

Drug and Alcohol Abuse Prevention Statement

1. National Collegiate Drug Definitions

The following terms are important for purposes of expressing the campus policy on a drug and alcohol free workplace:

- a. **Controlled Substance:** A controlled substance is defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), and further defined by regulations at 21 CFR 1300.11 through 1300.15, and in the Texas Controlled Substances Act [Texas Health and Safety Code. § 481.001 et seq.];
- b. **Contract:** 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:** 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:** A federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance;
- e. **Employee:** An individual receiving a salary, wages, other compensation and/or stipend support from the university.
- f. **Federal agency or agency:** Any United States executive department, military department, government corporation, government controlled corporation, or any other establishment in the executive branch (including the Executive Office of the President), or any independent regulatory agency.
- g. **Grant:** 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: A legal entity which applies for or receives a grant or contract directly from a federal agency.
 - i. Illicit drug use: The use of an illegal drug substance, and the abuse of other drugs and alcohol.
 - j. Nolo contendere - A Latin phrase meaning "I will not contest it." A plea in a criminal case which does not require the defendant to admit guilt, but the defendant does not contest the facts on which the charge is based. Some judges refuse to accept such pleas in criminal cases.
 - k. Student: An individual registered or enrolled for credit or non-credit in a course or program offered by UHD.
 - l. University activities: An activity officially sponsored by UHD.
2. The Dangers of Drug or Alcohol Abuse in the Workplace and on Campus

The use and/or progressive dependence on drugs or alcohol adversely affects the job performance and productivity of Americans. College students are also adversely impacted by the use of chemical substances and drugs. Some estimate that 70% of the working population and 90% of college students consume mood-altering chemicals of some type.

3. Health Risks

The abuse of drugs or alcohol in the workplace can lead to a variety of serious consequences including: poor decision making; poor morale; work errors; wasted time and materials; damage to equipment; theft; tardiness; absenteeism; accidents which injure the drug abuser; accidents which put all employees and students at risk of injury and may lead to disciplinary action, prosecution, illness, and even death of the drug abuser. Abusers of these substances experience depression, isolation, loss of memory, loss of coordination, impaired judgment, reduced morale, anxiety, paranoia and loss of self-respect.

4. Philosophy

The unlawful use of drugs and alcohol is inconsistent with the behavior expected of members of a university community. The University of Houston-Downtown (UHD) is committed to the maintenance of a drug free environment on campus or campus-sanctioned activities by prohibiting the use or abuse of drugs and alcohol. A drug and alcohol abuse prevention program is in operation and accessible to all members of the campus community. The campus is committed to the further expansion of that program and the dissemination of drug awareness information to the members of the campus community. In addition, the campus 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 implementation of their regulations provide a proper framework for the drug and alcohol abuse policies of the campus.

5. Policy

The unlawful use, manufacture, sale, distribution, dispensation, or possession of any illicit drug, including alcohol, in the workplace, on campus, or as part of any campus activities is strictly prohibited, as outlined in PS 01.A.05, Drug and Alcohol Abuse Policy. In addition, PS 01.A.14, Use of Alcoholic Beverages outlines the regulations for the service, consumption and distribution of alcoholic beverages on campus.

6. Penalties for Violation of Policy

The Drug and Alcohol Abuse Policy offers protection and support to UHD employees and students. Any employee or student seeking assistance through the services offered by the university Employee Assistance Program (EAP) or Student Assistance Program (SAP) will be treated in a confidential manner. However, being in treatment does not shield either the employee or student from disciplinary action if the policy is subsequently violated. Therefore, any employee or student admitting to or convicted of the unlawful possession, use, or distribution of illicit drugs and alcohol on campus or at campus-sponsored event held off campus will be subject to disciplinary action.

- Employees and students may be referred to a drug and alcohol assistance or rehabilitation program in which they must maintain satisfactory participation.
- Employees may be subject to disciplinary action up to and including termination of employment, and may be referred for prosecution.
- Students may be subject to disciplinary action up to and including expulsion, and may be referred for prosecution.

Further information concerning disciplinary action and appropriate procedures for employees is available through Human Resources at (713)-221-8060 and for students from Student Affairs at (713) 221-8100.

7. Employee and Student Assistance Programs

University of Houston-Downtown faculty, staff and students can benefit from educational information, consultation and services regarding prevention and management of substance abuse problems of their significant others, employees, students, colleagues and peers offered through the Student Assistance Program (SAP) and the Employee Assistance Program (EAP).