

TEXAS TECH UNIVERSITY



HEALTH SCIENCES CENTER

DRUG-FREE SCHOOLS AND CAMPUSES ACT

2022 BIENNIAL REPORT



<u>Table of Contents</u>	<u>Page</u>
Message from the President	3
Introduction to the Drug-Free Schools and Campuses Act	4
Biennial Review Process	4
Compliance with the Drug Free Schools and Campus Act	5
Standards of Conduct	5
Policy and Annual Notification Process	5
Description of Alcohol and Other Drug (AOD) Program Goals	6
Programs Addressing AOD Use and Abuse	6
Review of AOD Program and Policies	9
Policies Addressing AOD Use and Abuse	11
Treatment Options and Resources	12
Disciplinary Sanctions and Actions	13
Legal Sanctions	13
Local Laws Regulating Alcohol and Drug Use	14
Texas Laws Regulating Alcohol and Drug Use	14
Federal Laws Regulating Alcohol and Drug Use	17
National Alcohol and Other Drug Statistics	18
Health Risks Associated with the Use of Drugs & Alcohol	19
AOD Program and Policy Recommendations	20

Message from the President

Texas Tech University Health Sciences Center (TTUHSC) is committed to keeping your health and safety a top priority. Alcohol and drug use disorders remain a significant problem in the United States, and TTUHSC continues to strongly promote an environment that discourages the inappropriate or illegal use of alcohol and other drugs.

The Substance Abuse and Mental Health Services Administration reported the following results from the 2020 National Survey on Drug Use and Health:

Alcohol is the most frequently used and misused substance in the United States, and it can have devastating consequences. In 2020, about 138.5 million Americans aged 12 or older were past month alcohol users, 61.6 million were binge drinkers in the past month, and 17.7 million were heavy drinkers in the past month. Drug use disorder is another significant problem in the United States. There are about 59.3 million people aged 12 or older in 2020 who used illicit drugs in the past year.

In 2020, 40.3 million people aged 12 or older, or 14.5% of the population, had a Substance Use Disorder in the past year, including 28.3 million with alcohol use disorder, 18.4 million with an illicit drug use disorder, and 6.5 million with both alcohol use disorder and an illicit drug use disorder.

Substance use disorder not only disrupts the workplace but also endangers the lives of those on our campuses. The Drug-Free Schools and Communities Act Amendment of 1989 requires that students, faculty and staff be informed of the TTUHSC program designed to prevent the unlawful possession, use, or distribution of alcohol and illegal drugs.

[HSC OP 10.03, Alcohol and Illegal Drugs](#) policy 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.

[TTUHSC Student, Faculty, Resident and Staff Guidelines](#) outlines TTUHSC's:

- Standards of conduct prohibiting the unlawful possession, use or distribution of illicit drugs and alcohol.
- Local, state and federal laws and sanctions related to illicit drugs and alcohol.
- The health risks associated with the use of illicit drugs and alcohol.
- Any drug or alcohol counseling, treatment, or other programs available to students and employees.
- Disciplinary sanctions on students, faculty and staff for violations of drug and alcohol standards of conduct.

Thank you for your commitment to support an environment that is free from illicit drugs and the abuse of alcohol.



A handwritten signature in black ink that reads "Lori Rice-Spearman".

Lori Rice-Spearman, Ph.D.
President
Texas Tech University Health Sciences Center

Introduction to the Drug-Free Schools and Campuses Act

The Drug-Free Schools and Campuses Regulation requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

In order to certify its compliance with the regulations, TTUHSC must develop and implement a drug prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees both on school premises and as part of any of its activities. Creating a program that complies with the regulations requires TTUHSC to do the following:

- Prepare a written policy on alcohol and other drugs.
- Develop a process to distribute the policy to all TTUHSC faculty, staff and students.
- Prepare a biennial review report on the effectiveness of its alcohol and other drug (AOD) programs and the consistency of policy enforcement.
- Maintain a biennial review report on file to be made available to the US Department of Education upon request.

Biennial Review Process

The TTUHSC President appointed a Committee to examine the current AOD programs. This Biennial Report summarizes the AOD programs and policies and provides an evaluation of and recommendations towards promoting the effectiveness of the programs and policies and the consistency of the sanctioning when policy violations occur. The following Offices and Committee members contributed to this report:

Institutional Compliance	Sonya Castro (Chair)
Graduate Medical Education	J. Edward Bates
Human Resources	Kelly McGinnis
President's Office	Coleman Johnson
Student Affairs	Erin Justyna
Safety Services	Victor Means
General Counsel	Vicki Dorris
Academic Affairs	Schoen Kruse
Student Government Association	Brianna Mendoza (Student)

Compliance with the Drug-Free Schools and Campuses Act

Texas Tech University Health Sciences Center is committed to the health and safety of its faculty, staff and students. Alcohol and Drug Abuse remains a significant problem in the United States and TTUHSC is concerned about substance abuse on our campuses. The federal Substance Abuse and Mental Health Services Administration reports that approximately 38.7 million people aged 18 and older in the United States have a Substance Use Disorder, with 4 in 9 struggling with illicit drugs and 7 in 10 struggling with alcohol use. Substance abuse not only disrupts the workplace but also endangers the lives of those on our campuses. The Drug-Free Schools and Communities Act Amendments of 1989 requires that students, faculty and staff be informed of the Texas Tech University Health Sciences Center program designed to prevent the unlawful possession, use, or distribution of alcohol and illegal drugs. The outline for this report will serve as the template for future annual reports that review the alcohol and drug education program as part of the Drug-Free Schools and Campuses Regulations compliance report.

