

## 2.12 Drug-Free College and Substance Abuse

**Last Revised:** September 2021

**Policy:** Piedmont Community College (PCC) provides employees, students, and visitors an environment that is free of illegal drugs and alcoholic beverages, thereby allowing them to achieve their personal, professional, and educational goals. PCC is committed to complying with the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act; therefore, the unlawful possession, use, manufacture, or distribution of illicit drugs and alcoholic beverages by students, employees, or visitors on a college-owned, -leased or -controlled property or at any college-sponsored event is strictly prohibited.

---

### **Purpose/Definitions:**

#### **Purpose**

The purpose of this policy is to establish procedures intended to help maintain a safe and productive teaching and learning environment.

#### **Definitions**

**Brown-bagging**—the practice of bringing one’s own alcohol to an event.

**Charge**—a formal accusation made by a governmental authority asserting that a crime has been committed.

**College premises**—any property in use by the College including property that is leased, owned, used for college functions, or used by the College in the conduct of any of its courses.

**Conviction**—a finding of guilt (including a plea of no contest) or the imposition of a sentence by a judge or jury in any federal or state court.

**Drugs**—alcoholic beverages, all illegal drugs as defined in the NC Controlled Substance Examination Regulation Act, and misused legal drugs (both prescription and over-the-counter).

**Reasonable Suspicion**—an objective observation of questionable behavior or unusual conduct on the employee’s part that suggests impairment or influence of drugs; or evidence of drugs on or about the employee’s person or in the employee’s work area.

**Reasonable Suspicion Examination**—a drug test required by a direct supervisor or other college administrator, with approval from the Director, Human Resources and Organizational Development (HROD), of an employee displaying behavior reasonably deemed as unusual.

**Safety-sensitive function**—actions such as operating a vehicle, power equipment, heavy equipment, office machinery or tools, handling hazardous chemicals or substances, or involvement in activities that place oneself or others at increased risk as a result of job functions and/or duties.

---

**Approval Authority/Monitoring Authority:** Piedmont Community College’s Board of Trustees has approval authority for this policy. The Vice President, Administrative Services/CFO; the Vice President, Instruction; the Vice President, Student Development; and the Vice President, Advancement and Communications have monitoring authority for this policy.

---

**Procedure:**

Section 1: Expectations

- 1.1. It is the responsibility of all employees and students to become familiar with the expectations of PCC and to comply with the provisions of this policy and to report to their immediate supervisor or advisor any observed and/or suspected violations of this policy.
  - 1.1.1. All employees are expected to perform their job duties unhindered by drugs and/or alcohol.
  - 1.1.2. All students are expected to perform their academic obligations unhindered by drugs and/or alcohol.
- 1.2. While visiting campus, members of the public are required to adhere to this policy.
- 1.3. Employees will review this policy as part of their employment orientation.
  - 1.3.1. A form will be signed by employees acknowledging receipt of the policy.
- 1.4. Students are provided a copy of this policy in the General Catalog & Student Handbook and the Student Planner.

Section 2:    Applicability

2.1.   This policy applies to all employees:

- 2.1.1.   during all working hours
- 2.1.2.   during meal or break periods
- 2.1.3.   while operating a college-owned vehicle
- 2.1.4.   while on college premises

2.2.   This policy applies to all students:

- 2.2.1.   while participating in any educational activity
- 2.2.2.   during meal or break periods while participating in any educational activity
- 2.2.3.   while on college premises

Section 3:    Use of Alcohol at Special Events

- 3.1.   Designated employees, on a case-by-case basis, may be authorized by the President of the College or the Board of Trustees Chair to purchase and transfer unopened bottles of alcoholic beverages to off-campus events.
- 3.2.   Alcoholic beverages may be permitted in college buildings or on college grounds only under special approval by the President or designee.
  - 3.2.1.   Student groups are not allowed to have alcoholic beverages on campus for any events.
- 3.3.   A Limited Special Occasion Permit or a Special One-Time Permit for the Sale of Alcoholic Beverages must be secured by the applicant from the North Carolina ABC Commission for any event where alcoholic beverages are served.
  - 3.3.1.   ABC Permits must be presented to the College no less than two (2) business days prior to the event.
  - 3.3.2.   A copy of the permit must be displayed during the event.
- 3.4.   For any event where alcohol is served, at least one uniformed law enforcement officer or approved private security officer must be present on the premises of the event.

