

7.2.1 Alcohol and Other Drug Statement and Policy

Under the Drug-Free Schools and Communities Act Amendments of 1989, all Huston-Tillotson University (HT) employees and students are informed that strictly enforced policies are in place which prohibit the possession, use, or distribution of any illicit drugs, including alcohol on HT property or as a part of any HT sponsored activity except as noted below. Students and employees are also subject to all applicable legal sanctions under local, state, or federal law for any offenses involving illicit drugs on HT property or at HT sponsored activities/events. This information is located on the Counseling and Consultation Center, Health Services, and Title IX websites as well as in the Student Handbook.

Consistent with its commitment to wellness, the University upholds all federal, state, and local laws and regulations that regulate or prohibit the possession, use, and/or distribution of alcoholic beverages. Consistent with HT's religious affiliation with the United Church of Christ and The United Methodist Church, HT supports abstinence from alcoholic beverage use. HT recognizes in the event that members of the University community consider alcoholic beverage use, HT insists upon lawful use, responsibility, prudence, and moderation.

Huston-Tillotson University affirms that illegal drug use is unlawful and harmful. Accordingly, all members of the HT community—including faculty, staff, students, and campus visitors—are required to comply with the following policy regarding alcohol and other drugs. Free, confidential counseling for alcohol and other drug abuse is available to students and employees through the HT Counseling and Consultation Services office, Health Services and the employee assistance program. Other resources may include assessment, individual counseling, educational programs, materials, and referral and case management through community agencies, all of which might include a fee.

Students exhibiting signs of excessive alcohol consumption will be transported via Emergency Medical Services (EMS) at possible student's expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest by local police/campus safety officers in order to ensure the student's health and safety and/or a conduct complaint for disorderly conduct and/or failure to comply.

It is HT policy to notify parents or guardians of students under the age of 21 when the student has been found responsible to be involved in any **second or serious** alcohol or other drug related violation of the *Student Handbook, Vol. VII 7.2.24*, federal, state, or local laws.

University Standards:

The following sections describe Huston-Tillotson University's policy regarding the sale, service, distribution, and consumption of alcoholic beverages or illegal drugs on University property or at college/university-sponsored events in accordance with federal, state, and local laws.

I.

- a. Alcohol: Use, possession, or sale of alcohol and illicit drugs is prohibited on campus, including the residence halls. In the case of certain University sponsored events (e.g., MASKED Ball Gala, receptions), service and/or consumption of alcoholic beverages is to be complimentary to an event, and

- under no circumstances should an event have the consumption of alcohol as its primary focus. Food and non-alcoholic alternative beverages must be provided.
- b. Illegal Drug: possessing, distributing or selling illegal drugs as defined by state and federal laws is against University policy. Students who choose to violate the illegal drug policy will be subject to disciplinary actions. Sanctions may include removal from on-campus living and/or suspension or expulsion from the University. The following situations are violations of the illegal drug policy:
 - i. Possession, use, or distribution of illegal drugs;
 - ii. Possession of illegal drug paraphernalia; or
 - iii. Being present when an illegal drug violation occurs.
 - c. Texas State Law: part of the HT Alcohol Policy includes the strict adherence of alcoholic beverage laws. These laws are enforced by the departments of Campus Safety and Residence Life. These laws include:
 - i. Driving while Intoxicated;
 - ii. Possession of Alcohol by a Minor;
 - iii. Possession of False Identification;
 - iv. Consumption of Alcohol By a Minor;
 - v. Purchase of or Furnishing Alcohol to a Minor;
 - vi. Driving Under Influence of Alcohol by a Minor;
 - vii. Public Intoxication;
 - viii. Possession of Controlled Substances (Drugs);
 - ix. Manufacture/Delivery of Controlled Substances (Drugs);
 - x. Possession of Marijuana; or
 - xi. Delivery of Marijuana.

