



## University Senate TRANSMITTAL FORM

<b>Senate Document #:</b>	13-14-13
<b>Title:</b>	Proposal to Streamline the University's Marijuana Policy with State Policy
<b>Presenter:</b>	Kevin Pitt, Chair, Campus Affairs Committee
<b>Date of SEC Review:</b>	January 21, 2015
<b>Date of Senate Review:</b>	February 11, 2015
<b>Voting (highlight one):</b>	<ol style="list-style-type: none"> <li>1. On resolutions or recommendations one by one, or</li> <li>2. In a single vote</li> <li>3. To endorse entire report</li> <li>4. For information only</li> </ol>
<b>Statement of Issue:</b>	In October 2013, a proposal was submitted to the Senate Executive Committee (SEC) to amend University policies and procedures to allow students with medical conditions to use or possess marijuana on campus with a doctor's permission, in order to align with State of Maryland medical marijuana laws. In November 2013, the SEC charged the Senate Campus Affairs Committee with reviewing University policies and procedures related to marijuana use and with considering whether faculty, staff, and students should be exempt from University sanctions when marijuana is used for a medical purpose.
<b>Relevant Policy # &amp; URL:</b>	University of Maryland <i>Code of Student Conduct</i> ( <a href="#">V-1.00(B)</a> ); University of Maryland System Policy on a Drug-Free Workplace ( <a href="#">VII-1.10</a> ); University of Maryland, College Park Resident Life Drug Policy ( <a href="#">V-1.00(E)</a> ); University of Maryland Policy on Employee Alcohol and Other Drug Abuse ( <a href="#">VI-8.00(A)</a> ); University of Maryland, College Park Policy on Student Alcohol and Other Drug Abuse ( <a href="#">VI-8.00(B)</a> ); and University of Maryland Fitness for Duty Policy and Procedures ( <a href="#">VI-8.00(F)</a> ).
<b>Recommendation:</b>	<ul style="list-style-type: none"> <li>- The Campus Affairs Committee voted unanimously to make no recommendation to amend University policies or procedures to allow use of medical marijuana on campus by faculty, staff, or students. Further, the committee recommends that the University should not reconsider revising University policies or procedures until federal law is amended related to use of marijuana for a medical purpose.</li> <li>- The Campus Affairs Committee recommends that the Senate</li> </ul>

	Executive Committee forward this report to the University System of Maryland.
<b>Committee Work:</b>	<p>The Campus Affairs Committee (CAC) began its review of the charge in March 2014. The CAC considered federal and state laws related to marijuana, reviewed University policies, gathered peer institution research, and consulted with University Human Resources, the Office of Faculty Affairs, the University Health Center, the Office of Student Conduct, and the Office of Legal Affairs during its review.</p> <p>The CAC found that the conflict between state and federal laws related to marijuana make it difficult for UMD or for any higher education institution to adopt policies to accommodate use or possession of marijuana for a medical purpose. In its review of peer institutions, the CAC did not find any institutions that make such accommodations, and the committee learned from many peers that they are unable to adopt such policies because they would risk loss of federal funding for violating laws mandating that the university be free of controlled substances. Similar concerns were raised by offices at UMD as well.</p> <p>The CAC received information from the Office of Legal Affairs, which explained that under federal law, use and possession of marijuana even for medical purposes is illegal and can result in federal prosecution. Higher education institutions must comply with federal laws, and all federal funding and student aid funding is contingent on compliance. Despite any changes or accommodations made by the State of Maryland, until a clear exemption is made in federal law for medical use of marijuana, noncompliance would put the University at considerable risk of losing federal funding.</p> <p>After considering all the information, the CAC agreed that without changes in federal law, it would not be in the University's best interests to recommend changes to University policies or procedures to allow use of medical marijuana on campus by faculty, staff, or students.</p>
<b>Alternatives:</b>	Not applicable.
<b>Risks:</b>	There are no associated risks.
<b>Financial Implications:</b>	There are no financial implications.
<b>Further Approvals Required:</b>	Not applicable.

## Senate Campus Affairs Committee

### Senate Document # 13-14-13

## Proposal to Streamline the University's Marijuana Policy with State Policy

January 2015

### BACKGROUND

In October 2013, a proposal was submitted to the Senate Executive Committee (SEC) to amend University policies and procedures to allow students with medical conditions to use or possess marijuana on campus with the written permission of a doctor. The proposal explained that under the State of Maryland's affirmative defense law for marijuana, an individual with a prescription for use of marijuana to treat a debilitating medical condition may use the prescription as a mitigating factor or defense in prosecution for use or possession of marijuana and receive lesser penalties. In November 2013, the SEC charged the Senate Campus Affairs Committee with reviewing University policies and procedures related to marijuana use and with considering whether faculty, staff, and students should be exempt from University sanctions for marijuana use for a medical purpose (Appendix 2).

