

Policies and Procedures

<i>SECTION:</i> Administration	<i>NO.</i> 2.2.15		
<i>CHAPTER:</i> Human Resources	<i>ISSUED:</i> 4/18/89	<i>REV. A</i> 9/10/92	<i>REV. B</i> 10/17/2022
<i>POLICY:</i> Drug and Alcohol Use	<i>PAGE 1 OF 5</i>		

PURPOSE

Creighton University policy prohibits students and employees from unlawfully purchasing, manufacturing, possessing, consuming, using, selling, or otherwise distributing or dispensing alcohol or drugs in the workplace, while on University property or as part of any University-sponsored event or activity.

In the event of confirmation of any such prohibited unlawful activity, the University shall, within the scope of applicable federal and state due process requirements, take administrative or disciplinary action. Acts in violation of federal, state, or local laws or ordinances shall be subject to referral to law enforcement officials for arrest and prosecution.

SCOPE

The policy applies to all faculty, administrators, staff, students, and any contractors or visitors with access to students, Creighton property, or who may perform work in conjunction with Creighton University operations, whether as an employee, student, or temporary affiliate, or an individual affiliated with the University in any other capacity.

DEFINITIONS

Covered Persons means all persons defined above under the SCOPE, while on University property or as part of any University-sponsored event or activity on or off campus.

POLICY

Creighton University policy prohibits Covered Persons from unlawfully purchasing, manufacturing, possessing, consuming, using, selling, or otherwise distributing or dispensing alcohol or drugs.

In the event of confirmation of any such prohibited unlawful activity, the University shall take such administrative or disciplinary action as set forth under Disciplinary Sanctions below.

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Prohibited Conduct

The following list provides examples of prohibited conduct. The list is meant to be illustrative, not exhaustive.

- Illegal possession, sharing, use, manufacture, sale, or resale of drugs or alcohol
- Reckless disregard for the illegal presence or use of drugs or alcohol in one's residence hall room
- Possession of ingredients (in sufficient quantity) used to manufacture drugs
- Possession of drug paraphernalia
- Directly providing alcohol to an underage individual
- Hosting an event at which alcohol is served with reckless disregard as to whether an individual under the legal drinking age is consuming alcohol provided at the event
- Sharing or selling prescription medication
- Engaging with external sources to purchase illicit drugs or alcohol illegally for personal consumption, distribution, or resale
- Inviting persons to campus for the purpose of buying / selling drugs
- Alcohol possession or use of any kind in the first- and second-year halls
- Activities that promote rapid consumption of alcohol

Alcohol Use

The University recognizes that the consumption of alcohol in moderation by persons of legal drinking age can be a component of the University's social environment. Therefore, Covered Persons of legal drinking age, are granted the privilege of responsible possession and/or use of alcoholic beverages on campus, except in residential halls designated for first and second-year undergraduate students. For overseas programs, see Travel Policy.

For all University events at which alcohol is served, see Policy on University Sponsored Events with Alcohol, 2.2.18.

Student organizations holding off-campus events where alcohol is present must follow Student Handbook policies related to student organizations.

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Marijuana Use

The University does not permit possession, use, manufacture, or transfer of marijuana for any purpose other than University-approved research on University property or at University sponsored events. Marijuana remains a controlled substance under federal law, and the University remains bound by federal laws prohibiting marijuana on University property and at University sponsored events. Covered Persons who qualify under state or local law to use marijuana may not possess, store, use or share marijuana on University-owned or controlled property or during University-sponsored events on or off campus. Covered Persons who wish to request reasonable accommodation for disabilities treated by state-authorized prescription medical marijuana should contact Office of Student Accessibility Services (students) or Human Resources (employees) and proceed through the University’s disability accommodation process to determine appropriate accommodations.

Disciplinary Sanctions

The University will determine and implement disciplinary action or other corrective measures for violations of this Policy. Any such actions will comply with the Faculty Handbook (for faculty), the Student Handbook (for students), and Human Resources’ policies (for employees). In addition to any University discipline, the University may refer to law enforcement officials any known or suspected violations of federal, state, or local laws.

Sanctions under Applicable Law

State, local, and federal laws prohibit the unlawful use, manufacture, possession, control, sale, and dispensation of any illicit or dangerous drugs (“controlled substances”). These laws carry penalties for violations, including monetary fines and imprisonment. More information regarding US, Nebraska and Arizona laws can be found in the annual safety report found at Creighton.edu/safety and the annual Drug Free Schools and Communities Act notice provided to students and employees.

The University cooperates fully with law enforcement authorities. Violations of Creighton’s alcohol and drug policies as found in the [Student Handbook](#) under Standards of Conduct that are also violations of federal or local law may be referred to the appropriate law enforcement agency. In such situations, cases may proceed concurrently or consecutively at the University and in the criminal justice system. Discipline by the University does not preclude prosecution under applicable law, and prosecution does not preclude discipline by the University.

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The University recognizes that Covered Persons may conduct their work and learn in many states and counties. The University will implement this policy in accordance with applicable federal and local law.

Health Risks

The misuse and abuse of alcohol, tobacco, illicit drugs, and prescription medications affect the health and well-being of millions of Americans. The associated risks are numerous and include physical and mental impairment; poor academic and job performance; serious short- and long-term health problems; psychological or physical dependence (addiction); devastating effects on personal, family, and professional lives; and increased incidence of dangerous risk-taking behavior and acts of violence.

Education and Support Resources

Creighton will provide resources to educate students and employees about the dangers of alcohol and drug misuse and abuse and programs and services to assist those with substance dependency problems and addictions.

Notification Requirements (Employees)

As a condition of employment, employees are required to notify the associate vice president of Human Resources no later than five days after any charge of or conviction for a criminal drug or alcohol offense committed on University property or as part of a University-sponsored program off-campus. Failure to comply with these conditions will be grounds for disciplinary action.

The University will notify the appropriate granting or contracting agency within ten days if required.

Employees who drive University vehicles must notify the associate vice president of Human Resources no later than five days after any pending charges or conviction for a criminal drug or alcohol driving offense.

ADMINISTRATION AND INTERPRETATIONS

This policy references state and federal laws pertaining to alcohol and illicit drugs.

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Please refer to federal, state, and local laws for additional information relevant to the jurisdiction where you work or learn.

Questions related to this policy can be directed to the Office of the General Counsel.

AMENDMENTS OR TERMINATION OF THIS POLICY

Creighton University reserves the right to modify, amend, or terminate this policy at any time.