

DRUG FREE CAMPUS POLICY

PURPOSE AND SCOPE OF THE POLICY

Federal regulations require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Keck Graduate Institute ("KGI" or "Institute") is committed to providing a safe, healthy and productive work environment. Consistent with this commitment, and its obligations under applicable law, this policy establishes the Institute's intent to maintain a drug and alcohol-free work environment. All employees of KGI, including faculty, staff and student employees/workers, must comply with this policy as a condition of employment. Persons who are not employees of the Institute but who attend or perform work at the Institute for its benefit (such as students, contractors and their employees, temporary workers provided by agencies, visitors engaged in joint projects, volunteers, etc.) are also required to comply with this policy.

PROHIBITIONS

KGI prohibits the unlawful: manufacture possession, distribution, dispensation, sale, transportation, offer to sell, promotion, purchase and/or use of drugs (including marijuana¹) or alcohol on KGI owned or controlled property, at KGI sponsored/sanctioned activities and events; while conducting or performing KGI-related business, regardless of location. In addition, employees shall not report for work or work under the influence of any drug or alcohol or other substance which will impair work performance, alertness, coordination or response, or affect the safety of others.

Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that it does not impair an employee's job performance or safety or the safety of others. Employees who take over-the-counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability should inform their supervisors and/or the Human Resources Department if they believe the medication will impair their job performance, safety or the safety of

¹ KGI does not permit the use of marijuana for any purpose on Institute property even if the use is otherwise permissible under the California Compassionate Use Act, Proposition 215 or the Adult Use of Marijuana Act, Proposition 64. Therefore, even employees and/or students who qualify under California law to use marijuana for medical or recreational purposes are not permitted to possess, store, provide, use or consume marijuana on KGI owned or controlled property (including but not limited to Graduate housing, academic buildings, laboratories, and parking lots), or during KGI-sanctioned activities or events regardless of the location.

others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication.

Nor does this policy prohibit the use or consumption of alcohol at KGI sponsored activities or events where alcohol is served, or at social, business or professional events attended by KGI employees while performing work for or in their capacity as KGI employees. However, employees who choose to consume alcohol at such events must do so responsibly, they must conduct themselves properly and professionally at all times, and they must abide by all state and federal laws related to alcoholic beverages, including laws which prohibit the operation of vehicles while under the influence.

ALCOHOL AND EVENT PLANNING GUIDELINES

Where alcohol is to be served at an Institute function, the department or group hosting the event is responsible for ensuring that it is offered in a safe and legal manner.

- An individual or group sponsoring an event where alcoholic beverages are made available must adhere to applicable laws (e.g., securing a license to sell and/or serve) and Institute regulations. The sponsor will be held responsible for any abuses arising from the use of alcoholic beverages by servers and/or consumers.
- Ample non-alcoholic beverages and food must be provided at events where alcohol is served.
- Any individual or group intending to serve alcoholic beverages must register the event with the appropriate office or department and follow the rules set by that office or department. Questions about student events should be directed to Student Services at student_services@kgi.edu.

REPORTING OBLIGATIONS

In accordance with the Drug-Free Workplace Act of 1988, any employee who is convicted (including a plea of nolo contendere [no contest]) of a criminal drug statute violation occurring in the workplace must, within five (5) days after the conviction, notify KGI of such conviction by informing the Director of Human Resources, Dean of Faculty or President. If required, appropriate government agencies will be notified within ten (10) days after KGI has been informed of such a conviction.

HEALTH RISKS ASSOCIATED WITH THE ABUSE OF ALCOHOL AND OTHER DRUGS

The consumption of drugs and alcohol can have significant negative effects on health.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. High doses of alcohol may cause respiratory depression and death. Repeated use of alcohol can lead

to dependence, and cause serious damage to the nervous and circulatory systems, mental disorders, and other health problems.