Standards of Conduct

State and federal laws regarding the possession, use, and sale of alcoholic beverages and illegal drugs are strictly enforced by the TTUHSC Police Department. Violators are subject to criminal prosecution, fines, and imprisonment. All students, faculty, residents, and staff of TTUHSC are prohibited from the unlawful possession, use, or distribution of alcohol and illicit drugs on any institutional property or at any of its activities. Abuse of alcohol and the use of illicit drugs can result in a wide range of health problems, including seizures, heart problems, liver diseases, chronic brain dysfunctions, and other diseases and infections, many of which can result in death. Substance abuse can also cause addiction, memory loss, hallucinations, and paranoia. The emotional consequences of alcohol and drug use are often minimized. Their use can cause personality changes that contribute to problems in dealing with family and co-workers. These changes may seriously impair a person and can lead to psychological problems and mental illness. Substance abuse can also disrupt job effectiveness, reduce motivation, create legal and financial problems, and contribute to social dysfunction.

Policy and Annual Notification Process

TTUHSC adopted an operating policy and procedure (HSC OP 10.03, Alcohol and Illegal Drugs) to set forth the provisions of the Drug Free Schools and Communities Act Amendments. In addition to meeting the requirements of the federal law, TTUHSC also intends that the 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. The focus of program implementation is on prevention, education, counseling, intervention and treatment. The policy is reviewed each even-numbered year by a Committee designated by the TTUHSC President.

An annual memo, along with the Alcohol and Illegal Drug Policy's attachment, titled: Student, Faculty, Resident and Staff Guidelines, are distributed by the President's office to all faculty, staff and students via email distribution. This provides TTUHSC's standards of conduct, a description of federal, state, and local law and campus policy, a description of health risks associated with AOD use, and a description of available treatment options. Additionally, TTUHSC maintains an AOD website which includes links to our Drug Free School and Campuses Act Biennial Report, Drug and alcohol policies and other helpful information.

Description of Alcohol and Other Drug (AOD) Program Goals

Texas Tech University Health Sciences Center is committed to the health and safety of its students and employees. To maintain an effective AOD program, TTUHSC continues to:

- Increase employees' and students' awareness of AOD program;
- Increase and improve AOD related education and training;
- Develop and implement strong and effective policies;
- Provide various resources and assistance programs to employees and students;
- Create a climate that discourages drug and alcohol use;
- Measure awareness and effectiveness of AOD program continually.

Programs Addressing AOD Use and Abuse

The TTUHSC President, faculty, staff and students provide input in campus programs directed at alcohol and other substance abuse. A wide range of expertise can be found on the campus in health care professionals, health care educators, licensed counselors, security personnel, students, administrative personnel, and other leaders.

Employee Assistance Program: The Employee Assistance Program (EAP) provides a staff of trained professionals that are committed to providing quality counseling and assistance for individuals, couples, families, and work groups. Confidential counseling sessions are available at no cost to the individual and there is a 24-hour crisis helpline.

Program of Assistance for Students: TTUHSC provides the Program of Assistance for Students (PAS) as a resource to promote health and wellness in personal and academic life. PAS counselors are trained in addressing all types of problems including alcohol and drug abuse. Telehealth services are also available for distance and online students who are located outside of the Lubbock area or any of the provider cities.

TAO-Therapy Assistance Online Self-help: TAO is an interactive, web-based program that provides guided activities to help overcome anxiety, depression and other common concerns. TAO allows students to get therapy anytime, anywhere on their mobile devices.

Counseling Services: If students don't want to participate in the Program of Assistance for Students for counseling services, various counseling programs are offered to TTUHSC students on all campuses.

- Abilene Campus: Abilene Community Health Center
- Amarillo Campus: Professional Counseling and Biofeedback Center
- Lubbock Campus: Program of Assistance for Students
- Dallas Campus: The Center for Integrative Counseling & Psychology
- Midland & Odessa Campus: Samaritan Counseling Services

Well Beyond Initiative: The Well Beyond Initiative is part of the TTUHSC Quality Enhancement Plan for promoting the well-being of all TTUHSC students. TTUHSC seeks to produce knowledgeable healthcare professionals who prioritize self-care and seek to achieve healthy balances across multiple dimensions of their lives. This site focuses on emotional well-being and provides easy-to-use self-care practices.