### COMMITTEE WORK

The Campus Affairs Committee (CAC) began its review of the charge in March 2014. The CAC focused its spring 2014 review on consideration of federal and state laws related to marijuana and on gathering peer institution research on this issue. During fall 2014, the CAC reached out to various offices on campus for information on current practices and on what impact a change in policy would have on University operations and constituents.

#### *Federal and State Laws*

Upon receiving the charge in March 2014, the CAC immediately began gathering information on current state and federal laws on marijuana. The committee learned that in 2013, the State of Maryland approved an affirmative defense law for medical marijuana<sup>1</sup>. During the spring of 2014, additional changes were made by the Maryland General Assembly to medical marijuana laws to establish a process for patients to qualify for medical marijuana as well as a process for dispensaries to distribute medical marijuana.

The Maryland General Assembly also approved a bill in April 2014 to decriminalize the possession of small amounts of marijuana. This law went into effect on October 1, 2014. The new law imposed civil fines instead of criminal penalties on those possessing less than 10 grams of marijuana, with fines beginning at \$100 for the first offense. The legislation did not legalize marijuana, but rather changed the penalties involved for possession of small amounts of marijuana.

While the State of Maryland has recently made many changes to its laws related to marijuana, the federal government has not had similar activity in the past few years. Under federal law, possession and use of

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<sup>1</sup> The current state law related to marijuana may be found in the Annotated Code of Maryland in *Md. CRIMINAL LAW Code Ann. § 5-601* (possessing or administering controlled dangerous substance) and *Md. CRIMINAL LAW Code Ann. § 5-619* (Drug Paraphernalia), which are publicly available online through LexisNexis, Westlaw, and other sources.

marijuana is illegal under the Controlled Substances Act, and marijuana use, even for medical purposes, can result in federal criminal prosecution.

### *University Policy*

The CAC began reviewing University policies in the spring of 2014. The committee reviewed many University policies that relate to marijuana or drugs, and briefly discussed whether changes to any policies would need to be made if the committee were to make a recommendation related to medical marijuana. University policies discussed included:

- University of Maryland *Code of Student Conduct* ([V-1.00\(B\)](#)) Part 10 (h) and (i), Prohibited Conduct: This policy prohibits use or possession of any illegal drug or controlled substance on or off campus, and does not give exceptions for use or possession for a medical purpose.
- University of Maryland System Policy on a Drug-Free Workplace ([VII-1.10](#)): This policy generally states that the University of Maryland system is “a workplace free from illegal use, possession or distribution of controlled substances,” and notes that controlled substances are defined by federal law in the Controlled Substances Act.
- University of Maryland, College Park Resident Life Drug Policy ([V-1.00\(E\)](#)): This policy generally states that the possession, use, sale, distribution, or provision of illegal drugs is prohibited on or off campus property.
- University of Maryland Policy on Employee Alcohol and Other Drug Abuse ([VI-8.00\(A\)](#)): This policy generally states that the illegal or abusive use of drugs or alcohol is prohibited on University property or as part of University activities, as this kind of activity “...jeopardizes the safety of the individual and the campus community, and is inimical to the academic learning process.”
- University of Maryland, College Park Policy on Student Alcohol and Other Drug Abuse ([VI-8.00\(B\)](#)): This policy is related to the above policy on employee drug abuse, and cites the *Code of Student Conduct* as prohibiting use, possession, and/or distribution of controlled substances and illegal drugs.
- University of Maryland Fitness for Duty Policy and Procedures ([VI-8.00\(F\)](#)): This policy generally outlines the procedures that must be followed by supervisors in situations involving employee impairment or violent or abusive behavior, for instance. Fitness for duty is defined as the “readiness of an employee to perform the essential functions of his or her job”.

### *Peer Institutions*

In March 2014, the CAC began reviewing policies and procedures related to marijuana at peer institutions. The committee surveyed all Big Ten institutions and a few institutions in the Maryland/DC area. Thirteen institutions responded to its inquiries, but the CAC was not able to identify any peers with a policy to allow an exception for medical marijuana use or possession on campus (Appendix 1). In most cases, the institutions indicated that marijuana is illegal under federal law, which prevents them from considering changes to University policy. Institutions have suggested that since they are subject to the federal Drug-Free Workplace Act of 1988 and the federal Drug-Free Schools and Communities Act Amendments of 1989, both of which mandate campus communities be free of controlled substances, they may be in jeopardy of losing federal funding if the federal laws are not followed, despite any leniency or allowances in state law for possession or use of marijuana.

