

DELAWARE TECHNICAL COMMUNITY COLLEGE

DRUG FREE SCHOOLS AND WORKPLACE POLICY ACKNOWLEDGEMENT

Delaware Technical and Community College ("College") believes that illegal drugs and abuse of alcohol have no place in the college environment.

Furthermore, Congress passed the Drug-Free Workplace Act of 1988, requiring the certification of federal grantees of a drug-free workplace; and the Drug-Free Schools and Communities Act Amendments of 1989, requiring the certification of adoption and implementation of programs to prevent unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. The College supports these Acts.

For these reasons, the College adopts the following regulations:

(a) The unauthorized and/or unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol is strictly prohibited in all facilities of the College, in all places where its employees/students work/attend, including all State-owned vehicles, and as any part of the College's activities. A controlled substance is one which appears in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812). As a condition of employment/enrollment, all employees/students shall abide by this prohibition and notify the College of any criminal drug or alcohol statute conviction for a violation of this policy as provided by paragraph (b) below. Violation of such prohibition shall result in action against the employee/student, as set out in section (g) below, which shall include action up to and including termination/expulsion, and/or satisfactory participation in an approved drug or alcohol abuse assistance or rehabilitation program. Participation in such a program shall not be paid for by the College, but may be covered by a(n) employee's/student's health insurance policy. Appendix A contains a description of Federal trafficking (distribution) penalties for substances covered by the Controlled Substances Act. Appendix B contains examples of State penalties for the unlawful use, possession, or distribution of drugs or alcohol.

All violations of the above policy shall be reported to the College President, or his/her designee, who shall report the violation to the appropriate police authority. Action shall be taken in all cases of a chargeable offense under the provisions of the applicable State law or comparable Federal law; however, a conviction of the charged offense shall not be necessary to take action against the employee/student for a violation of the policy. The employee/student against whom such an action is taken shall be entitled to due process through the rules and regulations of Delaware Technical and Community College.

(b) All employees/students shall notify the College President in writing of any criminal drug or alcohol statute conviction for a violation occurring in any facility or on the property of the College, or at any College activity, no later than five days after such conviction. Failure of the employee/student to make such a notification shall lead to termination/expulsion from the College. Within ten days of receiving notice of any employee convicted as described above, the College shall notify the federal agencies providing grants to and through the College in accordance with the Drug-Free Workplace Act of 1988.

(c) Within thirty days of receiving notice of any employee/student convicted as described in section (b), the College will:

(1) Take appropriate action against such a(n) employee/student, up to and including termination/expulsion;

or

(2) Request such employee/student to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, State, or local health, law enforcement, or other appropriate agency.

Such action may be taken by the College prior to conviction.

I hereby acknowledge that I have been given a copy of the Statement of Drug-Free Workplace Policy, including the schedule of violations and penalties, and (have read/have been read) the same.

SIGNATURES

Employee Signature / Date

Delaware Tech Representative / Date