

# Drug-Free Schools and Communities Act Drug and Alcohol Policies

The University of Tulsa, through compliance with the requirements of the Drug-Free Schools and Communities Act of 1990, forbids the use of illegal drugs and controlled substances. This policy covers all full-time, part-time, regular, or temporary students and employees. The policy governs use and possession of alcoholic beverages of any kind and, therefore, is subject to disciplinary action up to and including immediate dismissal.

This policy was adopted by The University of Tulsa on September 5, 1990, and stands in addition to all other existing alcohol and drug policies, including those for athletes and employees.

## I. General Policy

At a time when our society faces enormous substance abuse problems, our purpose in developing this policy is to provide a drug-free environment for all University of Tulsa students, faculty, and staff. This policy covers all full-time, part-time, regular, or temporary students and employees, and represents The University of Tulsa's efforts to achieve compliance as a federal contractor with the Drug-Free Schools and Communities Act of 1990. The following substances are covered by this policy:

- A. Alcoholic beverages of any kind
- B. Controlled substances and illegal drugs, which include all forms of narcotics, hallucinogens, depressants, stimulants, other drugs, the use, possession, or transfer of which is restricted or prohibited by law.

## II. Activities Prohibited by The University of Tulsa

The University of Tulsa prohibits employees and students from taking part in the following activities while on University premises or on University business. Employee or student involvement in such activities is considered gross misconduct and is therefore subject to disciplinary action up to and including immediate dismissal. Prohibited activities are as follows:

- A. Possession and/or distribution of marijuana
- B. Possession and/or distribution of other drugs
- C. Possession and consumption of alcoholic beverages by anyone under 21 years of age
- D. The consumption of alcoholic beverages on campus except as authorized by University policy

## III. Legal Sanctions

Federal and state laws impose grave penalties on those who illegally possess, use, or distribute drugs or alcohol. The major penalties may be summarized as follows:

<b>Nature of Offense</b>	<b>Minimum Penalty</b>	<b>Maximum Penalty</b>
Possession of marijuana	\$1,000 or 15 days—1 year	10 years
Possession of other drugs	\$1,000 or 15 days – 1 year	20 years
Distribution of marijuana	\$25,000 and 4 years – life	\$4,000 and life without parole
Distribution of other drugs	\$25,000 (28 gm cocaine, 5 gm cocaine base, 10 gm heroin); add 10 years minimum for amphetamines, \$50,000 - \$100,000 to 1 gm LSD, \$20,000 - \$50,000 for PCP	\$8,000,000 and mandatory life without parole
Possession of liquor containing over 3.2% alcohol by anyone under	\$0 - \$100 or 0-30 days	\$100 and 30 days

21 years of age

Possession of liquor containing less than 3/2% alcohol by anyone under 21 years of age	\$0 - \$100 or 20 hours of community service	\$100 and 30 days
Furnishing anyone under 21 years of age with liquor containing over 3.2% alcohol	\$2,500 or 0 – 5 years	\$5,000 and 5 years

Penalties may escalate sharply between the minimums and maximums depending on the quantities of drugs involved and whether the individual has had a previous conviction. Also, minimum penalties vary, depending on the court in which a case is tried. Those listed above are the lesser of the state or federal penalties; thus, a higher minimum penalty may be levied depending on whether the case falls under the jurisdiction of a federal or a state court. Also, Congress or the Oklahoma legislature may change the penalties described herein after the date of this policy.

In addition to the criminal penalties described above, a member of the University community may become liable for personal injuries or property damage that occur because he/she illegally sells or, in some instances, furnishes illegal drugs or alcohol to someone else. This liability may include liability for injuries or death to the person to whom the drugs or alcohol are given or sold, and may also include liability to third persons who are injured or suffer property damage because of the actions of the person to whom the drugs or alcohol have been given or sold, and may also include liability to third persons who are injured or suffer property damage because of the actions of the person to whom the drugs or alcohol have been given or sold.

