

COLLEGE OF MICRONESIA-FSM

BOARD POLICY NO. 4906

Illicit Drug Policy

Date Adopted: 1981

Date Revised: 1998; 21 May 2009

Date Reviewed: 15 December 2015

References:

A. Purpose

The College of Micronesia-FSM (COM-FSM) is committed to maintaining a safe, healthy, and productive learning and work environment.

Students are **strictly prohibited** from possessing, using, distributing, selling, or being under the influence of illicit drugs, including marijuana and opium, on COM-FSM campuses, at COM-FSM-approved or sponsored events, or on any COM-FSM property, including buildings, vehicles, and boats used for educational or recreational programs.

Violations of this policy will result in disciplinary action, determined by the severity and frequency of the offense.

B. Definitions

1. **Illicit Drugs.** Substances that are illegal under local, state, or federal law, including but not limited to:
 - a. Cocaine, heroin, **opium**, methamphetamine, hallucinogens.
 - b. Controlled prescription drugs when used **without a valid prescription**.
 - c. **Marijuana (cannabis)**, regardless of legality in other states or jurisdictions, except when legally prescribed or permitted under applicable law.
2. **Under the Influence.** A student is considered under the influence if their cognitive, physical, or behavioral abilities are impaired due to the use of illicit drugs, including marijuana.
3. **Violation.** Any act of **possessing, using, distributing, selling, or purchasing illicit drugs**, or being under the influence of illicit drugs while on COM-FSM property or participating in COM-FSM activities.

C. Disciplinary Committee Composition

Each campus maintains its own Disciplinary Committee to handle violations occurring on that campus. The committee is responsible for reviewing alleged violations of the Illicit Drug Policy, determining appropriate sanctions, and ensuring fair and consistent application of disciplinary actions within the context of each campus.

To carry out these responsibilities effectively, each campus has a Disciplinary Committee with the following composition:

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Role	National Campus	CTEC	State Campuses
Chair	Director of Student Life	Coordinator of Student Life	Student Services Coordinator
Faculty Representative	One faculty member appointed by the Dean of Academic Program	One faculty member appointed by CTEC Dean or Instructional Coordinator	One faculty member appointed by Campus Dean or Instructional Coordinator
Student Representative	One student independently appointed by the VPEMSS, not under the chair	One student independently appointed by the CTEC Dean, not under the chair	One student independently appointed by the Campus Dean, not under the chair

D. Disciplinary Penalties

1. First Offense

- Referral to the Disciplinary Committee
- Penalties may include:
 - Suspension of up to **one year**. The power to impose suspension rests with the President of COM-FSM, based on recommendations from the campus Disciplinary Committee.
 - Up to **15 hours of drug/alcohol education or counseling**, completed before reinstatement or within three months if suspension is not imposed
 - Probation or other measures short of suspension, if deemed sufficient
 - Referral to local law enforcement, if appropriate

2. Second Offense. Any subsequent violation after a first offense, regardless of semester.

- Suspension of up to **four years**. The power to impose suspension rests with the President of COM-FSM, based on recommendations from the campus Disciplinary Committee.
- Prohibition from entering any COM-FSM campus for up to four years
- Up to **30 hours of drug/alcohol education or counseling**, completed before reinstatement or within three months if suspension is not imposed
- Referral to local law enforcement, if appropriate

3. Third or Subsequent Offenses

- Suspension or permanent expulsion. The power to impose suspension or permanent expulsion rests with the President of COM-FSM, based on recommendations from the campus Disciplinary Committee.

E. Additional Provisions

- Violence.** Drug violations involving violence may be penalized under the Policy on Violence and Threats of Violence, Including Accessory to Violence (see BP No. 4909), considering prior drug or alcohol offenses.

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2. **Immediate Suspension.** The administration may impose immediate suspension pending a disciplinary hearing.
3. **Failure to Comply.** Non-compliance with disciplinary actions will result in withholding of grades or transcripts until compliance is verified and may affect financial aid eligibility.

~~Students are not permitted to possess, distribute, consume, sell, or purchase illicit drugs, nor are they permitted to be under the influence of illicit drugs, on COM FSM campuses, at COM FSM approved or sponsored events, on COM FSM properties or in the buildings, vehicles or boats used by COM FSM for its educational or recreational programs. Any violation of the illicit drug policy will result in a referral to the Disciplinary Committee. Penalties will range as described below.~~

~~A. First Offense.~~

- ~~1. Disciplinary suspension for up to one year. Suspension will be initiated at the discretion of the Disciplinary Committee.~~
- ~~2. Referral for up to fifteen hours of drug/alcohol education/counseling, which must be completed prior to reinstatement after suspension, or completed within three months of the decision by the Disciplinary Committee, if the penalty prescribed, is less than suspension.~~
- ~~3. Any measures short of disciplinary suspension if, in the view of the Disciplinary Committee, such measures will reasonably enforce the goals of the illicit drug policy, such as probation for one year.~~
- ~~4. Referral of the matter to local law enforcement authorities if appropriate.~~

~~B. Second Offense. A second violation of the illicit drug policy is one that is within the same semester as the first offense. Penalties will range up to the following:~~

- ~~1. Disciplinary suspension for up to four years.~~
- ~~2. Prohibition on the student from even entering the College of Micronesia FSM National Campus, state campuses, or FSM FMI for up to four years.~~
- ~~3. Referral for up to thirty hours of drug/alcohol education/counseling, which must be completed prior to reinstatement after suspension, or completed within three months of the decision by the Disciplinary Committee, if the penalty prescribed, is less than suspension.~~
- ~~4. Any measures short of disciplinary suspension if, in the view of the Disciplinary Committee, such measures will reasonably enforce the goals of the illicit drug policy.~~
- ~~5. Reference of the matter to local law enforcement authorities if appropriate.~~

~~C. More Than Two Offenses. In the event any student commits and is to be disciplined for more than two offenses during the school year, the Disciplinary Committee may use its discretion and impose an appropriate penalty up to suspension.~~

~~D. Failure to Comply with Assigned Disciplinary Actions. Non-compliance by the student of assigned disciplinary actions will result in the withholding of grades and/or transcripts until written notice of compliance has been filed with the Vice President for Enrollment Management and Student Services (VPEMSS) or the Campus Dean/Director. VPEMSS or the Campus Dean/Director will be responsible to provide the appropriate lists to the Office of~~

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~~Admissions, Records and Retention. The withholding of grades can interfere with the ability of the student to obtain future financial aid for his/her schooling. Failure to complete counseling and other requirements inside the given time constraints under any discipline imposed may result in the denial of the student to register for continued classes.~~

- E. ~~Violations of the Illicit Drug Policy Involving Violence. If any violation of the illicit drug policy involves violence, the discipline imposed and penalties prescribed will be those found under the Prohibition of Violence policy.~~
- F. ~~Violations of the Illicit Drug Policy Involving Alcohol. The Disciplinary Committee may consider previous violations of the alcohol policy or violation of the alcohol policy in the same incident as the violation of the illicit drug policy in determining the level of appropriate discipline to be issued.~~
- G. ~~Immediate Suspension Allowed. A student charged with any offense under this illicit drug policy may be immediately suspended from the college by the administration, pending the holding of the Disciplinary Hearing and issuance of the decision by the Disciplinary Committee.~~