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**Subject: Alcohol and Other Drugs**

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## 1. Purpose

Consistent with the Commonwealth's policy, it is Tidewater Community College's objective to establish and maintain a learning and work environment free from the adverse effects of alcohol and other drugs. The effects of alcohol and other drugs could undermine the effectiveness of the teaching and learning process and the productivity of the college's workforce. The adverse effects of alcohol and other drugs create a serious threat to the safety and welfare of the college community and to others. Therefore, TCC adopts the following policy and procedures to regulate the sale and service of alcoholic beverages on college property and to inform the college community of state and federal laws and penalties concerning substance use and abuse; health and behavioral risks of drug use; and resources for treatment and educational programming in accordance with Federal law and Virginia Department of Human Resource Management policy.

## 2. Policy

Tidewater Community College students or employees shall not possess, sell, use, manufacture, give away, or otherwise distribute illegal substances including drugs or, where prohibited, alcohol while on campus, attending a college-sponsored off-campus event, or while serving as a representative of the college at an off-campus meeting, event, or other function. Students or employees who violate this policy shall have college charges processed against them in the normal manner of due process provided by college rules. Further, students or employees who violate this policy shall have committed a criminal offense, and the college shall notify the appropriate agency of the Commonwealth of Virginia or city government for investigation and, if warranted, prosecution.

It is the responsibility of every member of the college community to know the risks associated with substance use and abuse. This responsibility obligates students and employees to be aware of relevant college policies and federal, state, and local laws, and to conduct themselves in accordance with these laws and policies. To these ends, TCC publishes the following information regarding college policies and sanctions, laws and penalties concerning substance use and abuse, health and behavioral risks of drug abuse, and resources for substance abuse issues.

### 2.1. Alcohol

Virginia State laws concerning the purchase, possession, consumption, sale and storage of alcoholic beverages include the following:

1. Any sale of an alcoholic beverage requires a license from the Virginia Alcoholic Beverage Control (ABC) Board.
2. Alcoholic beverages are not to be given, sold or served to persons under 21 years of age.
3. Alcoholic beverages are not to be given, sold or served to persons who are intoxicated.

4. State law prohibits: drinking in unlicensed public places; possession of an alcoholic beverage by a person under 21 years of age; falsely representing one's age for the purpose of procuring alcohol; and purchasing an alcoholic beverage for a person who is under 21 years of age.

Tidewater Community College assumes no responsibility for any liability incurred at any event not sponsored by the college where alcohol is served and/or sold. College employees and students are expected to conduct themselves in accordance with the laws of the Commonwealth of Virginia and to assume full responsibility for their activities and events.

### **2.1.1. Areas of Emphasis**

1. Any use of alcohol on college property must be approved in advance in writing by the Vice President for Institutional Advancement. Additionally, any use of alcohol at a college function at which TCC students will be present must be approved in advance in writing by the Vice President for Student Affairs.
2. Alcoholic beverages must not be served at any college function or event on college property that will be attended by underage TCC students. Requests for exceptions must be presented to the Vice President for Student Affairs.
3. Alcoholic beverages must be purchased with private funds. Under no circumstances may state or local funds be used to purchase alcoholic beverages.
4. Non-alcoholic beverages and food items should be present at college functions where alcoholic beverages are served.
5. Alcoholic beverages may not be mentioned in the advertising or publicizing of a college function. (This does not apply to courses that involve the tasting or consumption of alcoholic beverages.)
6. Sponsors serving alcohol at college functions shall not permit the entry or exit of persons with beverage containers.
7. Sponsors must check for proper age identification before serving alcohol to individuals attending events on college property or sponsored by the college.
8. A member of the college community may not let another person use his or her I.D. for the purpose of obtaining an alcoholic beverage, nor may a member of the college community use another person's I.D. to obtain alcoholic beverages.
9. Any organization, as well as its leadership, sponsoring an event on college property will be responsible for following all federal and state laws and college policies which apply to the serving and/or selling of alcoholic beverages.

### **2.1.2. Sanctions**

Any student found in violation of this policy is subject to the entire range of disciplinary sanctions described in the current *Student Handbook*, including suspension and expulsion. College employees found in violation of this policy are subject to appropriate personnel sanctions up to and including dismissal.

### **2.1.3. Alcoholic Beverages at College Functions**

The consumption of alcoholic beverages is not permitted on TCC property or at TCC-sponsored functions, except as specifically authorized for college events or functions sponsored by external organizations authorized to use college property. An alcoholic beverage (banquet-special event) license must be secured for any function at which alcoholic beverages will be available. A license is also required for any course or class that involves the tasting or consumption of alcoholic beverages. No person under the age of 21 is permitted to consume alcoholic beverages at any function on college property or college-sponsored function.

## **2.2. Drugs**

Unauthorized manufacture, distribution, and possession of “controlled substances” are prohibited by both state and federal law and are punishable by severe penalties. The college does not tolerate or condone such conduct. Students and employees who violate state or federal drug laws may be referred by college authorities for criminal prosecution.

### **2.2.1. Drug-Free Workplace Policy**

The use of alcohol or illegal drugs by all employees while on college property, including meal periods and breaks, is absolutely prohibited. The use of alcohol may be authorized in advance by the college for approved TCC functions. No employee will report to work while under the influence of alcohol or illegal drugs. Violations of these rules by an employee will be reason for evaluation/treatment for a substance use disorder or for disciplinary action, up to and including dismissal.