In a few cases, such as the University of Michigan and Northwestern University, local or state laws allow for medical or recreational use of marijuana. However, the institutions still are unable to accommodate medical marijuana users because of the conflict with federal law. In these cases, campus community members would be able to use marijuana off-campus, as long as they were in compliance with state or local laws.

### *Outreach to UMD Offices*

The charge from the SEC asked that the CAC consult with University Human Resources, the Office of Faculty Affairs, the University Health Center, the Office of Student Conduct, and the Office of Legal Affairs. The CAC corresponded with representatives of each office in the fall of 2014 to gather information and gain additional perspectives on the committee's charge.

#### ❖ University Human Resources

University Human Resources (UHR) provided context on current policies and procedures related to marijuana and drug use for University employees. The CAC learned that UHR has not received any requests or claims for medical need of marijuana for use by employees at UMD. If there were such a case, UHR would likely ask for a physician's certification of the employee's need and would consider the type of job held by the employee. Certain positions at the University would necessarily prohibit the use of controlled substances, including positions that require driving or operating machinery, positions related to plant or animal care for research purposes, child care positions, and most trades positions that involve power tools or electrical work, for instance.

The CAC asked what policies or procedures would need to be adjusted if the committee were to consider a recommendation on allowing marijuana use or possession for medical need. UHR explained that many policies are affected by federal laws such as the Occupational Safety and Health Act and the Omnibus Transportation Act, as well as State of Maryland Occupational Safety and Health rules and regulations. Additionally, any change to University procedure related to medical marijuana would impact all disciplinary rules, fitness for duty policies, and many other policies and procedures related to employees. UHR also explained that any new policies or changes to existing policies related to medical marijuana would need to be negotiated with the union for non-exempt and exempt staff in the bargaining unit.

#### ❖ Office of Faculty Affairs

In communications with the Office of Faculty Affairs, the CAC learned that there have not been any cases in recent years of faculty members requesting use of controlled substances or of disciplinary actions for controlled substances. The Office of Faculty Affairs explained that faculty would be subject to University policy and procedures on fitness for duty and other policies and procedures related to University employees if any concerns were to be raised in the future.

#### ❖ University Health Center

The CAC reached out to the University Health Center (UHC) for information on how medical marijuana is used to treat debilitating conditions, and asked whether the UHC would have concerns if any changes to University policy or procedures to allow medical marijuana use on campus were considered. The UHC provided the CAC with a few recent papers from medical journals on the use of marijuana for medical purposes, while noting that there is a limited amount of research on the medical uses of marijuana at this point. In reviewing the papers, the CAC learned that evidence and advice for and against medical marijuana are not settled in the medical community, and the committee noted concerns in particular with the impact marijuana has been shown to have on brain development of adolescents and young adults. The UHC also noted its own concerns related to the conflict between federal and state law as well.

#### ❖ Office of Student Conduct

The Office of Student Conduct (OSC) provided information to the committee on how marijuana and other drug use and possession is handled on campus, and how policies and procedures have changed over time. The CAC learned that current University policy, as stated in the *Code of Student Conduct*, prohibits use or possession of any controlled substance on and off campus, including marijuana. Various federal laws, including the 1989 Drug-Free Schools and Communities Act Amendments to the Higher Education Act of 1990, state that marijuana and other controlled substances shall be illegal at any institution that receives federal funding. Since marijuana is illegal under federal law, it is prohibited at the University as well.

University policy is enforced by University police, Prince George's County Police, Resident Assistants, and residence hall staff. Cases are referred to the Office of Student Conduct, which evaluates each case and resolves cases through established disciplinary processes.

In current practice, possession or use of marijuana can result in a one-year suspension or alternative sanctions. Violations that take place in residence halls can result in housing termination. However, each case is evaluated individually by the Office of Student Conduct, which has the ability to assess sanctions that could include any of the following: disciplinary probation, disciplinary suspension, Marijuana 101 or other educational sanctions, reflection papers, drug testing, substance use intervention and treatment, community service, and counseling.

