

## **CSU GUIDELINES REGARDING AMENDMENT 64 AND MARIJUANA**

CSU students and employees should understand that possessing, using or selling marijuana continues to be prohibited on campus and during University activities. Amendment 64 legalizes certain activities related to marijuana under Colorado law, yet Amendment 64 specifically authorizes the University – as a school and an employer – to prohibit the possession and use of marijuana. In addition, although Amendment 64 passed in Colorado, the possession and use of marijuana is still prohibited under federal law. As a federally controlled substance, the use and possession of marijuana is prohibited by CSU policy and the CSU Student Conduct Code, and is not permitted on campus.

### The Use and Possession of Marijuana is Prohibited on Campus

Colorado law may allow certain marijuana related activities, such as limited medical marijuana use and other recreational use and possession. However, using and possessing marijuana (or hemp) remains a crime under federal law. At the federal level, the Controlled Substances Act (CSA) criminalizes the growing and use of marijuana, and it is well settled that federal enforcement agencies can prosecute users and growers of marijuana. As a controlled substance, use and possession of marijuana is also prohibited by the Student Conduct Code and is not permitted on campus. In addition to being a federal offense under the CSA, the use of medical marijuana in the workplace is restricted by federal laws, such as the federal Drug-Free Workplace Act and the federal Drug-Free Schools and Communities Act. Those federal laws require the University to prohibit the use of marijuana on campus.

### CSU Students

Using or possessing marijuana is prohibited by the CSU Student Conduct Code, and students who use or possess marijuana are subject to discipline. Marijuana use or possession is prohibited across the entire campus, including all open areas and buildings, such as the residence and dining halls. CSU is not required to allow the medical or recreational use of marijuana in the residence halls or on campus, because marijuana is illegal under federal law. The Colorado State University Police Department will continue to enforce the campus-wide prohibition of marijuana.

### CSU Employees

CSU employees are prohibited from using, possessing or being under the influence of marijuana in the workplace. Because the use of marijuana is a federal offense under the Controlled Substances Act, the University is required to adopt – and has adopted – a policy that prohibits the unlawful manufacture, distribution, possession and use of illicit drugs and alcohol in the workplace. CSU employees who violate this policy are subject to discipline, up to and including termination. CSU strives to maintain a safe workplace, and permitting employees who are under the influence of marijuana, just like with alcohol, to operate machinery or work with potentially hazardous materials or substances could create serious risks in the workplace.

While performing their job duties, CSU employees are prohibited from consulting or providing assistance with the cultivation, sale, distribution or use of marijuana. Any employee who provides such assistance

shall be acting outside the scope of his or her employment and assumes personal liability for such action. Federal agencies continue enforcement activity against those who facilitate the illegal use of marijuana, despite state law. Also, CSU is not required to accommodate an employee's medical or recreational use of marijuana. In addition, illegal drug use may have other consequences. For instance, illegal drug use is a bar to the acquisition or renewal of a Federal security clearance.