

 <b>UNIVERSITY of DENVER</b>	<b>UNIVERSITY OF DENVER POLICY MANUAL POSSESSION, USE, OR DISTRIBUTION OF CONTROLLED SUBSTANCES</b>	
<p><b>Responsible Department:</b> Office of Campus Safety</p> <p><b>Recommended By:</b> Provost, VC Human Resources and Inclusive Community, SVC Business and Financial Affairs, and Director of Campus Safety</p> <p><b>Approved By:</b> Chancellor</p>	<p><b><u>Policy Number</u></b> SAFE 3.20.020</p>	<p><b><u>Effective Date</u></b> 10/27/2021</p>

**I. INTRODUCTION**

University community members are prohibited from use, unlawful manufacture, distribution, dispensing, possession, or being under the influence of controlled substances while on University Premises working or engaging in any University related activities.

**II. POLICY OVERVIEW**

- A.** The University is committed to maintaining a drug-free workplace and learning environment and complying with all reporting and other obligations under the Drug-Free Workplace Act of 1988, as amended, and the Drug-Free Schools and Communities Act of 1986, as amended. Accordingly, the University prohibits employees, students, subcontractors, consultants, volunteers, and visitors from using, unlawfully manufacturing, distributing, dispensing, or possessing controlled substances<sup>1</sup>.
- B.** As a recipient of federal funds, the University must comply with federal laws, and thus, the University does not allow the use of cannabis (including marijuana or medical marijuana as defined by Colorado and Federal law), use of cannabidiol (“CBD”) or psilocybin mushrooms, regardless of any state or municipal laws that may permit or decriminalize their use.
- C.** Furthermore, the University prohibits employees, students, subcontractors, consultants, volunteers, and visitors from being under the influence of controlled substances while on University Premises or participating in University activities.

**III. PROCESS OVERVIEW**

Anyone who has a concern about a potential violation of this policy shall promptly

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<sup>1</sup> Exception under Policy ORSP 8.10.010 – *Controlled Substances for Research Purposes*

contact the following resources for assistance:

- A. The Division of Campus Safety; and
- B. One of the following resources depending on the status of the community member:
  - 1. For an employee, contact Human Resources and Inclusive Community and the employee's supervisor.
  - 2. For a student, complete a report regarding the alleged policy violation to the Office of Student Rights and Responsibilities (SRR).
  - 3. If a community member is acting as a student employee at the time of the alleged policy violation, contact the supervisor and complete a report to SRR.
  - 4. If the community member is a subcontractor, consultant or visitor, contact the unit or individual who invited the person to campus.

If an employee's supervisor or Campus Safety has reasonable grounds to believe, based on personal observation or reliable reports of observations of others, that the community member may be under the influence of controlled substances, then the University may:

- 1. Evaluate the community member's condition;
- 2. Contact paramedics to evaluate the community member's condition and if necessary, transport them to the hospital;
- 3. In the case of employees, conduct drug or alcohol testing, or conduct standardized field sobriety tests to determine if an employee is under the influence of controlled substances. Refusal to consent to such a test will result in the presumption that an individual is under the influence of a controlled substance and may lead to disciplinary action;
- 4. Contact law enforcement;
- 5. Provide transportation to the community member's home; or
- 6. Require a non-residential community member to leave campus.

The University may discipline students and employees found to be in violation of this Policy or violation of applicable laws. The [Honor Code](#) outlines the student conduct process and potential, and applicable outcomes when a student is found responsible for policy violations. Employee discipline for violation of this policy will be subject to applicable University policy and procedures, which may include, but is not limited to, suspension or dismissal of a student or immediate suspension or termination of an employee.

#### IV. DEFINITIONS

- A. **“Controlled Substances”** include all drugs and other substances that are considered controlled substances under the Federal [Controlled Substances Act](#) (CSA). Controlled Substances include cannabis (commonly referred to as marijuana or medical marijuana) and psilocybin mushrooms, and Cannabidiol (CBD), regardless of their legal status under Colorado state and City and

County of Denver municipal law. Controlled Substances do not include use by the designated patient in whose name the prescription was distributed or the use of non-narcotic drugs that are sold over the counter; this exception does not apply to medical marijuana.

- B. **"University Premises"** includes, but is not limited to, all indoor and outdoor common and educational areas, all University-owned, leased, or operated facilities, any recognized fraternities and sororities, University-owned or operated housing, campus sidewalks, campus parking lots, recreational areas, outdoor stadiums and University-owned or leased vehicles (regardless of location). It does not include municipal property that goes through or is adjacent to campus, such as sidewalks or alleys.

V. **RESOURCES**

- A. [University of Denver Honor Code](#)
- B. Policy LEGL 3.20.010 - *Alcohol*
- C. Policy HRIC 3.20.050 – *Tobacco-Free Campus*
- D. Policy ORSP 8.10.010 - *Controlled Substances for Research Purposes*

<b>Revision Effective Date</b>	<b>Purpose</b>
<i>10/27/2021</i>	<i>Revised to align policy with practice</i>