



2.5.4 Drug-Free University Community and Workplace

Chapter 2 - General	Original Effective Date: June 2000
Section: 2.5 Institutional Compliance Program	Date Last Reviewed: February 2022
Responsible Entity: Vice President and Chief Human Resources Officer; Vice President for Academic, Faculty and Student Affairs	Date Last Revised: February 2022

I. Purpose

The purpose of this statement is to comply with the federal Safe and Drug-Free Schools and Communities Act Amendment of 1989 and the Drug-Free Workplace Act of 1988.

II. Scope

This policy applies to all UT Health San Antonio faculty, staff, trainees, residents, and students.

III. Policy

- A. The statements provided below represents UT Health San Antonio policy with regard to the use and distribution of alcohol, drugs and controlled substances.
 - 1. The unauthorized purchase, manufacture, distribution, possession, sale, storage or use of an illegal drug or controlled substance while on duty, while in or on premises or property owned or controlled by the UT Health San Antonio, or while in vehicles used for UT Health San Antonio business are prohibited.
 - 2. Texas law prohibits the consumption and possession of alcohol by persons under the age of 21 and the supplying of alcohol to any person under the age of 21.
 - 3. The unauthorized use or possession of alcohol while on duty or while in vehicles used for UT Health San Antonio business is prohibited.
 - 4. Use of alcohol or an illegal drug or controlled substance while not on duty which adversely affects job performance or may adversely affect the health or safety of other employees, residents, students, visitors or patients is prohibited.
 - 5. The use of alcohol at an authorized UT Health San Antonio function, in the course of official UT Health San Antonio business, or at an authorized UT Health San Antonio site, which adversely affects job performance or may adversely affect the health or safety of any other person is prohibited. Alcoholic beverages on UT

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Health San Antonio property are permissible only by prior written presidential approval for specific events. See Handbook of Operating Policies (HOP) [8.2.3, Use of Alcoholic Beverages on Campus](#).

6. Warnings about prescribed or over-the-counter medication and its impact on work performance or on individual or job safety must be heeded. A supervisor's advice and assistance may be necessary when job adjustments are required to ensure an employee's ability to perform assigned work in a safe manner because of use of such medications.
7. Distribution to others of a drug or controlled substance obtained pursuant to a prescription, except by duly licensed and certified persons, while on duty or while in or on premises or property controlled by the UT Health San Antonio is prohibited.

B. Requirements

The Drug-Free Schools and Communities regulations require universities receiving any form of federal funding to develop and implement a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by employees and students. The program must include an annual notification to the campus community of four program elements and a biennial review of the program's effectiveness and the consistency of the enforcement of sanctions. The four required program elements include:

1. Standards of Conduct
2. Description of Sanctions
3. Description of Health Risks
4. Description of Treatment Options

C. Standards of Conduct

1. Student Conduct

Student misconduct related to alcohol and drug use will not be tolerated. The Catalog addresses student conduct and misconduct. This information may be accessed through the official [UT Health San Antonio Catalog](#).

2. Employee (faculty, staff and trainees) Conduct

Employee misconduct related to alcohol or drug use will not be tolerated. The Standards of Conduct may be accessed on the [Institutional Compliance and Privacy Office website](#).

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3. Resident Conduct

Resident misconduct related to alcohol or drug use will not be tolerated. The Graduate Medical Education (GME) policy on [Resident Impairment](#) addresses expected standards of conduct.

D. Description of Sanctions

A number of sanctions beyond exclusion from the University, a training program or termination from employment may follow a violation of this policy.

1. Student Sanctions

Violations of student policies on alcohol and drug related misconduct may include but are not limited to the following consequences:

- a. disciplinary probation;
- b. withholding of grades, official transcript, and/or degree;
- c. bar against readmission;
- d. suspension from the institution for a specific period of time;
- e. expulsion (permanent separation from the institution); and
- f. revocation of degree and withdrawal of diploma.