Tranquility Room (Lubbock, Amarillo, Dallas & Odessa Campuses): The purpose of the tranquility room is to promote a more holistic wellness environment for everyone at TTUHSC, and it allows a space for meditation and reflection to decompress. This tranquility room will have positive impact on students' mental health and wellness.

Fitness Programs: Various recreation and fitness programs are offered on different campuses. These fitness programs provide staff, faculty and physicians an opportunity for recreation and fitness as an alternative to alcohol or drugs.

- Abilene Campus: Hendrick Health Club
- Amarillo Campus: Golds Gym
- Odessa Campus: Mission Fitness Gym
- Midland Campus: Planet Fitness
- Lubbock Campus: The TTU Student Recreation Center is one of the largest campus recreation facilities in the United States. There are 242,000 square feet of activity space in the Recreation Center and seven courts to accommodate basketball, volleyball and badminton. The Rec Center offers students, faculty, and staff of Texas Tech an outstanding opportunity to participate in almost any indoor recreational activity imaginable.

Smoke Free Campus: TTUHSC prohibits tobacco use in a TTUHSC facility or anywhere on the grounds of any TTUHSC facility to include a leased facility/space. TTUHSC has a program, the Tobacco Intervention Program, to assist those individuals who wish to stop using tobacco products.

Student Satisfaction Survey: In spring 2021, the 2020-2021 Student Satisfaction Survey was sent to all students enrolled at TTUHSC. The survey included one question that asked about students' awareness of the possible health effects resulting from drug and alcohol use.

EthicsPoint: In recognizing Texas Tech University System's obligation to students and employees to maintain the highest ethical standards, Texas Tech has established a hotline to provide a confidential avenue for reporting. Reports submitted through EthicsPoint are forwarded to university officials for prompt and appropriate action. The Texas Whistleblower Act protects anyone who, in good faith, reports unlawful activity to the appropriate law enforcement authority from retaliation for making such a report.

Self-Reporting: Physicians and/or House Staff are also encouraged to self-report and shall have an opportunity to voluntarily relinquish duties and privileges that cannot be performed safely and cooperate in the development of activity restrictions which may be imposed. This Policy does not preclude a Physician or House Staff from self-reporting to the Texas Medical Board (TMB) to obtain a protective Board order, or obtain support through the TTUHSC EAP services.

Student of Concern Form: TTUHSC is committed to promote health and wellness for students in their personal and/or academic life. There are trained counselors available to help address all types of problems, including: family and relationship problems, depression, excessive stress or anxiety, alcohol and drug abuse, and other problems through the Program of Assistance for Students. You can setup appointments by contacting their office or speak with a counselor on their 24-Hour Crisis Hotline or you can file a Student of Concern form <https://www.ttuhscc.edu/student-affairs/grievances.aspx> to report any concerns.

Committee on Health, Wellness and Rehabilitation (CHWR): Texas Tech University Health Sciences Center (TTUHSC) recognizes that faculty, residents, fellows, and students who are impaired are individuals who need professional help. The CHWR will establish procedures that promote and monitor wellness of these individuals and will establish an organizational structure, including appropriate committees, to administer this policy to ensure that the institution meets or exceeds accreditation and other relevant standards. The Committee on Health, Wellness and Rehabilitation (CHWR) will function as a policy-setting oversight committee that represents faculty, residents, fellows, and students on all campuses operated by the School of Medicine. The CHWR will be established under the auspices of the Faculty Council as an elected/appointed committee that represents all constituents.

Physician Rehabilitation Sub-Committee: The School of Medicine Physician Rehabilitation Sub-Committee is a medical peer review committee to assist physicians with physical impairments, chemical or substance abuse problems. Physician Rehabilitation subcommittees will be established on each campus to provide rehabilitation services to physician faculty, residents, fellows, and students on each campus. A single physician rehabilitation subcommittee will be established in Lubbock to serve the Lubbock-UMC (physician faculty, residents, fellows, and students) and Covenant (students) campuses. Physician Rehabilitation subcommittees will function as a medical peer review committee, as defined in the Texas Medical Practice Act, Occupations Code, Section 151 et. seq. to assist physician faculty, residents, fellows, and students who have impairments that may affect clinical skill and judgment. Anyone with knowledge of or reason to believe that a physician or house staff is impaired may contact any member of the Physician Rehabilitation Sub-Committee to refer the individual for committee action.

House Staff Associations: The School of Medicine House Staff Association provides a support system organized to promote professional and social relationships among resident physicians.

Texas Medical Association Educational Courses: TTUHSC provides a Texas Medical Association (TMA) membership for all house staff. Through this membership, physicians in training may access health and wellness information and educational courses that focus on the treatment and rehabilitation of those who have potentially impaired conditions or who have become impaired.