- 3.4.1. The College may require additional officers depending on the event details.
- 3.4.2. The applicant shall pay the full cost of providing such officers and any applicable administrative fees.
- 3.5. When serving alcohol, the applicant must provide proof of at least a \$1,000,000 liability insurance policy naming Piedmont Community College as an additional insured in which the carrier agrees to defend, save harmless, and indemnify the College from all financial loss, damage, or harm arising out of the dispensing of alcoholic beverages.
  - 3.5.1. A copy of the certificate of insurance must be received by the College no less than ten business days prior to the event.
- 3.6. Alcoholic beverages may be served only by and to adults aged 21 or older.
  - 3.6.1. The applicant is required to ensure that all servers take precautions to ensure guests are not served inappropriate amounts of alcohol and to further ensure that no one under the age of 21 is served.
- 3.7. All alcoholic beverages must be served and consumed only in the area in which the ABC permit is posted.
- 3.8. All alcoholic beverage distribution will be under the control of a bartender and/or caterer.
  - 3.8.1. Such distribution will be discontinued for a patron or an entire event at the discretion of an official of the College, the bartender, or a security officer on duty.
- 3.9. Common source containers without an individual server through a licensed and bonded caterer (e.g., kegs, alcoholic punches, etc.) are prohibited.
  - 3.9.1. Brown-bagging is prohibited.
- 3.10. The caterer or applicant (lessee or event sponsor) must arrange to obtain the alcoholic beverages and transport them to and from the college facility.
- 3.11. No state or local tax dollars may be used to acquire or serve alcoholic beverages.

Section 4: Disciplinary Action

- 4.1. Any employee who violates this policy is subject to disciplinary action in accordance with PCC Policy 5.19 Employee Disciplinary Policy.
- 4.2. Any student who violates this policy is subject to disciplinary action in accordance with PCC Policy 7.5 Code of Conduct.

Section 5: Support

- 5.1. Assistance is available to any employee or student who is experiencing alcohol or drug dependency. Many resources are provided at no cost. All paid assistance shall be offered at the employee's or student's expense.
  - 5.1.1. For employees, contact either
    - 5.1.1.1. the PCC Director, Human Resources & Organizational Development
    - 5.1.1.2. BHS, an employee assistance group, that provides employees and their household members with free support. Help is available 24/7 at (800) 326-3864 or (800) 327-2251.
      - 5.1.1.2.1. Additional services are also available online [www.bhsonline.com](http://www.bhsonline.com), using a username: "PCC" with no password required
  - 5.1.2. For students, contact either
    - 5.1.2.1. the PCC Counseling Department located in Building E
    - 5.1.2.2. the McLaughlin Young Student Assistance Program (SAP) & Work Life Services.
      - 5.1.2.2.1. Help is available 24/7/365 at 1-800-633-3353. Additional services are also available online: [www.mygroup.com](http://www.mygroup.com), using username "pacer50" and password "guest"
- 5.2. All services provided to employees and students are strictly confidential.
- 5.3. After the initial referral, it is the employee's or student's decision whether to implement the recommendations of the respective counselor or assistance program.

Section 6: Notification Requirements by Employees

- 6.1. Any employee is required to inform their direct supervisor and the Office of HROD within five (5) days after they are charged with a violation of any federal or state criminal drug statute.
  - 6.1.1. The direct supervisor will confirm that the Office of HROD has been notified.
- 6.2. The employee is required to provide updates to the Office of HROD regarding the status of the charge and ultimate disposition of the case.
- 6.3. If an employee is convicted of violating any criminal drug statute while in the workplace, on the college premises, or as part of a college-sponsored activity, the College may require the employee, within 30 days of the notice of conviction, to successfully participate in a drug abuse or rehabilitation program sponsored by an approved private or governmental institution at the employee's expense as a precondition for continued employment. See PCC Policy 5.19 Employee Disciplinary Policy for further information.

Section 7: Actions Regarding Employees Who Work Under Federal Grants

- 7.1. Convictions of employees who are working under federal grants for violating drug laws at the workplace shall be reported to the appropriate federal agency.
  - 7.1.1. The College's Office of HROD must notify the U.S. government agency which made the grant within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of a violation of a criminal drug statute occurring in the workplace.
- 7.2. The College shall take appropriate disciplinary action within thirty (30) calendar days from receipt of the conviction notice.
  - 7.2.1. As a condition of further employment on any federal government grant, the law requires all employees to abide by this policy.
  - 7.2.2. Failure to comply with terms of the Drug-Free Workplace Act may result in a variety of penalties, including suspension or termination of federal grants/contracts and ineligibility to apply for future government funding.
- 7.3. PCC will maintain an ongoing good faith effort to meet all the requirements of the Drug Free Workplace Act.

