

## University of St. Thomas Policies

### **DRUG AND ALCOHOL ABUSE FREE WORKPLACE AND CAMPUS Pol Number: G.02.02**

#### **SCOPE**

All faculty, administrators, staff, and students.

#### Purpose:

In coordination with the Drug Free Workplace Act of 1988 and the Drug Free School and Communities Act of 1989, the University of St. Thomas believes that the unlawful use of drugs and the excessive use of alcohol are inconsistent with the behavior expected of the members of a university community. The unlawful use and abuse of drugs or alcohol is inconsistent with the behavior expected of members of the University of St. Thomas community. The University is committed to the development and maintenance of a drug free environment on the campus as well as an environment that prohibits abuse of other drugs and alcohol. The University is committed to the expansion of a drug and alcohol abuse prevention program and to the dissemination of drug awareness information to the members of the entire University community. In addition, the University is committed to enforcing the provisions of the Drug Free Workplace Act of 1988 and the Drug Free School and Communities Act of 1989 and believes that these acts and their implementation regulations provide a proper framework for the drug and alcohol abuse policies of the University. Additionally, the impact of drug use and high risk alcohol consumption for college students cannot be overlooked in terms of its cost to the individual students affected and the University. For specific information related to alcohol and other drug consumption and consequences, go to the National Institute on Drug Abuse: <http://www.drugabuse.gov/>.

#### Policy and Procedure:

It is the policy of the University of St. Thomas that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance (as defined in 21 U.S. C. 812 and 21 CFR 1300.15) or the unauthorized use of alcohol by employees and students in the workplace, on the campus, or as part of any University sponsored business activities and/or student activities off University premises, is prohibited.

#### **1. Definitions**

The following terms are defined for the purposes of this policy and are important for purposes of expressing the University's policy on a drug-free workplace:

- A. Controlled Substance means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15, and as defined in the Texas Controlled Substances Act (Texas Health & Safety Code, 481.001 et seq).

- B. Contract means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a specific instance that the use of a type of procurement contract is appropriate.
- C. Conviction means finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- D. Criminal drug statute means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.
- E. Employee means an individual receiving a salary, wages, other compensation and/or stipend support from the University.
- F. Federal agency or agency means any United States executive department, military department, Government Corporation, government controlled corporation, or any other establishment in the executive branch or any independent regulatory agency.
- G. Grant means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement grant programs, whether or not exempted from coverage under the grants management government wide regulation (“Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations; or any veterans’ benefits to individuals; i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.
- H. Grantee means a legal entity which applies for or receives a grant or contract directly from a federal agency.
- I. Illicit drug use means the use, manufacture, sale, distribution, dispensation, or possession of illegal drugs and the abuse of other drugs and alcohol.
- J. Student means any person who (a) is currently enrolled at the University; (b) is accepted for admission or readmission to the University; (c) has been enrolled at the University in a prior semester or summer term and is eligible to continue enrollment in the semester or summer term that immediately follows; (d) is attending an additional program sponsored by the University while that person is on campus; or (e) has engaged in prohibited conduct at a time when he/she met the criteria of (a), (b), (c), or (d).
- K. University sponsored activities mean any activity on or off University premises that is directly initiated, supported, or supervised by the University.
- L. Workplace means the physical boundaries of the University and facilities owned or controlled by the University.

## **2. Health Risks**

Outlined below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration website. A more complete and detailed accounting may be found at their website at <http://www.dea.gov/druginfo/factsheets.shtml>. With any drug, prolonged use can lead to health issues as well as long-term dependency.

### Alcohol

Alcohol (beer, wine, or liquor) has a high potential for physical and psychological dependence as well as resulting in increased tolerance. Possible effects include impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may include trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. Alcohol use is often related to acquaintance rape and failure to protect oneself from sexually transmitted diseases (STDs).

Additionally, alcohol-related accidents are the number one cause of death in the 16- to 24-year-old age group.

### Narcotics

Narcotics (including heroin, morphine, hydrocodone, oxycodone, codeine, and others) have a high potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible effects of using narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Overdose may result in shallow breathing, clammy skin, convulsions, coma, and death. Withdrawal may include irritability, tremors, panic, nausea, chills, and sweating.