#### ❖ Office of Legal Affairs

The CAC received information from the Office of Legal Affairs during two stages of its review. After its review of peer institutions and consideration of the changes in the State of Maryland's law, in April 2014, the committee decided to seek general guidance on the conflict between state and federal laws. The Office provided initial information on the current state and federal laws related to marijuana. In fall 2014, the CAC considered concerns raised by committee members and by UHR, the UHC, and the OSC on the conflict between state and federal law. The CAC determined that it would benefit from additional knowledge and expertise on the matter, and invited a representative of the Office of Legal Affairs to a meeting to discuss this issue further.

In its discussion with a representative of the Office of Legal Affairs, the CAC learned that under federal law, use and possession of marijuana even for medical purposes is illegal and can result in federal prosecution. As a higher education institution, the University of Maryland's federal funding and student aid funding is contingent on compliance with federal laws, including the Drug-Free Schools and Communities Act and the Controlled Substances Act. Further, the University is subject to the Drug-Free Workplace Act of 1988, which requires institutions that receive federal funding to prohibit the use of any and all controlled substances in the workplace, and the Occupational Safety and Health Act, which requires the maintenance of a safe workplace. The CAC learned that despite any changes or accommodations made by the State of Maryland in its laws and regulations, the University of Maryland must comply with federal laws, and until a clear exemption is made in federal law for medical use of marijuana, noncompliance would put the University at considerable risk of losing federal funding. The CAC found this perspective to be consistent with its findings from communication with peer institutions, and agreed that there would be significant risk to loss of federal funding, financial aid, and research grant funding if the committee were to recommend any changes to University policy or procedures.

As it considered the risks, the CAC recognized that there is no legal assurance to protect the University from federal sanctions if the University were to adjust its policies or procedures to mirror state laws allowing marijuana use for medical purposes. Members considered that the federal government has recently increased its attention to compliance of higher education institutions with other federal laws,

such as laws related to sexual misconduct and hazing, and raised concerns with the uncertainty of future federal activity related to marijuana.

In its discussion, the CAC noted that the University has not received guidance from the University System of Maryland (USM) related to recent changes in Maryland state law on medical marijuana. Since this matter involves a great deal of risk and financial consequences, members suggested that if changes were to be made to policies or procedures, such changes should originate from the USM rather than from an individual institution within the System.

After considering all the information gathered, including the information gained from meeting with the Office of Legal Affairs, the CAC agreed that without changes in federal law and without guidance from the USM, it would not be in the University's best interests to recommend changes to University policies or procedures to allow use of medical marijuana on campus by faculty, staff, or students.

### **RECOMMENDATION**

After much deliberation, in December 2014, the Campus Affairs Committee voted unanimously to make no recommendation to amend University policies or procedures to allow use of medical marijuana on campus by faculty, staff, or students. Further, the committee recommends that the University should not reconsider revising University policies or procedures until federal law is amended related to the use of marijuana for a medical purpose.

The Campus Affairs Committee recommends that the Senate Executive Committee forward this report to the University System of Maryland.

### **APPENDICES**

Appendix 1 – Summary of Peer Institution Research on Medical Marijuana Policies

Appendix 2 – Charge from the Senate Executive Committee on Proposal to Streamline the University's Marijuana Policy with State Policy