TTUHSC Affiliation with Betty Ford Recovery Center: The Betty Ford Center's Summer Institute program is a weeklong immersion program that allows School of Medicine students an opportunity to experience firsthand the in-depth stories of those with addictions and provides another level to understanding and treating those with addiction diseases, making it a natural extension of education. TTUHSC is one of the two universities nationwide that offers this program as an elective.

TTUHSC Campus Events: All TTUHSC sponsored events where alcohol will be available, must have the TTUHSC President's approval prior to the event. In 2020, President Rice-Spearman approved 4 alcohol requests for TTUHSC sponsored events. In 2021, President Rice-Spearman approved 44 alcohol requests for TTUHSC sponsored events.

Review of AOD Program and Policies

TTUHSC is committed to implementing a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. We have many systems in place that offer an avenue to report and monitor suspected drug or alcohol abuse, as well as counseling options to help facilitate the best outcomes for our students and employees. We have effective policies and procedures in place to convey expectations around alcohol and drug use, as well as clear sanctions that allow us to consistently address drug and alcohol use and abuse.

Employee Assistance Program (EAP)

In 2020, The Counseling Center at TTUHSC provided counseling services to 235 employees, with 905 counseling sessions provided. In 2021, The Counseling Center at TTUHSC provided counseling services to 252 employees, with 990 counseling sessions provided.

Report to EAP	Year	Contact	Action Taken
Inpatient/Outpatient Substance Abuse	2020	3	All three were referred for outpatient substance abuse treatment.
Inpatient/Outpatient Substance Abuse	2021	4	Three were referred for outpatient substance abuse treatment, and one received counseling and education through EAP.

The 3 contacts made in 2020, and 4 contacts made in 2021 were all employees that reached out to the Counseling Center individually to seek treatment. There were no employees in either 2020 or 2021 that were referred to the Counseling Center for treatment by TTUHSC.

Program of Assistance for Students (PAS)

In 2020, The Counseling Center at TTUHSC provided counseling services to 295 students, with 1,429 counseling sessions provided. In 2021, The Counseling Center at TTUHSC provided counseling services to 380 students, with 1,845 counseling sessions provided.

TAO-Therapy Assistance Online Self-help

The TAO website was accessed 1306 times in 2020 and 2021.

EthicsPoint

In 2020, the EthicsPoint hotline was utilized 29 times to collect confidential reports, including one report of substance abuse.

In 2021, the EthicsPoint hotline was utilized 19 times to collect confidential reports, including one report of substance abuse.

Student Satisfaction Survey

In spring 2021, the 2020-2021 Student Satisfaction Survey was sent to all students enrolled at TTUHSC, resulting in a response rate of 39%. Approximately 87% of respondents reported being “extremely satisfied” or “satisfied” with their overall experiences at TTUHSC; and when asked if they made the right decision to attend TTUHSC, more than 71% students indicated that they “definitely” made the right decision.

Student of Concern Form

The Student of Concern Form has been utilized 3 times since it was implemented in 2022. Two of those reports were concerns of alcohol or other substance use.

Committee on Health, Wellness and Rehabilitation (CHWR) and Sub-Committees:

In 2020, a total of 19 individuals, to include students, residents, fellows and faculty, were brought before the committee for evaluation. The committee recommended that 2 individuals be monitored for substance abuse and/or medical treatment. In 2021, a total of 15 individuals, to include students, residents, fellows and faculty, were brought before the committee for evaluation. The committee recommended that 2 individuals be monitored for substance abuse and/or medical treatment. In order to ensure that the sanctions that we impose are consistently enforced, we have attempted to assess the data listed above. With only 19 incidents in 2020 and 15 incidents in 2021, it is important to note that we do not have adequate data for a meaningful assessment at this time.

2020	
Evaluated	19
Action Taken	2 Monitored for Substance Abuse and/or Medical Treatment
2021	
Evaluated	15
Action Taken	2 Monitored for Substance Abuse and/or Medical Treatment

Well Beyond Initiative

The Well Beyond Initiative is a Quality Enhancement Plan that was established in 2019 as a result of information received in the student satisfaction survey that called for an increased focus on student wellness and mental health. TTUHSC students across all schools and campuses are required to complete an online course with 7 modules, as well as participate in Emotional Intelligence instruction in selected courses. Additionally, educational programming events are offered quarterly as another means of addressing student wellness and mental health.

