

**THREE RIVERS COLLEGE  
GENERAL ADMINISTRATION REGULATION**

Section: 1000 General Administration	
Sub Section: 1200 Equal Opportunity	
Title: GAR 1206 Alcohol/Drug-Free Work/Learning Place	Page 1 of 4
Primary Policy: GAP 1206 Alcohol/Drug-Free Work/Learning Place	
Associated Policies: SP 2610 Student Code of Conduct; SP 2620 Disciplinary Proceedings; GAP 1205 Code of Ethics; PP 4730 Suspension or Termination	
References: MO. Statute Sec. 178.835; Drug-Free Schools & Communities Act Amend. 1989; Drug-Free Workplace Act of 1988; Controlled Substances Act; Article IV of the US Constitution on Supremacy Clause/Doctrine of Pre-emption; Federal US Department of Transportation 49 CFR Part 40; Federal Motor Carrier Safety Administration 49 CFR Part 382	
Supersedes: NA	
Responsible Administrator: College President	
Initial Approval: 09-22-2010	Last Revision: 11-20-2019

Three Rivers College intends to provide and encourage personal health and wellness. The College has established an alcohol and drug-free work and learning place in order to maintain, support, and preserve high standards of excellence consistent with the College vision, mission, and goals. Any person suspected of being under the influence of alcohol, drugs, or controlled substances while on College premises is a serious risk to themselves and to others. The College reserves the right to remove any person from the College deemed a threat to others. An exception may be granted for alcoholic beverages to be served on College-owned or controlled property at the discretion of the College President.

The College shall follow through with all applicable legal sanctions under local, state, and federal law for the unlawful possession or distribution of illicit drugs and alcohol. The College may refer employees and students to drug and alcohol counseling or treatment, or locate rehabilitation programs that may be available. The College will provide students and employees with information containing a description of the potential health risks associated with use of illicit drugs and alcohol; and a statement of commitment to impose sanctions on students, faculty, and staff in violation of the policy, including a description of those sanctions (such as expulsion, termination, and/or referral for prosecution). Please refer to GAP 1206.

Under the Drug-Free Workplace Act, employees must notify the employer in writing, no later than five days after conviction for violation of any criminal alcohol or drug statute. A conviction is a finding of guilt (including a plea of no contest or nolo contendere), or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the criminal drug statutes.

All Federal, state, and local laws apply with the Supremacy Clause/Doctrine of Pre-emption, which states that the Federal Law supersedes in cases of conflicting legislation. The unlawful possession, use, or distribution of illicit drugs and/or alcohol on college premises, or as a part of college activities is strictly prohibited under MO. Statute Sec. 178.835. For more information,

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please refer to SP 2610 Student Code of Conduct; SP 2620 Disciplinary Proceedings; PP 4730 Suspension or Termination and GAP 1205 Code of Ethics.

**General Interpretation**

1. Three Rivers College recognizes its responsibility to foster a learning environment that minimizes the negative impact of high-risk alcohol use on student life and academic success. The College further recognizes that care must be taken to allow alcohol only in settings where it is responsible to do so and to ensure that policies do not result in an atmosphere in which irresponsible or dangerous alcohol use is likely to result.
2. The College observes and enforces applicable laws and regulations governing the sale, purchase, distribution, consumption, and possession of alcoholic beverages and expects all members of its community adhere to these laws and regulations both on and off campus.
3. College funds may not be used to purchase alcohol.
4. The College reserves the right to conduct random drug testing of all students and employees at the time and facility or collection method of the College's choice even when no suspicion of alcohol/drug use exists.
5. The College complies with the Drug Free Schools and Communities Act Amendments of 1989. Annual distribution of alcohol and drug prevention materials to all students, faculty, and staff are accomplished through 1) the faculty handbook, 2) the GNST 090 Course Curriculum, 3) the staff handbook, 4) the housing orientation, and 4) the annual institutional and financial information publication. The following information is included: A statement of standards of conduct clearly prohibiting unlawful possession, use, or distribution of drugs and alcohol by students or employees on school property or as part of school activities.

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6. Medical Marijuana: Marijuana is not permitted on any Three Rivers College owned or controlled property or College sponsored activity even though there may be state laws that permit its use because it remains a drug prohibited by federal law. The federal government regulates drugs through the Controlled Substances Act (CSA) (21 U.S.C. A 811) which does not recognize the difference between medical and recreational use of marijuana. Three Rivers College receives federal funding through Title IV in the form of student financial aid (grants, loans, and work-study programs) and through federal grants. As a condition of accepting this money, the College is required to certify compliance with the Drug-Free Schools and Communities Act (DFSCA) (20 U.S.C. 1145g part 86 of the Drug and Alcohol Abuse Prevention Regulations). Thus to comply with the Federal Drug Free School and Communities Act and avoid losing federal funding, the College must prohibit all marijuana use, including medical marijuana, and provide sanctions for its use.
  
7. Cannabidiol (CBD) products or oils are sold in an unregulated market. To be legal, the amount of THC must be less than 0.3 percent. Because there are not federal or Missouri laws regarding the enforcement of labeling, you could be taking an unknown substance which may result in impairment. In addition, there is no way to separate the use of cannabis oils/products and the abuse of marijuana. If employees are subject to drug testing, a positive test will result in disciplinary action, up to and including termination.

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**DOCUMENT HISTORY:**

- 09-22-2010:** Initial approval of regulation GAR 1206 Alcohol/Drug-free Work/Learning Place.
- 05-14-2012:** Added section on general interpretation.
- 09-21-2016:** The College Board of Trustees approved the name change of the College from Three Rivers Community College to Three Rivers College.
- 02-20-2019:** The inclusion of an alcohol exception rule, language for Drug-Free Workplace Act, references for Drug-Free Schools & Communities Act Amend. 1989; Drug-Free Workplace Act of 1988; Controlled Substances Act, language for Article IV of the US Constitution on Supremacy Clause/Doctrine of Pre-emption, referenced PP 4730 Suspension or Termination and the addition of a Medical Marijuana clause prohibiting use by Federal Law.
- 11-20-2019:** The inclusion of item #7, regarding Cannabidiol (CBD) products or oils as an unregulated market in the State of Missouri and added references: US Federal Department of Transportation regulation, and Motor Carrier Safety Administration.