### Other Depressants

Other depressants (including GHB or liquid ecstasy, valium, xanax, ambien, and barbituates) have a potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible side effects include slurred speech, disorientation, appearance of intoxication, and impaired memory. Overdose may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal may include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

### Stimulants

Stimulants (including cocaine, methamphetamine, and methylphenidate) have a possible risk of physical dependence and high risk for psychological dependence. Tolerance can develop in all stimulants. The possible side effects include increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and decreased appetite. Overdose may result in agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal may result in apathy,

long periods of sleep, irritability, depression, and disorientation.

### Hallucinogens

Hallucinogens (including MDMA, LSD, Phencyclidine, and others) are less likely to result in physical dependence, with the exception of phencyclidines and analogs, and vary in terms of psychological dependence, ranging from none to moderate (MDMA) to high (phencyclidine and analogs). Tolerance can develop. Possible effects include heightened senses, teeth grinding, and dehydration (MDMA and analogs) and hallucinations, altered perception of time and distance in other types of hallucinogens. Overdose may result in increased body temperature and cardiac arrest for MDMA and more intense episodes for LSD. Some hallucinogens may result in muscle aches and depression when in withdrawal (MDMA) or may result in drug seeking behavior.

### Cannabis

Cannabis includes marijuana, tetrahydrocannabinol (THC), and hashish or hashish oil. All may result in moderate psychological dependence with THC resulting in physical dependence. Tolerance can develop in all forms. Possible effects include euphoria, relaxed inhibitions, increased appetite, and disorientation. Overdose may result in fatigue, paranoia, and possible psychosis. Withdrawal may occasionally result in insomnia, hyperactivity, and decreased appetite.

### Anabolic Steroids

Anabolic Steroids (including testosterone and others) may result in psychological dependence. Less is known as to their potential for physical dependence and increased tolerance levels. Possible effects may include virilization, edema, testicular atrophy, gynecomastia, acne, and aggressive behavior. Effects of overdose are unknown. Withdrawal may possibly include depression.

### Inhalants

Inhalants (including amyl and butyl nitrite, nitrous oxide, and others) vary in their level of psychological dependence, with less known about their potential for physical dependence and tolerance. Possible effects may include flushing, hypotension, and headache, impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in methemoglobinemia, vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may result in agitation, trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

## **3. Penalties**

The policy to promote a Drug and Alcohol Abuse Free Workplace and Campus is a protection and support for the faculty, administration, employees and students of the University of St. Thomas. In addition, the University is committed to a caring relationship among its students and employees; therefore, its disciplinary procedures are intended to be constructive and redemptive. Any employee or student seeking assistance through the Office of Student Affairs or the Human Resources Department, in consultation with Counseling & Disability Services, will be treated in a confidential manner. This does not shield either the employee or student from disciplinary action if this policy is violated. Therefore, the employee or student violating this policy is subject to the following actions:

- A. Any employee or student admitting to or convicted of unlawful possession, use or distribution of unlawful drugs and alcohol on campus, or at campus sponsored events held off campus, will be subject to disciplinary action.
- B. Employees and students may be referred to a drug and alcohol assistance or rehabilitation program in which they must maintain satisfactory participation.
- C. Employees may be subject to disciplinary action up to and including suspension, suspension without pay, termination, and may be referred for prosecution.
- D. Students in violation of the University of St. Thomas “Code of Student Conduct” and disciplinary procedures may be subject to disciplinary action up to and including probation, suspension, expulsion, and may be referred for prosecution.

Further information concerning disciplinary action and appropriate procedures for employees is available from the Human Resources at 713-525-3142 and for students from the Vice President for Student Affairs at 713-525-3570.

#### **4. Employee and Student Assistance Programs**

The University of St. Thomas recognizing the need to have available to its students, employees and officers a program or accessibility to a program dealing with all forms of alcohol and drug problems, offers the following:

##### Employee and Student Initiated Assistance

An employee or student experiencing problems resulting from drug or alcohol abuse or dependency should seek information on resources and referral from his/her supervisor, the Human Resources Office, Dean of Students, Counseling and Disability Services, the Office of Health Promotion and Wellness, or the Vice President for Student Affairs. Such assistance will be kept confidential and will not influence performance appraisals or grades. Job or academic performance alone, not the fact that an employee or student seeks help, is the basis of all performance appraisals/evaluations.