### **2.2.2. Sanctions**

Whether or not criminal charges are brought, all students and employees are subject to college discipline for illegally manufacturing, distributing, possessing, or using any controlled substance (i) on college property, (ii) at college functions, or (iii) under other circumstances involving a direct and substantial connection to the college.

Any student found in violation of this policy is subject to the entire range of disciplinary sanctions described in the current *Student Handbook*, including suspension and expulsion. College employees found in violation

of this policy are subject to appropriate personnel sanctions up to and including dismissal.

### **2.3. Employee Responsibility to Report Conviction**

As required by Virginia Department of Human Resource Management policy, all employees must notify their supervisors of any conviction for a violation of: (i) a criminal drug law, based on conduct occurring in or outside of the workplace; or (ii) an alcohol beverage control law or law that governs driving while intoxicated, based on conduct occurring in the workplace. Notification of a conviction must be made in writing and delivered no later than five calendar days after such conviction. An employee's appeal of a conviction does not affect the employee's obligation to report the conviction.

### **2.4. Adherence to State Policy**

TCC will adhere to [Virginia Department of Human Resource Management Policy 1.05, Alcohol and Other Drugs, in all matters related to employees](#) and their use of such substances.

### **2.5. Health and Behavioral Risks**

TCC will make available to all members of the college community information about the negative physical and mental effects of the use of alcohol and other drugs. Use of these drugs may cause: blackouts, poisoning, and overdose; physical and psychological dependence; damage to vital organs such as the brain, heart, and liver; inability to learn and remember information; and psychological problems including depression, psychosis, and severe anxiety. Risks associated with specific drugs are described in [Appendix A](#) to this policy.

### **2.6. Substance Abuse Resources**

Students needing help with drug and alcohol problems should contact a campus dean, where referrals are made to community support services or to private providers of professional services. In addition, the college offers a variety of programs that empower students to make well-informed decisions about drugs and alcohol and to help them better cope with the behavior of their peers.

Members of the college community concerned about their own health or that of a friend should consult a physician or mental health professional. Any supervisor who becomes aware of an employee with a problem related to the use of alcohol or other drugs will refer the employee to TCC's Office of Human Resources for potential referral to the Employee Assistance Program (EAP).

### **2.7. Notification and Review**

As required by U.S. Department of Education regulations for institutions of higher education that receive federal funds or financial assistance, TCC will:

November 14, 2022

1. annually, notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violation of federal, state, and local law and college policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs; and
2. conduct a biennial review on the effectiveness of its alcohol and other drug programs and the consistency of sanction enforcement.

### **3. Responsibilities**

The Vice President for Student Affairs, in consultation with the Vice President for Institutional Advancement, and the Associate Vice President of Human Resources, shall develop and promulgate procedures to implement the policy delineated above.

### **4. Procedures**

Procedures for this policy are located on the website.

### **5. Definitions**

**Alcohol, Alcoholic Beverage.** Any product or beverage defined as such in the Alcoholic Beverage Control Act, [§ 4.1-100](#) of the *Code of Virginia*, including beer, wine, liquor, and grain alcohol.

**College Community.** Currently enrolled students; faculty and staff; student, employee, and alumni organizations; college departments.

**College Property.** Includes on- and off-campus facilities, vehicles, and property owned, managed, or leased by TCC (or the State Board for Community Colleges) and under the care, custody, and control of college employees.

**Controlled Substance.** Any substance defined as such in [§ 54.1-3401](#) of the *Code of Virginia*.

**Conviction.** A finding of guilty (including a plea of guilty or *nolo contendere*), or imposition of sentence, or both, by any judicial body charged with the responsibility of determining violations of the federal or state criminal drug laws, alcohol beverage control laws, or laws that govern driving while intoxicated.

**Other Drug.** Any substance other than alcohol that may be taken into the body and may impair mental faculties and/or physical performance.

**Workplace.** College property or any site where employees are performing official duties.

### **6. References**

[Part 86, the Drug and Alcohol Abuse Prevention Regulations \(Education Department General Administrative Regulations \[EDGAR\]\)](#)

[Code of Virginia § 54.1-3401](#)

[Code of Virginia § 4.1-100](#)

[Code of Virginia § 4.1-200](#)

[Virginia DHRM Policy 1.05, Alcohol and Other Drugs](#)

[VCCS Policy Manual 6.4.5.1](#)

## **7. Review Periodicity and Responsibility**

The Vice President for Student Affairs shall review this policy at the first anniversary of its approval and, if necessary, recommend revisions.

## **8. Effective Date and Approval**

This revision to the policy is effective upon its approval by the College President on November 14, 2022.

Policy Approved:

Procedure Developed:

Marcia Conston, Ph.D.  
President

Karen Campbell, Ph.D.  
Vice President for Student Affairs

## **9. Review and Revision History**

The initial version of this policy was approved on April 9, 2009.

Approved April 9, 2009 by President Deborah M. DiCroce

- Revision 1 provides changes to the policy reflecting changes to the professional titles of three staff members.

Approved August 22, 2017 by President Edna V. Baehre-Kolovani, Ph.D.

- Revision 2 updates position titles, transitions the responsibilities from one department to another and updates changes made to Appendix B.

Approved October 5, 2020 by President Marcia Conston, Ph.D.

- Revision 3 updates position titles and transitions the responsibility of the annual notification to Student Affairs and Human Resources.

Approved November 14, 2022 by President Marcia Conston, Ph.D.

- Revision 4 updates position titles and hyperlink