**APPENDIX 1 - SUMMARY OF PEER INSTITUTION RESEARCH ON MEDICAL MARIJUANA POLICIES**

<b>Big Ten Institutions</b>		
<b>Institution</b>	<b>Medical Marijuana Policy?</b>	<b>Comments</b>
<b>University of Illinois at Urbana Champaign</b>	No	<p>The University of Illinois has not yet developed a position regarding the Illinois medical marijuana law (Compassionate Use of Medical Cannabis Pilot Program Act), which took effect Jan. 1 2014. Under this law, a patient with one of 33 debilitating medical conditions would be issued a registration card from the Dept. of Public Health and would not be subject to arrest for use of medical marijuana in limited amounts. The law sunsets after three years unless renewed by the General Assembly. Registered patients are still prohibited from smoking in “any public place” and other specific locations, such as in a car, on grounds of primary or secondary schools. The Act gives universities the authority to restrict or prohibit the use of medical marijuana on their campuses.</p> <p>According to the University Police webpage, students are “...subject to disciplinary action for violations of the alcohol or drug policies which occur off campus or on private property. Employees or students who violate this policy may be disciplined in accordance with University policies, statutes, rules, regulations, employment contracts, and labor agreements, up to and including dismissal and referral for prosecution. The University may involve/contact the parents of students under the age of 21 for violations of the Student Code.”</p> <p><a href="http://www.dps.illinois.edu/universitypolice/alcohol.html#Poli">http://www.dps.illinois.edu/universitypolice/alcohol.html#Poli</a></p>
<b>Indiana University</b>	No	<p>The use of any illegal substance is completely prohibited on University property. The University strictly adheres to the Drug-Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.) and the Higher Education Act of 1965(20 U.S.C. § 1011i). These laws govern the conduct of all University students and employees (including but not limited to faculty, appointed and hourly employees, and student-hourly employees) on all campuses and workplaces controlled by Indiana University.</p> <p>Alcohol and Drug-Free Campus Policy: <a href="http://enrollmentbulletin.indiana.edu/pages/drycampus.php?Term=1">http://enrollmentbulletin.indiana.edu/pages/drycampus.php?Term=1</a></p>
<b>University of Iowa</b>	No	<p>The state has no affirmative defense policy and the university does not adhere to a medical marijuana exception.</p> <p>Policy Regarding Use of Illegal Drugs and Alcohol: <a href="http://dos.uiowa.edu/policies/illegal-drugs-and-alcohol-2/">http://dos.uiowa.edu/policies/illegal-drugs-and-alcohol-2/</a></p>
<b>University of Michigan</b>	No	<p>“The Michigan Medical Marijuana Act (MMMA) conflicts with federal criminal laws governing controlled substances, as well as federal laws requiring institutions receiving federal funds, by grant or contract, to maintain drug-free campuses and workplaces. The University of Michigan receives federal funding that would be in jeopardy if those federal laws did not take precedence over state law. Thus the use, possession or cultivation of marijuana in any form and for any purpose continues to violate the UM Alcohol and Other Drug Policy and is prohibited at the University of Michigan.”</p> <p>Alcohol and Other Drug Policy for Students, Staff, and Faculty: <a href="http://alcohol-drug-policy.umich.edu/">http://alcohol-drug-policy.umich.edu/</a></p> <p>The city of Ann Arbor, Michigan punishes the use of marijuana as a civil infraction. The result is usually a fine of \$25. Most students on the University of Michigan campus are well aware of this bylaw and may choose to smoke off campus to avoid administrative consequences of doing so.</p> <p>When students are found using or in possession of marijuana in student housing, it is resolved informally by the residence hall boards and punishments is usually participation in a drug education program.</p> <p>Loss of student housing is rarely if ever used as a punishment. At most, a student may not be allowed to apply for on-campus housing the following school year. Loss of housing is considered an extreme outcome that may be used in cases where a student is distributing/dealing marijuana.</p> <p>When students are found using or in possession of marijuana on campus but off student residence property, the student conduct board on campus handles these cases informally. Once again, the punishment is usually educational in nature.</p> <p>Only when multiple infractions ensues will a student go through a formal process and possibly be given a disciplinary record that will show up in a background check for graduate school, jobs, etc. The recidivism rate for these types of cases is less than 5%. Expulsion or suspension for marijuana usage (even for multiple infractions) is hardly ever used. Restorative justice and community impact are the philosophical frameworks used to manage such cases. The University of Michigan promotes high accountability but tempered with high support.</p>
<b>Michigan State University</b>	No	<p>While the State of Michigan does have a medical marihuana act (effective December 4, 2008), Michigan State University does not permit faculty, staff, or students to use or possess any drug that is illegal under federal law on University premises or in the course of employment. Regardless of one’s status as a medical marijuana user in Michigan, that individual may not use or possess marijuana on campus.</p> <p>It is important to note that a physician cannot prescribe marijuana in Michigan – the physician may only certify that the individual has a qualifying condition and then the individual must apply to the state to be a registered user.</p> <p>In the event that there is a student registered within the state as a medical marihuana user, the university will “make accommodations for students by waiving the requirement of living on campus or allowing them to end on campus housing.”</p> <p><a href="http://cabs.msu.edu/news/key-issues/issue-docs/medical-marijuana.html">http://cabs.msu.edu/news/key-issues/issue-docs/medical-marijuana.html</a></p> <p>FAQ about the Michigan Medical Marihuana Act: <a href="http://www.hr.msu.edu/news_feeds/medMarihuana.htm">http://www.hr.msu.edu/news_feeds/medMarihuana.htm</a></p>



