



Clarification on Marijuana Use and Possession

Dear Pacific Union College Community:

Pacific Union College (PUC) is a Drug-Free Zone. As such, this letter serves to clarify the College's position on the use of marijuana in particular, and to clearly articulate the consequences that can result from transgressing the College's Code of Conduct.

On Jan. 1, the legal sale of recreational marijuana commenced in California. This follows the passage of Proposition 64 by California voters on Nov. 8, 2016, which legalizes its recreational use by people over the age of 21. However, Prop. 64 does not change PUC policy, which prohibits the use of marijuana on all College properties (including on and off campus housing). Marijuana is also not permitted at College events or while conducting College business. **This includes possession and use of prescribed marijuana.**

Notwithstanding Prop. 64, using, distributing and possessing marijuana remains illegal under federal law. The **Drug Free Workplace Act (1988) and the Drug Free Schools and Communities Act (1989)** require that PUC, as a recipient of federal funding, establish policies that prohibit marijuana use, possession and distribution on campus and in the workplace.

Pacific Union College receives federal funding for various uses, most importantly student financial aid. As such, PUC must comply with federal law, including all current federal drug laws.

Therefore, even though California has legalized marijuana for recreational use for some individuals, the possession, use (even if prescribed), storage and cultivation of marijuana (***as defined below****) is prohibited on all Pacific Union College properties for all faculty, staff and students under the College's **Alcohol and Substance Abuse Policy** (page 40 in the *Student Handbook*). This includes off-campus housing that is operated under College oversight and policies.

Violating the College's policies may be grounds for discipline or corrective action, which may include required participation in a treatment program, with a maximum penalty of dismissal.

If you or someone you know needs assistance addressing issues associated with substance use and/or abuse, marijuana in particular, request a confidential support session in the College's Counseling Center (707-965-7080).

Sincerely,

A handwritten signature in black ink that reads "Jennifer M. Tyner".

Jennifer Tyner
Dean of Students and Vice President for Student Life

***PUC's Definition of Marijuana**

For purposes of this policy marijuana (cannabis) is defined here and includes the following non-exhaustive prohibited products.

Marijuana or cannabis refers to the dried leaves, flowers, stems, resin and seeds from the hemp plant, Cannabis sativa. The plant contains the mind-altering chemical delta-9-tetrahydrocannabinol (THC) and other related compounds. Extracts with high amounts of THC can also be made from the cannabis plant. Cannabis can be manufactured into edible forms such as chocolate, cookies, candies, etc. Compounds can be smoked, vaporized and used as topical products such as creams or oils.

Recreational marijuana is now legalized in California. That means students and individuals over 21 can purchase, use and plant these products on campus, right?

Wrong.

Although the state law permits the recreational use of marijuana, it remains illegal under federal laws. PUC along with the rest of the colleges and universities in California prohibits the use of marijuana on college properties and or at college events.

Below are some common questions and facts about marijuana use while a student at PUC:

Now that California voters approved Proposition 64 the California Marijuana Legalization Initiative legalizing recreational marijuana for persons aged 21 years or older under state law don't I have a legal right to use and possess marijuana anywhere I want, including on campus?

No. Although the new law permits the use and possession of recreational marijuana for persons aged 21 years or older under California law, it does not affect PUC's ability to set the policies for student conduct. As a higher-education institution, private-property owner, and employer, PUC has the right to define what conduct is permissible and expected within its community and on its campus.

By enrolling and/or accepting employment at Pacific Union College, students and employees agree to abide by the policies and regulations described in the *General Catalog*, *Faculty Handbook*, *Staff Handbook*, and the *Student Handbook*.

Additionally, the college may revoke residential license agreements and evict students and employees for the sale, possession, or use of marijuana in college housing even if prescribed for medical purposes (see page 35 of the *Student Handbook* and individual license agreements).

What is the relationship between federal laws that prohibit marijuana use and Proposition 64 the California Marijuana Legalization Initiative?

Federal laws prohibiting marijuana use supersede state laws, including Proposition 64, that attempt to permit its use. Accordingly, if you use or possess marijuana, you are subject to prosecution under federal law, regardless of what Proposition 64 permits. See <https://www.justice.gov/opa/pr/justice-department-announces-update-marijuana-enforcement-policy>. Importantly, a conviction for drug-use under federal law may cause you to become ineligible for federal financial aid.

Does Pacific Union College's policy prohibiting marijuana use apply to faculty, staff, guests, and visitors to campus for special events?

Yes. The Pacific Union College **Alcohol and Substance Abuse Policy** prohibits faculty, staff, guests, and visitors from using, possessing, or being under the influence of controlled substances including marijuana while on campus or during College activities. Again, this includes medical marijuana prescriptions. Also, the **U.S. Safe and Drug-Free Schools and Communities Act** and **U.S. Drug-Free Workplace Act of 1988 (41 U.S.C. §8101 et seq.)** prohibit usage on campus.

If you have questions about prescriptions, please seek consultation with a PUC Health Services physician.

Where can I find more information on marijuana (cannabis)?

<https://www.drugabuse.gov/publications/drugfacts/marijuana>
<https://medlineplus.gov/marijuana.html>