#### IV. Health Risks

It is important to understand the very serious risks incurred through the use of drugs or the abuse of alcohol. These risks include addiction to or dependency upon the substance; memory loss; liver and kidney failure; malignancies of the liver and kidneys; personal injuries while under the influence; infectious diseases, including AIDS (if needles or other drug delivery devices are shared); injuries to the immune system; heart damage; changes in weight; loss of ability to concentrate or reason; personality changes; insanity; temporary loss of or heightened sensations; hallucinations; delusions; depression; inability to sleep or to remain awake; loss of judgment; and death. The use of drugs or alcohol before or during pregnancy or nursing can lead to severe birth defects or death to the children involved.

#### V. Available Counseling and Rehabilitation

Various treatment options, both on and off campus, are available to members of the University community who have problems with drugs or alcohol. These options include the following;

##### A. Employees and students

The University's Counseling and Health Centers, located in the Alexander Health Center, provide free counseling and referral services to students and employees on a confidential basis. Any employee or student who has a drug or alcohol problem may seek help through this facility.

##### B. Employees

The University's health plans reimburse employees for part or all of drug and alcohol counseling and treatment, off campus, under the conditions of each plan. Employees should review their summary plan descriptions to determine specific treatment that are available and the conditions for reimbursement.

##### C. Self-Referrals

Many local agencies permit self-referrals for treatment of substance abuse. A list of these providers is available on a confidential basis through the Counseling Center or Personnel Services. Some community services are provided free or at very little cost.

If an employee uses this approach to treatment, he/she should ask his/her immediate supervisor for a medical leave of absence. In most cases, the request for such a leave will be granted, and the employee may return to his/her job upon completion of the treatment plan. For acute situations, hospitals with emergency rooms near the University campus include: Hillcrest, 1120 S.

Utica; St. Johns, 1923 S. Utica; and Tulsa Regional Medical Center, 744 West 9<sup>th</sup> St.. Emergency transportation, police assistance, or other emergency assistance may be obtained by dialing 9-911.

VI. Sanctions on Students

Violations of this policy by students will be treated under the provisions of the University's Student Code of Conduct and may lead to dismissal from the University. Violations of this policy by employees will be handled as described in The University of Tulsa's Drug-Free Workplace Policy statement with respect to drugs and under similar procedures with respect to alcohol violations. Various forms of discipline may be imposed, including, among others, suspension, required treatment programs, and termination of employment.

Any violation of the alcohol policy will subject the student to the following minimum disciplinary sanctions. Violations by University personnel will be addressed through the appropriate administrative channels and policies.

- A. First Offense – the first alcohol violation in an academic year will result in:
  - 1. \$150 fine (or 30 hours of community service in lieu of fine)
  - 2. An alcohol assessment
  - 3. Required attendance to an educational workshop
  - 4. Place on probation for one semester
  - 5. Parents of students under the age of 21 will be notified by a letter
  
- B. Second Offense – The second alcohol violation in an academic year will result in:
  - 1. \$225 fine
  - 2. An additional alcohol assessment
  - 3. Required attendance to an 8 hour educational workshop
  - 4. 45 hours of community service
  - 5. A letter will be sent to the student's parents
  - 6. Probation will be extended; warned that 3<sup>rd</sup> offense will result in suspension for one semester
  
- C. Third Offense- The third alcohol violation in an academic year will result in:
  - 1. \$300 fine
  - 2. Further alcohol assessment
  - 3. 60 hours of community service
  - 4. Automatic suspension from the University for one semester
  
- D. As authorized by law, the Dean of students may notify parents or legal guardians when students under the age of 21 are found to have committed serious or repeated violations of federal, state, or local law or University policies related to the possession, use, or distribution of alcohol or a controlled substance.

VII. Designation of Coordinating Committee

The Substance Abuse Committee, which was constituted under the Drug-Free Workplace policy statement and is chaired by the Dean of Students, shall coordinate and implement this policy. The University will review this policy and program biennially to determine its effectiveness, to make needed changes, and to review the consistency of policy's enforcement and the imposition of required sanctions. University employees or students are asked to cooperate with the committee.

VIII. Availability of this Policy

This policy shall be distributed annually to each student and employee and shall be available for inspection by any student or employee and by any representative of the Secretary of Education.

IX. Educational and Awareness Programs

The Substance Abuse Committee shall develop educational programs and materials with respect to drug and alcohol abuse that are consistent with University policies, budgets, and procedures.

X. Interpretation

This policy shall be interpreted consistently with the Drug-Free Schools and Communities Act Amendments of 1989.