

Background

With the passage of Ballot Question #4 in November 2016, the state legalized the recreational use of marijuana. According to the new law, persons age 21 and older may possess, use, distribute, and cultivate marijuana in limited amounts and such activities are no longer subject to criminal penalties. It also permits the retail sale of marijuana, marijuana accessories, and marijuana products. Under the law, persons at least 21 years old may possess up to one (1) ounce of marijuana outside of their residences; possess up to ten (10) ounces of marijuana inside their residences; grow up to six marijuana plants in their residences; give one ounce or less of marijuana to a person at least 21 years old without payment; possess, produce or transfer hemp; or make or transfer items related to marijuana use, storage, cultivation, or processing. The law does not affect existing laws regarding the use of medical marijuana or the operation of a motor vehicle while under the influence. Supplying marijuana to persons under age 21 is unlawful. The new law took effect on December 15, 2016.

In light of the new law, the following community college system-wide policy was developed, which replaced the previously existing Medical Marijuana policy.

Marijuana Policy

Although Massachusetts law permits the use of medical marijuana and the possession, use, distribution and cultivation of marijuana in limited amounts, federal law, including the Federal Controlled Substances Act of 1970, the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989, prohibits the possession, use, distribution and/or cultivation of marijuana at educational institutions. Further, as marijuana remains classified as an illegal narcotic under federal law, institutions of higher education that receive federal funding are required to maintain policies prohibiting the possession and use of marijuana on their campuses. Accordingly, the possession, use, distribution or cultivation of marijuana, even for medical purposes, is prohibited on all Community College property or at College sponsored events and activities. Also prohibited is the operation of a motor vehicle while under the influence of marijuana on Community College property or at College sponsored events or activities. Further, this policy prohibits the possession, use, or distribution of all marijuana accessories and marijuana products. Marijuana accessories shall include, but are not limited to, any device or equipment used for ingesting, inhaling, or otherwise introducing marijuana into the human body. Marijuana products shall include, but are not limited to, products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products.

Violations of this policy by any student or employee shall result in disciplinary action, up to and including expulsion or termination in accordance with applicable College policies or collective bargaining agreements.