



2.3.1 Alcohol and Drug Policy

Standards of Conduct

It is the policy of the University of San Diego to provide a safe, healthy and productive educational and work environment for its students and employees. This policy is enacted in compliance with the federal Drug-Free Schools and Communities Act and the federal Drug-Free Workplace Act, and their amendments and implementing regulations.

All university employees and students are required to adhere to this policy. In addition, individuals who are not university employees or students, but who perform work at or for the university, attend university activities or otherwise are on university property (including, but not limited to, independent contractors, volunteers, activity participants, visitors and guests) are required to comply with this policy.

The unlawful possession, use, distribution, sale, manufacture or promotion of illegal drugs, drug paraphernalia and alcohol, or willfully being under the influence of illegal drugs, is prohibited while on university property or as part of any university-sponsored or university-funded activity. Notwithstanding any California law regarding the use of marijuana, federal law continues to make marijuana, with or without a prescription, an illegal drug as that term is used in this policy.

Employees are prohibited from reporting to work or working under the influence of alcohol, illegal drugs, or controlled substances that are used illegally. The same prohibition applies to independent contractors, visitors, and others who perform work at USD or any university-sponsored or university-funded activities. An individual is “under the influence” when his or her work performance, alertness, coordination, or response is impaired or diminished, or where the individual’s actions affect the safety of the individual or others.

If an employee or other individual subject to this policy is not able to perform his or her job responsibilities safely and effectively as a result of a legally-prescribed and/or over-the-counter medication, it is the individual’s responsibility to inform his or her supervisor or Human Resources so that appropriate accommodations can be made.

Employees, students, and others subject to this policy are expected to comply with any other applicable student or departmental policies addressing the use or possession of alcohol. For information concerning what conduct is or is not prohibited, please contact Student Affairs, Auxiliary Services, or Human Resources.

At some university events, alcohol consumption will occur. Those who consume alcohol at university events are expected to comply with applicable laws and to conduct themselves in a professional, responsible and safe manner.

An employee who is convicted of a criminal drug-related or alcohol-related violation occurring in the workplace must notify Human Resources, which in turn will notify the vice president of the division in which the employee works at the university, no later than five (5) days after the conviction.

Disciplinary Action

Violation of any of the standards set forth in this policy will result in appropriate disciplinary action, up to and including dismissal from the university and referral for prosecution. For those who are not students or employees of the university, disciplinary sanctions may include severance of the individual's relationship with the university and referral for prosecution.

For employees, a drug-related or alcohol-related conviction, even for off-campus conduct not part of university-sponsored or university-related activities, may result in disciplinary action, up to and including termination of employment, depending on the relevance of the conviction to the employee's position, the severity of the offense, and other relevant circumstances.

Getting Help

Any student, employee, or other member of the university community who is concerned about substance use, abuse and rehabilitation is strongly encouraged to contact his or her family physician or health plan. In addition, confidential counseling services are available to students through the university's Wellness area, including the Center for Health and Wellness Promotion, the Counseling Center, and the Student Health Center. Employees may seek help through the university's Employee Assistance Program. For information about the university's Employee Assistance Program, please contact the Human Resources Department. In accordance with applicable law, the university will reasonably accommodate an employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, unless doing so presents and undue hardship to the university.

Annual Notice

In compliance with applicable law, the university will distribute annually in writing to employees and students information regarding this policy; a description of the applicable legal sanctions for the unlawful possession or distribution of illicit drugs or alcohol; a description of the health risks associated with the use of illicit drugs and the abuse of alcohol; and a description of assistance resources available to employee and students.

(January 17, 2017)