

40-13 Drug-Free Work Place Policy

40-13-1 Purpose • 40-13-2 Policy • 40-13-3 Administration • 40-13-4 Procedures

- 1. Purpose.** The purpose of this policy and procedures is to foster an environment that enhances the missions of the Eastern New Mexico University System (the System).
- 2. Policy.** The Board of Regents of the System adopts this policy to implement the Drug-Free Work Place Act of 1988, Public Law 100-690, 102 Statute 4304 (1988), and the regulations promulgated pursuant thereto, 54 Federal Register 4945 (1989), and the Drug-Free School and Communities Act Amendments of 1989 (Public Law 101-226) and the regulations promulgated pursuant thereto, 55 Federal Register 17384-17402 (April 24, 1990). The latter law requires the System to certify that it has adopted and implemented a program to prevent the abuse and/or illicit use of alcohol and drugs by students and employees.
- 3. Administration.** The chancellor of the System and the branch community college presidents are responsible for the administration of the Drug-Free Work Place Policy and Program and the Drug-Free School/Campus Program. The vice president for Student Affairs is designated to administer the program to students and the System director of Human Resources is designated to administer the program for employees. See 40-9-5(C).
- 4. Procedures and Guidelines**
 - A. The System shall make available to each employee and student regardless of the length of employment or the length of the student's study program standards of conduct that clearly prohibit the manufacture, possession, use or distribution of illicit drugs or alcohol in violation of any System policy, local, state or federal statutes. In addition, the System may provide information regarding any drug or alcohol rehabilitation programs available to employees and/or students.
 - B. Each employee, as a condition of employment, shall sign a Certificate of Awareness, which certifies that the employee is aware of the System's policy.
 - C. All members of the System community shall abide by this policy as a condition of employment or enrollment. Violation of this policy may result in disciplinary action, up to and including dismissal and expulsion.
 - D. Employees in certain positions including but not limited to; law enforcement or security personnel, bus drivers or others under the scope of the DOT, may be required, either by law or the nature of the position, to pass a pre-employment drug and/or alcohol screening, or be subject to random drug and/or alcohol screening. Employees may be required to submit to a drug and/or alcohol screening if involved in a workplace accident, which may be required at the discretion of law enforcement, supervisor, area executive administrator, or the Office of Human Resources. Student Athletes are subject to drug and alcohol testing under the NCAA rules
 - E. The System will review its programs when necessary in order to determine its effectiveness and implement changes to the program if needed.

Approved January 1994.

Amended version approved by Board of Regents December 14, 2007.

Amendments approved by the Board of Regents April 19, 2019.