

To: Montgomery College Employees

From: Krista Leitch Walker
Vice President/ Chief Human Resources Officer

Susan V. Watson
Chief Compliance, Risk, and Ethics Officer

Subject: **Montgomery College Drug and Alcohol Abuse Prevention Program
Drug-Free Schools and Communities Act Disclosure**

Date: September 29, 2023

Montgomery College is required under the Drug-Free Schools and Communities Act to annually notify employees about our Drug and Alcohol Abuse Prevention program. Please note that although Maryland voters approved a ballot referendum in the 2022 General Election to allow recreational use of cannabis by adults age 21 and over starting July 1, 2023, the use and possession of cannabis remains illegal under the Federal Controlled Substances Act of 1970 and is, therefore, not permitted on College property or at College-sponsored activities under any circumstances.

Montgomery College's commitment to drug and alcohol abuse prevention is underscored by College policy 31005 adopted on May 15, 1989 by the College Board of Trustees.

- I. The Board of Trustees is committed to the education of students, employees, and community members regarding substance abuse prevention, detection, and treatment services; to the continuation of a collegewide substance abuse prevention program and other ongoing efforts which foster such education; and to the maintenance of a drug-free environment throughout the College.
- II. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited at Montgomery College.
- III. College employees and students are subject to appropriate disciplinary action for violation of this policy, in accordance with College policies and procedures regarding employee discipline and discharge and in accordance with the student code of conduct.
- IV. The President is authorized to establish procedures to implement this policy.

Per 31005CP § II, the following standards of conduct are applicable to employees:

- A. Employees should report for work fit for duty and free of any adverse effects of illegal drugs or alcohol. This does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their physicians about the medication's effect on their fitness for duty and the ability to work safely and promptly disclose restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions to supervisors,

but should do so to the HIPAA Privacy Official in the Office of Human Resources and Strategic Talent Management.

- B. Employees may be required to undergo a medical examination pursuant to College Policy 31105— Medical Examinations when the employee’s observable behavior creates a reasonable belief that the employee cannot perform the essential job functions or that the employee poses a threat to the health and safety of the employee or others, or to College property, as a result of the effects of drugs or alcohol.
- C. The unlawful manufacture, sale, distribution, dispensing, possession or use of controlled substances, and the unlawful use or abuse (e.g., being intoxicated) of alcohol by anyone on College property (including any facilities leased or used by the College) or in College vehicles is prohibited. The use of alcohol by anyone under 21 years of age or the abuse of alcohol by anyone at any College sponsored or supervised activity off campus is also prohibited.
- D. Notification of Criminal Conviction
 - 1. As required by the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments, the Maryland Higher Education Commission’s Policies Concerning Drug and Alcohol Abuse Control, and as a condition of employment, employees must abide by the terms of this procedure and notify the Office of Human Resources and Strategic Talent Management in writing, of any criminal drug statute conviction for a violation occurring on or off Montgomery College property, no later than five calendar days after such conviction. Lack of compliance with these requirements may subject the employee to immediate disciplinary action, up to and including discharge.
 - 2. Upon receipt of notification of a conviction, the College will take the following actions as required by law:
 - a. Notify the appropriate federal agencies of such convictions, and
 - b. Take appropriate personnel action against the employee, up to and including discharge; and/or
 - c. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.
- E. Consequences of Alcohol and Drug Abuse
 - 1. The unlawful manufacture, distribution, use, sale, or possession (e.g., on the person or in a desk, or vehicle) of illegal drugs or of opened alcohol while on the job or on College leased or owned property is an offense punishable by discharge and may result in criminal prosecution. Any illegal drugs found will be turned over to the appropriate law enforcement agency.
 - 2. The illegal use or abuse of alcohol on campus or as a part of any College activity whether on College leased or owned property is prohibited in accordance with all applicable Federal, State and local laws and the Drug and Alcohol Abuse Prevention Policy. In addition to possible prosecution under the aforementioned laws, employees who violate the prohibitions of this policy are subject to College imposed disciplinary sanctions consistent with applicable procedures and regulations. Sanctions may include, but need not be limited to, suspension,

discharge, or referral to appropriate authorities for prosecution. Any disciplinary sanction imposed may also include the completion of an appropriate rehabilitation program as a condition of reinstatement or continued employment.

Health Risks of Alcohol Abuse

For information about the health risks of alcohol abuse, click [here](#).

Health Risks Associated with the Use of Illicit Drugs

For a description of health risks associated with the use of illicit drugs and abuse of alcohol see attachment. For additional information click [here](#).

Drug and Alcohol Abuse Treatment Resources and Clinical Services

You may also access free, confidential assistance through MC CARES, the Employee Assistance Program or call 844-236-2668 (TDD: 800-697-0353). To register use Organization Web ID: MCC.

For additional information about national and local resources available for drug and alcohol abuse treatment, please see attachment or click [here](#).

For more information on the Drug and Alcohol Abuse Prevention Program for Employees, please see the [Drug and Alcohol Abuse Prevention Biennial Review](#) report or contact [Ms. Rowena D'Souza](#), Risk Management Coordinator / HIPAA Privacy Official, at Rowena.dsouza@montgomerycollege.edu.