



DRUG-FREE CAMPUS

No: S-19.5

AUTHORITY: Federal Drug-Free Workplace Act of 1988, Drug-Free Schools and Communities Act of 1990, and UWM Administration

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INITIATOR: Vice Chancellor for Finance and Administrative Affairs

RESPONSIBLE PARTY: Human Resources

UNIVERSITY OF WISCONSIN - MILWAUKEE STANDARDS OF CONDUCT AND UNIVERSITY SANCTIONS CONCERNING ILLICIT DRUGS AND ALCOHOL

The University of Wisconsin System and the University of Wisconsin - Milwaukee prohibit the unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol by students and employees on university property or as part of university activities.

The use or possession of alcoholic beverages is prohibited on university premises, except in faculty and staff housing and as expressly permitted by the chief administrative office or under institutional regulations, in accordance with Ch. UWS 18, Wis. Adm. Code and UWM's Guidelines for Serving Alcoholic Beverages (S-5), *Selected Academic and Administrative Policies*. Without exception, alcohol consumption is governed by Wisconsin statutory age restrictions under s. UWS 18.09(1), Wis. Adm. Code.

The unlawful use, possession, distribution, manufacture or dispensing of illicit drugs ("controlled substances" as defined in Ch. 961, Wis. Stats.,) is prohibited in accordance with s. UWS 18.15(1), Wis. Adm. Code.

Violation of these provisions by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under Ch. UWS 17, Wis. Adm. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on university property or the worksite or during work time, up to and including termination from employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin statutes, administrative rules, and faculty and staff policies. Referral for prosecution under criminal law is also possible. Further, violations of Ch. UWS 18, Wis. Adm. Code may result in additional penalties as allowed under that Chapter.

Employees who are convicted of any drug statute violation occurring in the workplace must notify their dean, director or department chair within 5 calendar days of the conviction if the employees are employed by the university at the time of the conviction in accordance with the Federal Drug-Free Workplace Act, 41 U.S.C. §§ 701, *et seq.*

PROCEDURES FOR REPORTING CONVICTIONS DRUG FREE CAMPUS POLICY

The UWM Drug-Free Campus Policy, S-19.5, (August 1990), incorporates the requirements of the Federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1990. The Drug-Free Workplace Act requires any employee who is convicted (including a plea of *nolo contendere*) of any drug statute violation occurring in the workplace to notify his or her dean, director or department chair within 5 calendar days of the conviction if employed by the university at the time of the conviction. This notification must be in writing.

Within 10 calendar days of receiving information from any source about a conviction, the university must notify the federal funding agency if the employee worked on any activity covered by a grant or contract. This includes both direct charge and indirect charge employees. The following steps explain the internal administrative procedure for reporting convictions to the federal funding agency:

1. Dean, director or department chair obtains knowledge (from any source whatsoever) about a drug statute conviction at the workplace. (Consult Legal Affairs if there is a question about whether a particular location is considered a "workplace.")
2. Dean, director or department chair shall contact immediately the Dean or Associate Dean for Research and Sponsored Programs of the Graduate School to transmit the relevant information. This contact shall be by telephone, followed by written confirmation.
3. The Dean or Associate Dean of Research and Sponsored Programs of the Graduate School shall obtain written confirmation of the conviction if the information was obtained by the dean, director or department chair from any source other than the convicted employee.
4. The Dean or Associate Dean of Research and Sponsored Programs of the Graduate School shall determine whether the convicted employee worked on any activity related to a federal grant or contract.
5. If the convicted employee worked on an activity related to a federal grant or contract, the Dean or Associate Dean of Research and Sponsored Programs of the Graduate School, within 10 calendar days of the conviction, must notify in writing the appropriate federal funding agency. The notification should be sent via certified mail and copies sent to the Provost and Director of the Office of Legal Affairs.
6. The Provost shall ensure that appropriate internal discipline and/or rehabilitation is implemented for the employee following applicable due process requirements and UW System and UWM policies and procedures and in compliance with the Wisconsin Fair Employment Act.