undergraduate

Graduate

Faculty

Staff

Other

1.0 Purpose

2.0 Policy

3.0 Procedures

4.0 Definitions

5.0 References

6.0 Approval and Revisions

1.0 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 of the United States 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.

2.0 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. All employees will be notified 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 addressed 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*.

Violations by staff and wage employees should be addressed 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 termination; however, participation in a drug rehabilitation program may result in the mitigation of disciplinary action.



Virginia Polytechnic Institute and State University

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. Establish a drug-free awareness program to ensure employees are aware of the following:
 - a. the dangers of drug abuse in the workplace;
 - b. the policy of maintaining a drug-free workplace;
 - c. any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. the penalties that may be imposed upon employees for drug abuse violations.
3. The University will require that each new employee hired be given a copy of the statement in Section 2.0.

3.0 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 statute conviction for a violation occurring in the workplace no later than five days after such conviction.
2. The university requires employees working on federal government contracts to abide by the drug-free policy and to notify the employer within 5 days “of any criminal drug statute convictions for a violation occurring in the workplace.” The university will notify the contracting agency (refer to paragraph 1.1) 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.

4.0 Definitions

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.

5.0 References

Drug-Free Workplace Act (P.L. 100-690, 5151-5160).

Virginia Department of Human Resource Management, Policy 1.05: *Alcohol and Other Drugs*
http://web1.dhrm.virginia.gov/itech/hrpolicy/pol1_05.html

Virginia Department of Human Resource Management, Policy 1.60: *Standards of Conduct*
http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_60.pdf?sfvrsn=2



Virginia Tech, *Hokie Handbook* and *University Policies for Student Life*

<http://www.hokiehandbook.vt.edu/studentlife/index.html>

6.0 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).

- Revision 2
Slight wording clarifications and reference updates.
Approved January 24, 2018 by President, Timothy D. Sands.