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Dear UA Students, Faculty and Staff:

As most of you know, Ballot Measure 2 regarding marijuana passed and went into effect February 24, 2015. Despite the changes in **state** law,¹ it is critically important to understand that federal law regarding marijuana has **not** changed. While the federal government may or may not choose to prosecute violations of federal law regarding marijuana, it remains a federal crime, for example, to possess and use even small amounts of marijuana.

You also should be aware that Regents' Policy, University Regulation and Student Codes of Conduct related to marijuana are not required to change² and are not likely to change. As a result, violating applicable Board of Regents Policy or University Regulation relating to illegal drugs, including marijuana, will continue to result in disciplinary action.

As a recipient of federal funds, UA has to comply with the Safe & Drug-Free Schools and Communities Act and the Drug-Free Workplace Act. These laws require among other things that UA maintain and enforce policies prohibiting the use of illegal drugs. Failure to comply with federal laws and regulations regarding marijuana would jeopardize UA's continued receipt of federal funds.

Also, under Federal regulations certain University employees are subject to drug and alcohol testing because of the type of work they perform. Testing positive for marijuana is a violation of these regulations and will remain grounds for employment sanctions including termination, even if the marijuana use occurred outside of work hours and otherwise in accordance with state law.

Please review the following drug-related policies and information as applicable to your university status:³

- **Regents' Policy & University Regulation 04.02.040** - Federal Drug-Free Workplace requirements;
- **Regents' Policy & University Regulation 04.02.050** - UA's Controlled Substance Testing program.
- **Regents' Policy 05.12.104** – prohibition of possession or use of marijuana on UA property.

¹The law eliminates certain **state** criminal penalties and offenses related to marijuana and regulate the possession, distribution, use, and growing of marijuana by those 21 and over in Alaska.

<http://www.elections.alaska.gov/petitions/13PSUM/13PSUM-Proposed-Law.pdf>

² **The law would provide employers (AS 17.38.120(a)), schools (AS 17.38.120(d)) and recipients of federal funds (AS 17.38.010(d)) flexibility to restrict marijuana.**

³ UA policies and regulations can be found at <http://www.alaska.edu/bor/policy-regulations/>

- **Regents' Policy & University Regulation 09.02.020C (15)** - student conduct involving illegal substances, including marijuana.

If you have any questions or concerns, please contact your Dean of Students or Human Resources office.

(General Counsel rev. 05/10/18)