

<b>Policies of the University of North Texas</b>	Chapter 5
<b>05.004 Illegal Drugs and Alcohol</b>	<b>Human Resources</b>

**Policy Statement.** The Drug-Free Schools and Communities Act Amendments of 1989<sup>1</sup> 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. Additionally, the Texas Workers' Compensation Act<sup>2</sup> requires each employer who has over 15 employees and who maintains workers' compensation insurance coverage to adopt a policy for elimination of drug abuse. The purpose of this policy is to implement the requirements of these federal and state laws at the University of North Texas (UNT).

In addition to meeting the requirements of these federal and state laws, UNT also intends that this policy be part of a positive effort in alleviating alcohol and other drug-related problems among members of the campus community. Thus, the emphasis in program implementation will be on drug and alcohol education, counseling, intervention/prevention, and treatment.

This policy is in addition to and not in lieu of any other UNT policy. UNT reserves the right to take disciplinary action against employees or students for violations under this or other applicable policies of the University.

**Application of Policy.**

Total University

**Definitions.**

None

**Procedures and Responsibilities.**

**1. Policy.**

It is the policy of the University of North Texas to provide an environment for employees and students that is free from illicit drugs and the abuse of alcohol and that clearly prohibits the unlawful possession, use, or distribution of alcohol and illegal drugs by faculty, staff, and students on all University property and as part of any official University activity.

**2. Implementation.**

The University will provide a program designed to prevent the illegal or unauthorized possession, use, or distribution of alcohol, inhalants, illegal drugs, prescription drugs and over-the-counter drugs as required by the Drug-Free Schools and Communities Act, as amended, for all employees and students at the University. The Vice President for Student Development, unless otherwise designated by the President of UNT, shall be responsible

for the development and continuing implementation of this program. The program will include, at a minimum, the following activities:

- 2.1. Program Communication: Distributing appropriate written materials annually to each employee and student that include:
  - a. Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of alcohol, inhalants, and illegal drugs by employees and students on UNT property or as part of any officially sponsored UNT activity.
  - b. The applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illegal drugs and alcohol.
  - c. The health risks associated with the use of illegal drugs and the use of alcohol.
  - d. Drug and alcohol counseling, prevention/intervention, treatment, rehabilitation, or re-entry programs available to employees and/or students.
- 2.2. Program Review: Conducting a biennial review of the UNT drug prevention program. This review shall be conducted under the direction of the Vice President for Student Development ("Vice President") or her/his designee. The Vice President shall appoint a committee composed of representatives from the administration, Faculty Senate, Staff Council, Human Resources, and Student Association to assist in conducting the biennial review. The Vice President shall make a complete report to the President on the effectiveness of the program, including a determination whether the policy is being enforced and whether applicable disciplinary sanctions are imposed for policy violations. The report shall also include recommendations for corrective actions or additional activities to enhance the program's effectiveness.
3. Counseling and Rehabilitation Services. The University has implemented a positive program of drug and alcohol education, counseling, prevention, and treatment. The Substance Abuse Resource Center, located in the Student Health and Wellness Center, is available to all students. Some emergency referrals and consultation for faculty and staff may be appropriate as well. Confidentiality of the program is maintained through licensed and certified alcohol and other drug abuse counselors. This program includes counseling, evaluation/diagnosis/follow-up services, referrals and resource information, education sessions, consultation, etc.

In addition, the Employee Assistance Program ("EAP"), administered through the University Human Resources Department, is provided to assist full-time employees and their families with personal problems by referral to agencies, facilities, or individuals most able to meet their needs.
4. Sanctions. Sanctions for violations of this policy range from mandatory participation in University-approved drug counseling and rehabilitation programs to

dismissal/termination from the University. Each case will be determined separately on its merits. After consultation with appropriate personnel, supervisors may recommend an option of University-approved drug counseling and rehabilitation in lieu of or in addition to the specified sanctions in the applicable University manual.

In addition to any penalty resulting from violation of this policy, the University may also refer any evidence of illegal activities by any employee or student to the proper authorities for review and potential criminal prosecution. Such referrals will be made through the Office of the Vice Chancellor and General Counsel.

- 4.1. Faculty Members: If the offender is a faculty member, the procedures specified in Policy 06.025, Faculty Discipline Policy will be followed.
- 4.2. Staff Members: If the offender is a staff member, the procedures to be followed are those specified in Policy 05.033, Staff Employee Discipline and Involuntary Termination of the University of North Texas Personnel Policy Manual.
- 4.3. Students: If the offender is a student, the procedures to be followed are those specified in the "Code of Student Rights and Responsibilities" as printed in the University of North Texas Student Guidebook for the year in which the violation occurred. If the student in violation of this policy is also an employee of the University, sanctions may include termination of employment. (See Policy 04.016, Use of Alcoholic Beverages, for other information on illegal drugs and use of alcohol.)

Responsible Party: Human Resources Department

**References and Cross-References.**

Public Law 101-226, 20 U.S.C. §1145g and 34 Code of Federal Regulation Part 86

Labor Code, §411.091

UNT Policy 06.025, Faculty Discipline Policy

UNT Policy 04.016, Use of Alcoholic Beverages

Policy 05.033, Staff Employee Discipline and Involuntary Termination

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