##### University Initiated Assistance

- A. Education
  - a. On-campus speakers presenting programs related to drug and alcohol abuse prevention, recognition or treatment.
  - b. Brochures describing drug and alcohol abuse prevention.
- B. Information and Referral
  - a. The University’s Office of Health Promotion and Wellness makes available information about drug and alcohol abuse prevention.
  - b. The Counseling and Disability Services Office makes information available about local community drug and alcohol abuse rehabilitation programs.

While this policy covers drug and alcohol use at the University of St. Thomas, please be aware that there

are penalties under Texas and federal law. All University of St. Thomas employees and students are responsible for complying with local, state, and federal laws regarding alcohol.

## **5. Underage Drinking Laws**

Minors, who purchase, attempt to purchase, possess, or consume alcoholic beverages, as well as minors who are intoxicated in public or misrepresent their age to obtain alcoholic beverages, face the following consequences:

- Class C misdemeanor, punishable by a fine up to \$500
- Alcohol awareness class
- 8 to 40 hours community service
- 30 to 180 days loss or denial of driver's license

If a minor is seventeen years of age or older and the violation is the third offense, the offense is punishable by a fine of \$250 to \$2,000, confinement in jail for up to 180 days or both, as well as automatic driver's license suspension.

A minor with previous alcohol-related convictions will have his or her driver's license suspended for one year if the minor does not attend alcohol awareness training that has been required by the judge.

### **Penalties for Providing Alcohol to a Minor**

Adults and minors who give alcohol to a minor also face a stiff penalty. The punishment for making alcoholic beverages available to a minor is a class A misdemeanor, punishable by a fine up to \$4,000, confinement in jail for up to a year, or both. Additionally, the violator will have his or her driver's license automatically suspended for 180 days upon conviction.

Persons 21 or older (other than the parent or guardian) can be held liable for damages caused by intoxication of a minor under 18 if the adult knowingly provided alcoholic beverages to a minor or knowingly allowed the minor to be served or provided alcoholic beverages on the premises owned or leased by the adult.

Sale to a minor is a class A misdemeanor, punishable by a fine up to \$4,000, confinement up to a year in jail, or both.

### **Zero Tolerance Law**

In Texas it is illegal for a person under 21 to operate a motor vehicle in a public place while having ANY detectable amount of alcohol in their system. On September 1, 2009, this law was expanded to include watercraft in addition to motor vehicles.

- A. The consequences for the minor on the first offense of driving under the influence of alcohol:
- Class C misdemeanor, punishable by a fine up to \$500
  - Attendance at an alcohol awareness class
  - 20 to 40 hours of mandatory community service

- 60 days driver's license suspension. The minor would not be eligible for an occupational license for the first 30 days.
- B. A second offense increases the consequences to:
- Class C misdemeanor, punishable by a fine up to \$500
  - Attendance at an alcohol awareness class at the judge's discretion
  - 40 to 60 hours of mandatory community service
  - 120 days driver's license suspension. The minor would not be eligible for an occupational license for the first 90 days.
- C. A third offense is not eligible for deferred adjudication. The minor's driver's license is suspended for 180 days and an occupational license may not be obtained for the entire suspension period. If the minor is 17 years of age or older, the fine increases to \$500 to \$2,000, confinement in jail for up to 180 days, or both.

## **6. Application of Policy**

The policy to promote a Drug and Alcohol Abuse Free Workplace and Campus, which applies to every person in the University workplace, is supported by a drug free awareness program available to the faculty, administrative staff, support staff and students of the University. Specific compliance and reporting items enumerated in the policy (items B, C, D, and E) are applicable to all employees on federal contracts and grants. In support of this policy, the University of St. Thomas:

- A. Has established an ongoing drug and alcohol free awareness program to inform its faculty, administrative staff, support staff and students about:
- a. the campus policy of maintaining a drug and alcohol abuse free workplace,
  - b. the dangers of drug and alcohol abuse in the workplace,
  - c. the availability of drug and alcohol abuse counseling/rehabilitation,
  - d. the development of employee and student assistance programs,
  - e. the penalties that may be imposed upon employees and students for drug and alcohol abuse violations.
- B. Will provide each employee a copy of this policy. In addition, all faculty, administrative staff, support staff and students will be notified of this policy through appropriate publications.
- C. Will notify each University employee and student that they must abide by the terms of this policy. All employees must notify their supervisor and Human Resources, and in the case of students, the Vice President for Student Affairs or the Dean of Students, of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.
- D. Will notify the appropriate federal agency within ten (10) days after receiving notice of criminal drug statute convictions occurring within the workplace of any University employee engaged in

performance of the federal grant or contract.