TTUHSC Policies Addressing AOD Use and Abuse

HSC OP: 10.03, Alcohol and Illegal Drugs

[Attachment A](#) – Student, Faculty Resident and Staff Guidelines

HSC OP: 10.19, Smoke, Tobacco, and E-cigarette Free Environment

HSC OP: 52.06, Standards of Conduct and Ethics Guide

HSC OP: 70.39, Drug-Free Workplace Policy

[Attachment A](#) – Employee Consent & Release for Alcohol and Drug Testing Form

HSC OP: 70.41, Drug and Alcohol Testing for Safety-sensitive Positions Requiring a Commercial Drivers License

[Attachment A](#) – Employee Consent Form for Alcohol/Drug Testing

HSC OP: 72.15, Purchasing Card Program

HSC OP: 72.16, Official Functions, Business Meetings, and Entertainment

[Attachment A](#) – Pre-Approval Form for Official Functions

[Attachment B](#) – Authorization to Serve Alcohol Form

HSC OP: 77.15, Working with Affiliated Entities – Student Drug Screenings

SOM OP: 20.12, Health, Wellness and Rehabilitation of Faculty, Physicians in Training (Fellows and Residents), and Students

SOM OP: 40.07, Impaired Students

TTUHSC Student Handbook Code of Professional Conduct 2022-2023

Treatment Options & Resources

TTUHSC supports the availability of various programs to assist students, faculty and employees in order to maintain a drug-free campus and workplace.

Student Assistance

The TTUHSC Program of Assistance for Students (PAS) is a resource to promote health and wellness in student's personal and academic life. PAS counselors are trained in addressing all types of problems, including family and relationship problems, depression, excessive stress, anxiety and substance abuse. TTUHSC provides up to eight (8) free counseling sessions for each student per fiscal year (September 1 - August 31). Any TTUHSC student can receive assistance at no cost. Counseling services consist of assessment, brief therapy, and follow-up. If it is determined that a person needs long-term therapy, or other psychiatric or psychological services, a referral will be made to the appropriate professional. The Program of Assistance for Students can be contacted by calling 806-743-1327 or 800-327-0328 (24-hour), or by email at counselingcenter@ttuhsc.edu. Additional information for the PAS can be found at the following link: <https://www.ttuhsc.edu/centers-institutes/counseling/pas.aspx>

Staff/Resident/Faculty Assistance

The Counseling Center at TTUHSC is an Employee Assistance Program (EAP) which has a long history of providing employee assistance services to public schools, universities, municipalities, corporations, and health and professional associations. The Counseling Center provides consultation and therapeutic services to employers, and their employees, with the primary mission being to promote health and wellness in the workplace. The Employee Assistance Program addresses a full range of emotional and behavioral problems that impair job performance and contribute to rising employer costs. As an EAP, the Counseling Center provides prevention, assessment, treatment, and follow-up services to employees and their family members. The Employee Assistance Program can be contacted by calling 806-743-1327 or 800-327-0328 (24-hour), or by email at counselingcenter@ttuhsc.edu. Additional information for the EAP can be found at the following link: <https://www.ttuhsc.edu/centers-institutes/counseling/about.aspx>. The Counseling Center can be contacted at 806-743-1327 or 800-327-0328 (24-hour), or by e-mail at counselingcenter@ttuhsc.edu.

TTUHSC Campuses

- Abilene Campus: Life Renovations, 325-672-7055
- Amarillo Campus: Professional Counseling & Biofeedback Center, 806-356-0404
- Dallas Campus: The Center for Integrative Counseling and Psychology, 214-526-4525
- Lubbock: The Counseling Center, 806-743-1327
- Midland / Odessa Campuses: Samaritan Counseling Center of West Texas, 432-563-4144
- Distance / Online Students: Telehealth Services, The Counseling Center at TTUHSC, 806-743-1327

National Hotline Numbers

- 1-800-662-HELP (4357) Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline, <http://www.samhsa.gov>
- Go to [Home | FindTreatment.gov](http://Home|FindTreatment.gov) to find a treatment facility near you.
- 1-800-273-TALK (8255) National Suicide Prevention Lifeline or Dial 988 to reach the suicide and crisis lifeline.
- Alcoholics Anonymous: 1-212-870-3400 or www.aa.org
- Narcotics Anonymous: 1-818-773-9999 or www.na.org

Disciplinary Sanctions and Actions

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

Legal Sanctions

Local, State and Federal laws also prohibit the unlawful possession, use or distribution and sale of alcohol and illicit drugs. Criminal penalties for violation of such laws range from fines up to \$20,000 to imprisonment for terms up to and including life.

Local Laws Regulating Alcohol and Drug Use

City of Lubbock Ordinance, Section 14.01.008, makes it illegal to consume or possess in a public place an alcoholic beverage at any time on Sunday between the hours of 2:15 a.m. and 12:00 noon and on all other days, any time between 2:15 a.m. and 7:00 a.m. This does not apply to a private club. A violation of any provision of this section by any person shall be deemed a misdemeanor, and, upon conviction thereof, punishment shall be a fine not to exceed the maximum imposed by the Alcoholic Beverage Code or any amendments thereto, which maximum fine is now \$50.

Texas Laws Regulating Alcohol and Drug Use

The Implied Consent Law in Texas—In Texas, any person who receives a driver’s license automatically consents to a chemical test of their blood, breath, or urine to determine blood alcohol content or the presence of drugs. If an individual refuses such a test his/her driver’s license will be confiscated, where after the individual will be issued a temporary driver’s license until a court hearing is held. During the hearing, and if applicable, one's test refusal will be used against him/her, and the court may rule to suspend the individual's driver’s license.