2. Employee (faculty, staff and trainees) Sanctions

Employees must self-report **any** criminal complaints, information, indictment, no contest plea and criminal convictions, excluding misdemeanor offenses punishable only by a fine, such as a traffic ticket, that occur outside of the workplace or in the course and scope of their employment. Self-reports are to be made to the Office of Human Resources through [My Service Center](#) within five (5) days of the legal action. The [Self-Reporting through My Service Center Job Aid](#) provides instruction on how to confidentially self-report through My Service Center.

- a. The unauthorized purchase, manufacture, distribution, possession, sale, storage or use of alcohol, illegal drugs or controlled substances while on duty, while in or on premises or property owned or controlled by the UT Health San Antonio is prohibited by university policy and will result in a penalty of disciplinary probation, demotion, suspension without pay, or termination depending upon the circumstances.
- b. Notify the contracting agency within ten (10) days after notice of an employee conviction when that employee is engaged in the performance of such contract and taking appropriate action within thirty (30) days of the notice of employee conviction.
- c. An employee who unlawfully manufactures, sells, distributes, possesses or uses a controlled substance in or on premises or property owned or controlled

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by the university, regardless of whether such activity results in the imposition of a penalty under a criminal statute, will be subject to appropriate disciplinary action, including termination, or will be required to participate satisfactorily in an approved drug assistance or rehabilitation program or both.

3. Resident Sanctions

Violations of Graduate Medical Education (GME) policies addressing alcohol and drug related impairment, or misconduct may include, but are not limited to the following consequences:

- a. suspension from clinical duties;
- b. a leave of absence; and
- c. dismissal from program.

E. Description of Health Risks

The following information on health risks appears in *What Works: Schools Without Drugs*, U.S. Department of Education (1992).

1. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.
2. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.
3. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

F. Description of Treatment Options

A variety of counseling services and treatment centers are available for anyone experiencing problems related to substance abuse. Although most counseling and treatment centers charge for their services, some programs are free of charge.

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Employees, students and residents who use illegal drugs or abuse controlled substances or alcohol are encouraged to seek help from available resources.

1. Students should contact the [Student Counseling Clinic \(SCC\)](#) for current referral information.
2. Employees may contact the Employee Assistance Program (EAP) at (800) 346-3549 for current referral information. Physicians, physician assistants and others licensed by the Texas Medical Board (TMB) can contact the [Texas Physician Health Program \(TXPHP\)](#) for confidential assistance.
3. Residents should contact the Office for Graduate Medical Education (GME) [Wellness Team](#) and the [Texas Physician Health Program \(TXPHP\)](#) for confidential assistance.

G. Annual Notice

The [Drug-Free Workplace Notice](#) will be provided to all faculty, staff, trainees and residents on an annual basis by the Institutional Compliance and Privacy Office. The Vice President for Academic, Faculty, and Student Affairs will also provide the annual Drug-Free Workplace Notice to all students on an annual basis.

H. Biennial Review

The Office of Human Resources will coordinate the required biennial review of the program's effectiveness and the consistency of the enforcement of sanctions for employees. The Vice President for Academic, Faculty and Student Affairs will coordinate the required biennial review of the program's effectiveness and the consistency of the enforcement of sanctions for students and faculty. The reviews will be completed jointly and on file by December 31 of even numbered calendar years.

IV. Definitions

When used in this document, the following words have the meaning set forth below unless a different meaning is required by context.

Controlled substance – a substance so defined by federal or state statute or regulation.

Resident – an individual enrolled in a University of Texas Health Science Center at San Antonio graduate medical education training program and may include Fellows and Interns. See HOP [4.3.11 Academic Clinical Training Positions](#) for additional detail.

V. Related References

UT System (UTS) Regents' Rules & Regulations

[Rule 30103: Standards of Conduct](#)

[Rule 50101: Student Conduct and Discipline](#)

[Rule 80102: Alcoholic Beverages](#)

VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

Effective Date	Action Taken	Approved By	Date Approved
06/2000	Policy Origination		
11/2016	Policy Revision		
10/2018	Policy Revision		
11/2019	Policy Revision		
02/2022	Policy Revision		