



## **Statement Regarding California Proposition 64 (Passed Nov. 11, 2016; Effective Jan. 1, 2018)**

On November 8, 2016, voters in California passed Proposition 64, thereby allowing persons who are 21 and older to possess, transport, and buy up to 28.5 grams of cannabis and use it for recreational purposes. The Bureau of Cannabis Control is the state agency responsible for regulating and licensing cannabis sales.

It continues to be illegal to smoke cannabis in public and at locations where tobacco use is outlawed, such as restaurants, and within 1000 feet of a school, daycare or youth center when children are present. It is also illegal for motorists to smoke cannabis while driving.

**Despite the change in state law regarding cannabis, Santa Clara University's policy remains unchanged: use and possession of cannabis on campus or in association with any university-sponsored or affiliated activity or program is prohibited.** The policy complies with the federal Drug-Free Schools and Communities Act. Under this federal law, as a condition of receiving federal funds, an institution of higher education such as Santa Clara University must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on campus and as part of its activities and programs. At the federal level, this law includes any amount of cannabis.

California Proposition 215, passed in 1996, allows for the use of cannabis for medical purposes. Students who qualify under Proposition 215 to use cannabis for medical purposes are not permitted to possess, store, provide, or use the cannabis on university- owned or controlled property (including, but not limited to, residence halls, academic buildings, athletic facilities, and parking lots), or during a university sanctioned activity, regardless of the location.

Propositions 215 and 64 create a conflict between state and federal laws. When state and federal laws are in conflict, federal law takes precedence. If Santa Clara University does not comply with federal law and regulations on cannabis possession and use on campus and in university programs and activities, it risks losing federal funds for student financial aid, faculty research and other important programs and services. Thus, Santa Clara University must continue to abide by federal laws and regulations and university policy barring the use and possession of any amount of cannabis on campus or in association with any university-sponsored or affiliated activity or program.

Students who fail to follow this policy are in violation of the Student Conduct Code and are subject to disciplinary action.