- The legal age in Texas for the purchase or consumption of alcoholic beverages is 21.
- The legal limit for intoxication in Texas is a 0.08 Blood Alcohol Concentration (BAC).
- It is illegal to furnish or serve alcoholic beverages to any person under the age of 21.

Texas sanctions include those referenced in Health and Safety Code, §§481.115-122. Sanctions for illegal use or possession of alcohol are found in the Texas Alcoholic Beverage Code and the Texas Penal Code, Chapter 49. Furthermore, the abuse of a controlled substance or alcohol, which results in impaired behavior, can result in charges of:

1. Driving while intoxicated;
2. Public intoxication; and/or
3. Disorderly conduct.

Driving While Intoxicated: In Texas, a conviction for Driving While Intoxicated can have three potential punishments:

DWI	Driver’s License Suspended	Fine	Jail Time	Annual Fee to Maintain a License for 3 years
First Offense	Up to 1 year	Up to \$2,000	3 days to 180 days	\$1,000 - \$2,000
Second Offense	Up to 2 years	Up to \$4,000	1 month to 1 year	\$1,000 - \$2,000
Third Offense	Up to 2 years	Up to \$10,000	2 to 10 years in state penitentiary	\$1,000 - \$2,000

Public Intoxication: A person commits Public Intoxication if the individual appears in a public place while intoxicated to the degree that the person may endanger the person or another.

Public Intoxication Punishment for Those 21 Years of Age or Older:

Texas Penal Code Section 49.02 (c) provides that public intoxication in Texas is a Class C Misdemeanor. Class C Misdemeanors in Texas are punishable by a fine not to exceed \$500.00. However, having two

prior public intoxication convictions makes the third public intoxication enhanceable to a Class B Misdemeanor, which carries potential jail time of up to 180 days and a fine up to \$2,000. A conviction for public intoxication may appear on a criminal background record, which may impact one's eligibility for admission to an educational program or being hired for a job.

Public Intoxication Punishment for Those Under 21 Years of Age:

1. If a minor has two previous convictions for public intoxication, a third conviction can be enhanced to a Class B Misdemeanor, which carries potential jail time of up to 180 days and a fine up to \$2,000.
2. A first-time conviction for public intoxication can result in the suspension of a minor's driver's license, driver's learning permit, or the denial of the issuance of a driver's license or learning permit.
3. A minor convicted for a first-time public intoxication faces a fine between \$250 and \$2,000.
4. A minor faces mandatory community service and an alcohol education course or program.

Disorderly Conduct: Under Texas disorderly conduct laws, the charge can be levied against an individual who does any of the following in a public place:

1. Makes an offensive gesture likely to start an altercation.
2. Makes a “noxious and unreasonable odor” with the use of chemicals.
3. Uses “abusive, indecent, profane, or vulgar language,” i.e., words likely to cause an altercation.
4. Makes unreasonable noise in public or near a private residence (not one's own).
5. Fights with another person.
6. Abuses or threatens another.
7. Displays or fires a gun with the intent of scaring others.
8. Exposes one's genitals or anus with disregard to others.
9. Peeps into homes, hotel rooms, or other private areas.

In general, if convicted, an individual could face a \$500 fine for a disorderly conduct charge. However, if the offense involves a firearm or other deadly weapon, the penalty is increased to up to 180 days in jail and fines reaching \$2,000.

Texas Drug Law

The penalties for Possession of a Controlled Substance are set out in the Texas Health and Safety Code and vary based on the type and amount of the controlled substance. The Texas Health and Safety Code classifies controlled substances into five penalty groups:

1	Cocaine, Heroin, Methamphetamine, Codeine, Oxycodone, Hydrocodone, Rohypnol and GHB
1A	LSD
2	Ecstasy, Amphetamines, Mushrooms, PCP and Mescaline
3	Valium, Xanax and Ritalin
4	Compounds containing Dionine, Motofen, Buprenorphone or Pryovalerone

Penalty Group 1		
Weight	Charge	Range of Punishment
Less than one gram	State jail Felony	180 days to 2 years in state jail and a fine not to exceed \$10,000

1 gram or more, but less than 4 grams	Third-degree Felony	2 to 10 years in a state prison and a fine not to exceed \$10,000
4 grams or more, but less than 200 grams	Second-degree Felony	2 to 20 years in a state prison and a fine not to exceed \$10,000
200 grams or more, but less than 400 grams	First-degree Felony	5 to 99 years or life in a state prison and a fine not to exceed \$10,000
400 grams or more	Enhanced First-degree Felony	10 to 99 years or life in a state prison and a fine up to \$100,000