Drugs and alcohol are chemicals, and any chemical is potentially harmful. Drugs by their very nature cause reactions in the body. Possible effects from non-therapeutic drug use include: convulsions, memory loss, psychosis, anxiety, delusions, hallucinations, and even death

All drugs are toxic and poisonous when abused. Health risks of drug abuse include, but are not limited to, sleep disorders, confusion, hallucinations, paranoia, depression, malnutrition, liver and kidney damage, cardiac irregularities, hepatitis and neurological damage. HIV infection associated with intravenous drug use is a prevalent hazard.

Drug use during pregnancy may result in fetal damage and birth defects causing hyperactivity, neurological abnormalities, and developmental difficulties. Consumption of alcohol by women during pregnancy may lead to fetal alcohol syndrome.

LOCAL, STATE AND FEDERAL LEGAL SANCTIONS

Local, state and federal laws establish severe penalties for unlawful possession or distribution of illegal drugs and alcohol. These sanctions, upon conviction, may range from a fine to life imprisonment. In the case of possession and distribution of illegal drugs, these sanctions could include seizure and summary forfeiture of property, including vehicles. It is especially important to know that federal penalties for illegally distributing drugs include life imprisonment and fines in excess of \$1,000,000.

The following is a brief summary of some of the state and federal criminal sanctions that may be imposed upon someone who violates the alcohol and other drug policy at KGI or elsewhere in the state of California.

- A violation of California law for the unlawful sale of alcohol may include imprisonment in the county jail for six months, plus fines and penalties.
- A violation of California law for the possession, use and/or sale of narcotics, marijuana and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years, plus fines up to \$100,000 for each count.
- A violation of California law for the possession, use and/or sale of narcotics, marijuana and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years, plus fines up to \$100,000 for each count.
- A violation of federal law for the possession, use and/or sale of narcotics, marijuana and/or other illicit drugs may include imprisonment in the federal penitentiary for one to fifteen years plus substantial financial penalties.
- A violation of the law involving an individual being under the influence of a combination of alcohol and other drugs (itself potentially deadly), may result in an increase in criminal sanctions and penalties.



AVAILABLE RESOURCE, EDUCATION AND ASSISTANCE

KGI recognizes drug and alcohol abuse as treatable conditions. Employees who are concerned about problems related to substance use, abuse and rehabilitation should be aware that The Claremont Colleges sponsor and present seminars and workshops on these topics, from time to time, for all members of the college community. Other programs are available through the health insurance plans and the Employee Assistance Program (EAP) of The Claremont Colleges.

Of particular note is the EAP which provides counseling and other services for qualified employees with substance abuse and other personal or emotional problems. The EAP will treat information obtained regarding an employee during participation in such programs or services as confidential, in accordance with federal and state laws. The Institute will not use an employee's voluntary participation in an EAP program as a basis for corrective action. An employee may also request a leave of absence to obtain treatment for substance abuse, with documentation from a licensed health care provider providing that such treatment is required and undertaken. The granting and returning from medical leaves is subject to applicable KGI personnel policies.

The Human Resources Department can also provide referral services for confidential, professional counseling, providing a constructive way for employees to voluntarily deal with drug or alcohol related and other problems. Employees who are also students should seek assistance for similar problems through the Student Health Center, Monsour Counseling Center or the Dean of Students' office.

ACCOUNTABILITY

The success of this policy will depend on the thoughtfulness, consideration, and cooperation of all members of the KGI community. All students, faculty, and staff share in the responsibility for adhering to and enforcing this policy. Refusal by students, faculty, or staff to comply with this policy may result in appropriate disciplinary action. Disciplinary action may include termination from employment and referral for prosecution of the most serious violations of law and this policy. For example, an employee found to be selling illegal drugs will be subject to discipline up to and including discharge from employment. Disciplinary action may be invoked entirely apart from any civil or criminal penalties that may apply to the employee or organization.

Employee's Name (Print)

Employee's Signature

Date

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Administrator: Human Resources
Approval Authority: Cabinet