<b>University of Minnesota</b>	No	Minnesota law does not exempt medical use from the criminal law but there is a bill pending this session. The University has not developed any policies specific to medical marijuana use, for students, faculty or other employees.
<b>University of Nebraska</b>		No response. No evidence of policy found.
<b>Northwestern University</b>	No	The following appears on page 44 of the Northwestern University Student Handbook: “Although Illinois’s Compassionate Use of Medical Cannabis Pilot Program (H.B. 1) would allow patients (starting January 1, 2014) to possess and consume limited amounts of marijuana for certain medical conditions, this state law conflicts with federal laws governing marijuana. Northwestern is subject to the federal Drug-Free Workplace Act of 1988 and the federal Drug-Free Schools and Communities Act Amendments of 1989, both of which mandate campus communities be free of controlled substances (including marijuana). Therefore, the use, possession, manufacture, cultivation, dissemination, or being under the influence of medical marijuana on University property or at University-related activities is and shall remain prohibited.”
<b>Ohio State University</b>	No	An OSU legal representative stated that they do not have any policies or practices on medical marijuana and have not encountered the issue. The contact noted that in cases where students are found in possession or use of small amounts of marijuana, their typical approach is educational in nature.
<b>Pennsylvania State</b>	No	Pennsylvania does not have any statutory exceptions to the law as written and Penn State does not have any policies related to the use of medical marijuana.
<b>Purdue University</b>		No response. No evidence of policy found.
<b>University of Wisconsin</b>		No response. No evidence of policy found.
<b>Rutgers University</b>	No	The use of marijuana for any purpose, including medical, is strictly prohibited. According to their website, “The use, possession or distribution of marijuana, for any purpose, is prohibited on Rutgers University property and at University-sponsored events and activities. The Rutgers University health centers will not distribute medical marijuana nor will their representatives write prescriptions for marijuana.” Health Services FAQ: <a href="http://rhsmedical.rutgers.edu/faq#What_is_the_Health_Services_policy_regarding_the_use_of_medical_marijuana___">http://rhsmedical.rutgers.edu/faq#What_is_the_Health_Services_policy_regarding_the_use_of_medical_marijuana___</a>

<b>Additional Institutions</b>		
<b>Institution</b>	<b>Medical Marijuana Policy?</b>	<b>Comments</b>
<b>George Washington University</b>	No	A representative from the Office of the Senior Vice President and General Counsel stated that GW’s policies forbid the use of marijuana on campus because of conflict with federal law. No exceptions exist for medical use, and the representative noted that there are currently no plans to create such an exception.
<b>Johns Hopkins University</b>		No response. No evidence of policy found.
<b>University of Maryland, Baltimore County</b>	No	This has not been an area of interest or issue at UMBC. UMBC does not have a policy on medical marijuana.

**APPENDIX 2 - CHARGE FROM THE SENATE EXECUTIVE COMMITTEE ON PROPOSAL TO STREAMLINE THE UNIVERSITY'S MARIJUANA POLICY WITH STATE POLICY**



**University Senate  
CHARGE**

<b>Date:</b>	December 13, 2013
<b>To:</b>	Willie Brown Chair, Campus Affairs Committee
<b>From:</b>	Vincent Novara Chair, University Senate 
<b>Subject:</b>	Proposal to Streamline the University's Marijuana Policy with State Policy
<b>Senate Document #:</b>	13-14-13
<b>Deadline:</b>	March 27, 2015

The Senate Executive Committee (SEC) requests that the Campus Affairs Committee review the “Proposal to Streamline the University's Marijuana Policy with State Policy” and consider whether all campus constituents should be exempt from University sanctions for medical marijuana use.

Specifically, we ask that you:

1. Review Maryland State Senate Bill 308, “Medical Marijuana – Affirmative Defenses – Maryland Medical Marijuana Model Program Workgroup”, Maryland House Bill 1101 (HB1101), and other relevant State legislation on this issue.
2. Review the University of Maryland Code of Student Conduct (V-1.00(B)) and stay abreast of the Maryland State Legislature’s continuing work on this issue.
3. Review whether our peer institutions have adopted similar policies.
4. Consult with a representative from University Human Resources (UHR).
5. Consult with a representative of the Office of Faculty Affairs.
6. Consult with a representative of the University Health Center.
7. Consult with the Director of the Office of Student Conduct.
8. Consult with the University’s Office of Legal Affairs.
9. Submit an Interim Report to the Senate Executive Committee by November 7, 2014.

10. If appropriate make recommendations on whether campus-wide policy changes for all campus constituents are appropriate.
11. Consult with the Senate's Student Conduct Committee if changes to the Code of Student Conduct are necessary.

We ask that you submit your report and recommendations to the Senate Office no later than March 27, 2015. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.