Penalty Group 1A		
Units	Charge	Range of Punishment
Fewer than 20 units	State jail Felony	180 days to 2 years in state jail and a fine not to exceed \$10,000
20 units or more, but less than 80 units	Third-degree Felony	2 to 10 years in a state prison and a fine not to exceed \$10,000
80 units or more, but less than 4,000 units	Second-degree Felony	2 to 20 years in a state prison and a fine not to exceed \$10,000
4,000 units or more, but less than 8,000 units	First-degree Felony	5 to 99 years or life in a state prison and a fine not to exceed \$10,000
8,000 units or more	Enhanced First-degree Felony	15 to 99 years or life in a state prison and a fine up to \$250,000

Penalty Group 2		
Weight	Charge	Range of Punishment
Less than one gram	State jail Felony	180 days to 2 years in state jail and a fine not to exceed \$10,000
More than 1 gram, but less than 4 grams	Third-degree Felony	2 to 10 years in a state prison and a fine not to exceed \$10,000
More than 4 grams, but less 400 grams	Second-degree Felony	2 to 20 years in a state prison and a fine not to exceed \$10,000
400 grams or more	Enhanced First-degree Felony	5 to 99 years or life in a state prison and a fine not to exceed \$50,000

Penalty Group 3		
Weight	Charge	Range of Punishment
Less than 28 grams	Class A Misdemeanor	Up to 1 year in county jail and a fine not to exceed \$4,000
28 grams or more, but less than 200 grams	Third-degree Felony	2 to 10 years in a state prison and a fine not to exceed \$10,000
200 grams or more, but less than 400 grams	Second-degree Felony	2 to 20 years in a state prison and a fine not to exceed \$10,000
400 grams or more	Enhanced First-degree Felony	5 to 99 years or life in a state prison and a fine not to exceed \$50,000

Penalty Group 4		
Weight	Charge	Range of Punishment

Less than 28 grams	Class B Misdemeanor	Up to 180 days in county jail and a fine not to exceed \$2,000
28 grams or more, but less than 200 grams	Third-degree Felony	2 to 10 years in a state prison and a fine not to exceed \$10,000
200 grams or more, but less than 400 grams	Second-degree Felony	2 to 20 years in a state prison and a fine not to exceed \$10,000
400 grams or more	Enhanced First-degree Felony	5 to 99 years or life in a state prison and a fine not to exceed \$50,000

Additional penalties may include the suspension of one's driver's license or the possibility of seizure and forfeiture of any property if the property was used or was going to be used in the commission of a drug crime.

Federal Laws Regulating Alcohol and Drug Use

These sanctions are based on federal requirements in 21 U.S.C. §§841, 844, 844a & 859. Federal regulations prohibit possession and distribution of alcohol and illegal drugs and provide for penalties of imprisonment and fines. Specific language of the regulations can be obtained from the Human Resources Office, the GME Office, or the Office of HSC Student Affairs during regular office hours.

Possession of drugs (including marijuana)

- Minimum: A fine of not less than \$1,000 and/or imprisonment for up to one year
- Maximum: A fine of not less than \$5,000 plus costs of investigation and prosecution, and imprisonment for not more than three years

Manufacture, distribution, or dispensing of drugs (including marijuana)

- Minimum: A fine of \$250,000 and/or imprisonment for up to five years
- Maximum: A fine not to exceed \$20,000,000 for an individual (or \$75,000,000 if other than an individual) and imprisonment for life without release (no eligibility for parole)

Distribution of drugs to a person under 21 years of age

- Minimum: Double the federal penalty for distribution of drugs
- Maximum: Triple the federal penalty for distribution of drugs

National Alcohol and Other Drug Statistics

Substance Use Among people aged 12 or older in 2020, 58.7 percent (or 162.5 million people) used tobacco, alcohol, or an illicit drug in the past month (also defined as “current use”), including 50.0 percent (or 138.5 million people) who drank alcohol, 18.7 percent (or 51.7 million people) who used a tobacco product, and 13.5 percent (or 37.3 million people) who used an illicit drug.

Tobacco Product Use or Nicotine Vaping Among people aged 12 to 20 in 2020, 11.8 percent (or 4.4 million people) used tobacco products or used an e-cigarette or other vaping device to vape nicotine in the past month. Among people in this age group, 7.7 percent (or 2.9 million people) vaped nicotine, 6.7 percent (or 2.5 million people) used tobacco products, and 4.1 percent (or 1.5 million people) smoked cigarettes in the past month.

Alcohol Use Among people aged 12 to 20 in 2020, 16.1 percent (or 6.0 million people) were past month alcohol users. Estimates of binge alcohol use and heavy alcohol use in the past month among underage people were 9.2 percent (or 3.4 million people) and 1.8 percent (or 669,000 people), respectively.

Illicit Drug Use

Among people aged 12 or older in 2020, 21.4 percent (or 59.3 million people) used illicit drugs in the past year.

Marijuana: In 2020, marijuana was the most commonly used illicit drug, with 17.9 percent of people aged 12 or older (or 49.6 million people) using it in the past year. The percentage was highest among young adults aged 18 to 25 (34.5 percent or 11.6 million people), followed by adults aged 26 or older (16.3 percent or 35.5 million people), then by adolescents aged 12 to 17 (10.1 percent or 2.5 million people).