- E. Will impose sanctions or require the satisfactory participation in a drug abuse assistance or rehabilitation program of any employee so convicted. Sanctions imposed on employees for violation of this policy may include suspension with or without pay and termination.
- F. Will not test for drugs.
- G. Will make a good faith effort to continue to maintain an environment that complies with the Drug Free Workplace Act of 1988 and the Drug-free Schools and Communities Act of 1989.
- H. The Campus Life Committee will conduct a review of its programs to assess their effectiveness, to determine changes, and to ensure the uniform application of sanctions to employees and students.

## **7. Student and Employee Resources**

The University offers the following drug and alcohol abuse information, counseling, assistance and services:

### **A. Information and Referral**

All members of the University community are eligible to consult with the professional staff of the Office of Counseling and Disability Services and the Office of Health and Wellness Services regarding the availability of substance abuse assistance programs. Substance abuse counseling and rehabilitation program referrals are routinely made to mutual help organizations, private hospitals, public treatment programs, and private drug treatment practitioners. A collection of resource materials pertinent to issues of drug abuse is available.

### **B. Individual Counseling**

Enrolled students can be seen for short-term counseling and crisis intervention for assistance with substance use problems. However, Counseling and Disability Services will make a referral for long-term substance use and detox. Faculty and staff are eligible for an initial consultation and referral for such services.

Employees may access services through the University's Employee Assistance Program.

Employees may call 1-800 227-1060 or access [Members.mhn.com](http://Members.mhn.com). The Company Code is: stthom.

### **C. UST – On the Road to Recovery**

UST – On the Road to Recovery is a program that assists and serves students and employees with substance use issues at the University of St. Thomas. UST – On the Road to Recovery works closely with multiple departments on campus including Counseling and Psychological Services, Student Housing and Residential Life, Office of the Dean of Students, and the Office of Health and Wellness Services, to support student and employee health and wellness as it pertains to substance abuse issues.

### **D. UST Health and Wellness Office**

Students and employees can visit the UST Health and Wellness Services Office and speak about any drug and alcohol questions in a safe and friendly environment. Appointments can be made



contacting Health and Wellness Service at 713 525-3513.

E. Formal Organizations

Individuals can be assisted by participating in organizations like Alcoholics Anonymous or Narcotics Anonymous and information concerning these groups is maintained for dissemination to interested persons.

- Alcoholic Anonymous [www.aahouston.org](http://www.aahouston.org)
- Narcotics Anonymous [www.hascona.com](http://www.hascona.com) or [helpline@hascona.com](mailto:helpline@hascona.com)

F. Community Resources

Various community resources offer short-term counseling for anyone affected in any way by alcohol or other drug abuse. Trained alcohol and drug abuse counselors can help select a 12-step oriented program and/or appropriate treatment. Contact information:

- The Council on Recovery [www.council-houston.org](http://www.council-houston.org)
- National Council on Alcoholism & Drug Dependence (NCADD) [www.ncadd.org](http://www.ncadd.org); 24hr Hope Line 800-622-2255
- Palmer Drug Abuse Program (PDAP) [www.pdaphouston.org](http://www.pdaphouston.org)
- Memorial Hermann: Prevention and Recovery Center (PARC) [www.mhparc.org](http://www.mhparc.org)

**8. Implementation of Policy**

Implementation of this policy is a joint responsibility of the Office of the President, Vice President for Student Affairs, Office of Dean of Students, Office of Human Resources, and the Office of Financial Aid.

**9. Distribution of Policy**

A copy of this policy will be distributed to faculty, staff and students at the beginning of each semester as a part of the annual notification process. Each newly hired employee will receive a copy as a part of the new hire orientation. Newly hired students will receive a copy as a part of new student worker orientation.

**10. Biennial Policy Review**

The University of St. Thomas will review this policy biennially to determine its effectiveness and to recommend changes in the program to the President if they are needed. Such a review will also determine that the University's disciplinary sanctions are consistently enforced.

APPROVED: Dr. Robert Ivany

Date: 9/1/2010

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