

Rule 34.02.01.T1 Drug and Alcohol Abuse Prevention



Effective: June 5, 2002
Revised: September 18, 2012
Next Scheduled Review: September 18, 2017

Rule Statement

Tarleton State University desires to provide an educational and work environment free from drug and alcohol abuse. Drug and alcohol abuse affects all aspects of American life: it threatens the student's educational development, the safety and security of the workplace and the confidence of the community.

Reason for Rule

Tarleton is committed to providing its employees and students a safe, healthy and efficient educational and work environment. This rule has been adopted to supplement existing system policies and regulations. Implementation of this rule is subject to restrictions contained in local, state, and federal laws.

Definitions

Alcohol: refers to any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

Alcohol Abuse: Excessive use of alcohol in a manner that interferes with: physical or psychological functioning; social adaptation; educational performance; or occupational functioning.

Controlled Substance: A substance listed in schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C.S. 812) or whose possession, sale or delivery results in criminal sanctions under the Texas Controlled Substances Act (Texas Health and Safety Code, Chapter 481). In general, controlled substances include all prescription drugs, as well as those substances for which there is no generally accepted medicinal use (e.g., heroin, LSD, Marijuana, etc.), and substances that possess a chemical structure similar to that of a controlled substance (e.g., designer drugs). The term does not include alcohol.

Illicit Drug or Chemical Substance: Any drug or chemical substance, the use, sale or possession of which is illegal under any state or federal law, or one that is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.

Impaired: Under the influence of an illicit drug or alcohol, such that the student or employee is unable to perform his or her assigned tasks or poses a danger to him- or herself or others.

Possess: To be contained either on a student's or employee's person, or in a student's or employee's motor vehicle, tools, briefcases, book bags, lockers or areas entrusted to the control of the student or employee.

Prescribed Drug: Any substance prescribed for individual consumption by a licensed medical practitioner. It includes only drugs that have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.

Sanctions: Include completion of an appropriate rehabilitation or assistance program, suspension or expulsion from school, suspension or termination from employment, other disciplinary action, or referral to authorities for prosecution. If an employee has been convicted of a criminal drug statute, sanctions must be imposed within 30 days.

Workplace: Any office, building, classroom, or property (including parking lots) owned, leased, or operated by Tarleton, or any other site at which an employee is to perform work for the employer.

Procedures and Responsibilities

1. RISKS ASSOCIATED WITH ALCOHOL AND DRUG ABUSE

1.1. Educational and Work Environment Risks

- 1.1.1. Inhibiting educational development and a student's capacity to learn
- 1.1.2. Interfering with safe and efficient performance of work
- 1.1.3. Increased absenteeism
- 1.1.4. Poor health, safety, and productivity
- 1.1.5. Decreased productivity and attention to safety
- 1.1.6. Deterioration of public confidence and trust

1.2. Health Risks

- 1.2.1. Alcohol abuse may lead to alcoholism, premature death through overdose and/or complications involving the brain, heart, liver and other body organs.
- 1.2.2. Illicit drugs may result in drug addiction, death by overdose, death from withdrawal, seizure, heart problems, infections (including HIV/AIDS), liver disease and brain dysfunction.

1.2.3. Alcohol and drug use by a pregnant woman may cause additional health complications in her unborn child.

2. STANDARD OF CONDUCT

- 2.1. Unlawful manufacture, distribution, dispensation, possession or use of illicit drugs or alcohol by students or employee is prohibited at any time on any university property or at any university activity. No employee may report for work, work or be present in the workplace who is impaired by an illegal drug or by alcohol. No student may attend classes or any university activity who is impaired by illegal drugs or alcohol. Employees or students who are so impaired or who unlawfully possess, use, manufacture, dispense, or distribute illicit drugs or alcohol in the workplace, on any university property, or at any university activity are subject to the disciplinary procedures of the university, which may include dismissal, expulsion, and/or referral for prosecution.
- 2.2. All members of the university community shall abide by state and federal laws pertaining to controlled substances and illicit drugs.]

3. RESPONSIBILITY TO REPORT AND INVESTIGATE

- 3.1. Employees are responsible for reporting arrests, charges or criminal convictions in accordance with System Regulation 33.99.14, *Criminal History Record Information – Employees and Applicants*. The employee may be placed on a leave with pay while an investigation is completed. The Human Resources Department (HR) will initiate an investigation in accordance with System Regulation 33.99.14. Sanctions may include, but are not limited to, discipline, referral to a treatment program, or dismissal.
- 3.2. Employees shall report to their supervisors, or to HR, any use of a prescribed or over-the-counter medication that could adversely affect job performance. Any such medical information will be kept confidential and shared with appropriate personnel only on a need-to-know basis. For those employees adversely affected by the medication during the normal course of duty, the university will take appropriate action, such as placing the employee on leave, in accordance with leave regulations and, when applicable, the Americans with Disabilities Act.
- 3.3. Employees and students are responsible for reporting a reasonable suspicion of drug or alcohol abuse by employees or students to their immediate supervisor, HR, Office of Student Life Studies and Judicial Affairs, or to the University Police Department. A reasonable suspicion is a fair or usual belief or opinion a person might form based on a certain set of facts or circumstances. Individuals may have days when they exhibit behavior not normally associated with an educational or work environment nor characteristic of him or her. Unusual behavior during times of stress is not uncommon; however, when unusual behavior is displayed on a gradually increasing scale accompanied by general decline in work habits or classroom performance over a period of time, it may indicate that professional help is needed.

- 3.3.1 Administrators or supervisors seeking advice on appropriate responses to possible violations of alcohol or drug rules by employees should consult with HR.
- 3.3.2 Students found in violation of drug and alcohol abuse rules and regulations will be subject to the disciplinary measures outlined in the Student Handbook, Student Athlete Handbook, and to all pertinent local, state and federal statutes.
 - 3.3.2.1 Sanctions may include completion of an appropriate rehabilitation or assistance program, expulsion from school or referral to authorities for prosecution.

4. NOTIFICATION

- 4.1 Tarleton will provide notification of this rule to employees and students initially upon hire or first-time registration, and annually thereafter.

5. EDUCATION PROGRAM

- 5.1. A committee, appointed by the president, will develop and promote the university's drug and alcohol prevention and education program. The committee will biennially review the education program in accordance with the Drug-free Schools and Communities Act to determine its effectiveness. The report generated by this review will be provided to the president and posted on the Tarleton website. The committee's report will include recommendations for program changes as needed.

6. TREATMENT AND REFERRAL RESOURCES

- 6.1. An employee or student may be required to participate in and satisfactorily complete an approved rehabilitation or assistance program. Tarleton has identified the following sources available to employees and students. The Department of Human Resources, the Student Counseling Center, and the Office of the Assistant Dean of Students are available to assist employees and students in identifying services and assistance as well.

On Campus Resources:

Department of Human Resources 254-968-9128
Student Counseling Center: 254-968-9710
Office of the Assistant Dean of Students: 254-968-9080

Related Statutes, Policies, or Requirements

Drug-Free Schools and Campuses Regulations (EDGAR) Part 86

System Policy [*34.02 Drug and Alcohol Abuse*](#)

System Regulation [*34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs*](#)

[Tarleton State University Student Handbook](#)

[Tarleton State University Student Athlete Handbook](#)

Contact Office

Human Resource Department

254.968.9128

University Compliance

254.968.9415