Central Nervous System Stimulants: Among people aged 12 or older in 2020, 3.7 percent (or 10.3 million people) misused central nervous system (CNS) stimulants in the past year. Among the 10.3 million people who misused CNS stimulants in the past year, about one third used only cocaine (32.4 percent of CNS stimulant misusers or 3.3 million people), about one third misused only prescription stimulants (32.3 percent of CNS stimulant misusers or 3.3 million people), and about 1 in 7 used only methamphetamine (14.4 percent of CNS stimulant misusers or 1.5 million people). An estimated 353,000 people used or misused all three CNS stimulants in the past year (3.4 percent of CNS stimulant misusers).

Opioids: Among people aged 12 or older in 2020, 3.4 percent (or 9.5 million people) misused opioids (heroin or prescription pain relievers) in the past year. Among the 9.5 million people who misused opioids in the past year, 9.3 million people misused prescription pain relievers compared with 902,000 people who used heroin.

Prescription Pain Relievers: Among people aged 12 or older in 2020, 3.3 percent (or 9.3 million people) misused prescription pain relievers in the past year. The percentage was highest among young adults aged 18 to 25 (4.1 percent or 1.4 million people), followed by adults aged 26 or older (3.4 percent or 7.5 million people), then by adolescents aged 12 to 17 (1.6 percent or 396,000 people).

Hallucinogens: In 2020, 2.6 percent of people aged 12 or older (or 7.1 million people) used hallucinogens in the past year. The percentage among young adults aged 18 to 25 (7.3 percent or 2.4 million people) was higher than the percentages among adolescents aged 12 to 17 (1.5 percent or 370,000 people) or adults aged 26 or older (2.0 percent or 4.3 million people).

Health Risks Associated with the Use of Drugs and Alcohol

Every drug is a potential poison with distinct medical hazards. When drugs are incorrectly taken into the body, consumed in the incorrect amount, or taken in combination with other substances, the user is at serious risk. Approximately 60% of all deaths related to drug abuse are caused by the direct overdose narcotic effect of the drug. This could be an overdose of alcohol, cocaine, prescription drugs, or, far more commonly, a combination of alcohol and other drugs. Another 10% of deaths caused by drug abuse are the result of infections, including AIDS, from using contaminated needles and other drug paraphernalia. The other 30% of deaths caused by drug abuse are brought about by violence associated with this nationwide epidemic. By knowing the consequences of alcohol and drug use, one can avoid alcohol and drug-related problems. Alcohol and other drug use is a key factor in many accidents and injuries and is frequently a primary cause of poor quality coursework and job performance.

Alcohol and Other Depressants (barbiturates, sedatives and tranquilizers): Addiction, accidents as a result of impaired ability and judgements, alcohol poisoning, overdose when used with other depressants, damage to a developing fetus, heart and liver damage.

Marijuana: Impaired short-term memory, thinking, and physical coordination. Can cause panic reaction and increase the risk of lung cancer and emphysema. Can interfere with judgement, attention span, concentration, and overall intellectual performance. Impairs driving ability. May cause psychological dependence and compromise the immune system.

Cocaine: Addiction, cardiovascular system damage including heart attack, brain damage, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

Nicotine: Tobacco smoke contains thousands of chemical compounds, many of which are known to cause cancer. Nicotine, which is a central nervous system stimulant, produces an increase in heart and respiration rates, blood pressure, adrenaline production, metabolism and compromises the immune system. People can rapidly become physically and psychologically dependent on tobacco.

Inhalants: Inhalants are a diverse group of chemicals that easily evaporate and can cause intoxication when their vapors are inhaled. Most inhalants are central nervous system depressants. The use of these drugs slows down many body functions. High doses can cause severe breathing failure and sudden death. Chronic abuse of some of the chemicals can lead to irreversible liver damage and other health problems.

Heroin and Other Opiates: These drugs are usually taken intravenously. “Designer” drugs similar to opiates include fentanyl and demerol. Addiction and dependence develop rapidly. Use is characterized by impaired judgement, slurred speech and drowsiness. Overdose is manifested by coma, shock and depressed respiration, with the possibility of death from respiratory arrest. Withdrawal problems include sweating, diarrhea, fever, insomnia, irritability, nausea and vomiting, and muscle and joint pains.

Prescription Drug Abuse: Adverse reactions, dependency, withdrawal and overdose.

AOD Program and Policy Recommendations:

- Continue to provide programs that focus on alcohol and other drugs abuse prevention.
- Continue to maintain a webpage for the AOD program to post policies, guidelines, and reports.
- Develop and implement a system for surveying employees and students about their drug and alcohol use in order to create a more specialized AOD program that meets the unique needs of TTUHSC.
- Explore additional opportunities to provide education and increase AOD program awareness at on-campus and off-campus events.