



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Operating Policy and Procedure

HSC OP: 10.03, **Alcohol and Illegal Drugs**

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to ensure understanding and standardized procedures in compliance with the provisions of the Drug-Free School and Communities Act Amendments.

REVIEW: This HSC OP will be reviewed on October 1 of each even-numbered year (ENY) by the Institutional Compliance Officer and the Alcohol and Illegal Drugs Policy Committee, with recommendations for revisions forwarded to the President by November 1.

POLICY/PROCEDURE:

1. Authority.

- a. The Texas Tech University Health Sciences Center (TTUHSC) policy on drug and alcohol abuse prohibits the unlawful possession, use, or distribution of alcohol and illegal drugs on TTUHSC property or as a part of any officially sponsored TTUHSC activities.
- b. The Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C., § 7101 *et seq.*, as amended, require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must adopt and implement a program designed to prevent the unlawful possession, use, or distribution of alcohol and illegal drugs by faculty, staff, and students. This HSC OP also applies to residents. In addition to meeting the requirements of the federal law, TTUHSC also intends that this policy be part of a positive effort in alleviating alcohol abuse and other drug-related problems among members of the campus communities in all regional sites and components. Thus, the emphasis in program implementation will be on prevention, education, counseling, intervention, and treatment.
- c. This policy is in addition to, and not in lieu of, any other TTUHSC policy. TTUHSC reserves the right to take disciplinary action against faculty, staff, residents, or students for violations under this or other applicable policies of TTUHSC.

2. Implementation. It is the policy of TTUHSC to create an environment for faculty, staff, residents and students that is free from illicit drugs and the abuse of alcohol. Accordingly, TTUHSC will provide programs designed to prevent the illegal possession, use, or distribution of alcohol and illegal drugs for all faculty, staff, residents, and students at TTUHSC.

- a. The President of TTUHSC designates the Alcohol and Illegal Drugs Policy Committee (Committee) to be responsible for the development and continuing implementation of programs that are designed to prevent the illegal possession, use, or distribution of alcohol and illegal drugs, as required by 20 U.S.C., § 7101 *et seq.*, as amended, for all faculty, staff, residents, and students at TTUHSC.
- b. Documents related to programs referenced herein are on file in the TTUHSC Student Affairs, Graduate Medical Education, Human Resources and the Regional Dean. The programs will include, at a minimum, the following activities:

- (1) The President's office will distribute annually the TTUHSC Student, Faculty, Resident and Staff Guidelines (Drug-Free Schools and Communities Act) (Attachment A) to each faculty, staff, resident, and student that includes the following information:
 - (a) Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of alcohol and illegal drugs by faculty, staff, residents, and students on TTUHSC property or as part of any officially sponsored TTUHSC activity;
 - (b) The applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of alcohol and illegal drugs;
 - (c) The health risks associated with the use of illegal drugs and the use of alcohol; and
 - (d) Drug and alcohol prevention, counseling, intervention, treatment, rehabilitation, or re-entry programs available to faculty, staff, residents, and students.
 - (e) Disciplinary sanctions for violations of the standards of conduct.

The distribution of this policy may be made via hard copy, or electronically, i.e., E-mail sent directly to all members of the TTUHSC campus communities, or both. A hardcopy may be obtained from the TTUHSC Student Affairs, Graduate Medical Education, Human Resources and the Regional Dean.

- (2) Conducting a biennial review of the TTUHSC drug prevention program to be completed no later than October 31 of every even-numbered year (ENY). This review is independent of the standard Operating Policy and Procedure review. This federally-mandated review shall be conducted by the Committee approved by the President and will:
 - (a) determine the effectiveness and the consistency of sanction enforcement, in order to identify and implement necessary changes.
 - ; and
 - (d) ensure that the sanctions required by law are consistently enforced.
- (3) Reporting to the President on the effectiveness of the program, including a determination that the policy and applicable disciplinary sanctions are being followed. Where applicable, the report shall also include recommendations for corrective actions or additional activities to enhance the program's effectiveness.

3. **Penalties.** Penalties for violation of this policy range from mandatory participation in TTUHSC-approved drug and alcohol abuse counseling and rehabilitation programs to dismissal or termination from TTUHSC.

- a. After consultation with appropriate personnel, supervisors may recommend an option of TTUHSC-approved drug counseling and rehabilitation in lieu of, or in addition to, the specified sanctions in applicable TTUHSC policies. Each case will be determined individually.
- b. In addition to any penalty resulting from violation of this policy, TTUHSC may also refer any evidence of illegal activities by any faculty, staff, resident, or student to the proper authorities for review and potential prosecution. Such referrals will be made through the Office of the President, Office of the General Counsel, Human Resources Office, Police Department, and/or the Office of the Dean within the appropriate school.
- c. Procedures for addressing infractions include the following:

- (1) **Faculty.** If the individual is a faculty member, his or her supervisor (usually the department chair) shall initially recommend to the Dean, and thereafter to the President, an appropriate sanction. When termination is recommended, the faculty member may appeal under HSC OP 60.01, Tenure and Promotion Policy.
- (2) **Staff.** If the individual is a staff member, procedures outlined in HSC OP 70.10, Non-Faculty Employee Complaint Procedures, HSC OP 70.39, Drug-Free Workplace Policy, and System Regulation 07.07 Employee Conduct, Coaching, Corrective Action, and Termination, shall be followed.
- (3) **Resident.** If the individual is a resident, the procedures to be followed are those specified in the TTUHSC School of Medicine GME House Staff Policies and Procedures.
- (4) **Student.** If the individual is a student, the procedures to be followed are those specified in the TTUHSC Student Handbook/Code of Professional & Academic Conduct of the institution and the school's handbook in which the student is enrolled. If the student in violation of this policy is also an employee of TTUHSC or TTU, sanctions may include termination of employment.

d. In any case, due process will be afforded, as may be provided under the applicable procedures cited in Section 3(c) above.