Section 8: Drug-Free Awareness Program

- 8.1. The College will establish and maintain a drug-free awareness program to inform employees and students of:
  - 8.1.1. the dangers of alcohol and drug abuse;
  - 8.1.2. the Drug-Free College policy;
  - 8.1.3. any available alcohol and/or drug counseling, rehabilitation, and employee or student assistance programs; and
  - 8.1.4. the penalties that may be imposed on employees or students for alcoholic beverage and/or drug abuse violations occurring in the workplace, on college premises, or as part of any college-sponsored activity.
- 8.2. PCC publishes the Drug-Free College policy on its website.
  - 8.2.1. The policy clearly states that the unlawful manufacture, use, possession, and distribution of controlled substances in the workplace, on college premises, or as part of any college-sponsored activity is prohibited.

Section 9: Legal Prescription and Over-the-Counter Drugs

- 9.1. Employee and student use of prescription and over-the-counter drugs is not prohibited when taken in standard dosage or according to a physician's prescription.
- 9.2. Employees who take prescription and over-the-counter drugs must determine whether the drug may interfere with their safety or the safety of others on campus, or otherwise interfere with safe performance of their job duties.
  - 9.2.1. It is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, notify supervisor) if any use of legal drugs presents a safety risk.
- 9.3. Students who take prescription and over-the-counter drugs must determine whether the drug may interfere with classroom performance, the safety of others on campus, or otherwise interfere with their personal safety.
  - 9.3.1. It is the student's responsibility to contact their instructor when absent from class and follow procedures outlined in the course syllabus regarding missed assignments.

Section 10: Drug and/or Alcohol Examinations

- 10.1. Any college employee may be required by their supervisor or college administrator to submit to a drug and/or alcohol examination
  - 10.1.1. when there is reasonable suspicion of drug or alcohol use
  - 10.1.2. after an accident
  - 10.1.3. after an injury
- 10.2. When a supervisor or college administrator has a reasonable suspicion that an employee is under the influence of substances in violation of this policy, the supervisor or college administrator will arrange, if possible, for another supervisor or college administrator or safety personnel to verify reasonable suspicion.
- 10.3. The supervisor or college administrator will immediately request permission of the Director, HROD or designee, to arrange for the employee to undergo a reasonable suspicion examination.
  - 10.3.1. If the request is approved, the Office of HROD will arrange for transportation of the employee to an approved laboratory identified by the College and in accordance with all provisions of the NC Controlled Substance Examination Regulation Act.
    - 10.3.1.1. The employee will not be permitted to drive.
    - 10.3.2. Depending upon the test results and unless they are admitted to the hospital, the employee will be taken home or returned to work.
- 10.4. An employee who refuses to submit to an examination, adulterates or dilutes the specimen, substitutes the specimen with that from another person, sends an imposter, does not sign the required consent forms, or refuses to cooperate in the examination process in such a way that prevents completion of the examination may be dismissed.
- 10.5. All drug examination information shall be maintained in separate files and shall not be included in the employee personnel file.
- 10.6. The College shall not release this information except under circumstances defined in [N.C.G.S. 126-24](#).



Section 11: Statutory Conflicts

- 11.1. In the event of a conflict between the provisions of this policy and related federal/state laws or policies, federal/state laws or policies will always take precedence.

---

**Legal Citation:** [Title 21 Code of Federal Regulations](#); [41 USC 701 Drug-Free Workplace Act of 1988](#); the [Safe and Drug-Free Schools and Communities Act/Drug-Free Schools and Campuses Regulations \(Edgar Part 86\)](#); [N.C.G.S. Chapter 90 Article 5](#) (North Carolina Controlled Substances Act); [N.C.G.S. Chapter 95 Article 20](#) (Controlled Substance Examination Regulation); [N.C.G.S. 126-24](#) (Confidential information in personnel files; access to such information)

---

**History:** Alcohol and Drug Abuse Assistance: Effective July 7, 1987; Drug-Free Workplace: Effective January 12, 1988; Substance Abuse: Effective October, 2001; Combined Alcohol and Drug Abuse Assistance, Drug-Free Workplace, and Substance Abuse policies March 2010; Revised January 2011, September 2021—Cross-references PCC Policy 5.19 Employee Disciplinary Policy and Policy 7.5 Code of Conduct