HT Code of Conduct and Community Standards

Students in violation of the Alcohol and Other Drug Policy are subject to the HT Code of Conduct and Community Standards (Code) which is located in the Student Handbook 7.5.1. The following list includes, but is not limited to, conduct subject to disciplinary action:

- Distribution, possession, and student use of alcoholic beverages is prohibited on-campus, including residence hall rooms, irrespective of age;
- Providing alcoholic beverages to an individual under 21 years of age or to one who is noticeably intoxicated;
- Taking any action or creating any situation that endangers another's mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiating into or affiliating with any organization or group or the initiation of sexual misconduct;
- Appearing in a public place manifestly under the influence of alcohol or a controlled or other intoxicating substance, irrespective of age; and
- Unauthorized distribution, possession, or use of any controlled substance or distribution, possession, or use of any illegal drug.

Students "may be subject to this Code whether the misconduct occurs on University premises, at University sponsored events, or at any location off-campus when such conduct is brought to the attention of the University including, but not limited to, sexual misconduct, hazing, stalking, or physical violence." Finally, the Code states:

Students may be accountable to both civil authorities and to the University for acts that constitute violations of the law and this Code. Those accused of violations of this Code are subject to the University disciplinary proceedings outlined in this Code while criminal, civil, or other University proceedings regarding the same conduct are pending. The University will refer matters to federal, state, and local authorities when appropriate.

In addition, HT has a parental/guardian notification policy when students under the age of 21 have been found responsible to be involved in any second or serious alcohol or other drug related violation of the Code, federal, state, or local laws. The Parental Notification Policy may be found in the Student Handbook 7.2.24

University and State of Texas Penalties

II. Statement of University Sanctions

- a. Alcohol: A student who engages in misconduct is subject to one or more of the following sanctions:
 - i. Verbal or written reprimand outlining behavior and associated concern;
 - ii. Restitution, which may take the form of monetary compensation or of appropriate on-campus community service to repair or otherwise compensate for damage;
 - iii. Fines, to pay for additional services;
 - iv. Disciplinary probation. A specified period of time and review of behavior, including terms appropriate to the violation, during which the student must demonstrate compliance with the University regulations and the terms of the probationary period;
 - v. Suspension from the University. During the period of suspension, the student is prohibited from entering the University campus or facilities under control or jurisdiction of the University without prior written approval from the Dean of Student Affairs or his/her designee;
 - vi. Expulsion from the University. A student cannot earn or accumulate HT credit if the suspension or expulsion occurs during the semester. No credit will be awarded to that semester and incomplete grades will not be allowed;
 - vii. Educational sanctions include, but are not limited to, counseling, attending an educational program or class, creating an educational poster, writing a reflective essay, or hosting a residence hall program;
 - viii. Community service related to the violation and the student's behavior; or
 - ix. Loss of Privileges:
 1. Prohibited for a specified amount of time from attending certain University functions or activities;
 2. Restricted from entering certain University buildings and using University facilities;
 3. Ineligible to hold an elected or leadership position on campus;
 4. Prohibited from operating a motor vehicle on campus (must be approved by the Director of Campus Safety);
 5. Loss of on-campus employment;
 6. Loss of housing eligibility for a specific amount of time;
 7. Loss of housing eligibility for remainder of enrollment; or.

8. No-contact agreement: Limits contact between student and another student, faculty, or staff member. At the request of a student, and after investigation by the Dean of Student Affairs or his/her designee, a no-contact agreement may be enforced between the above parties. These agreements are for a designated period of time. No contact means that while the accused and/or the complainant are on University property, or at any activity or event associated with the University, the accused may not attempt to communicate with the complainant. Communication includes talking with, attempting to talk with, touching, staring at, writing to, attempting telephone or electronic contact (e.g., email, fax, texting, or social site posting), third person, and/or any other form of contact of any kind.

As stated in Section 7.5.2.8.25 of the Student Code of Conduct, “failure to comply with the reasonable directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so” is considered unacceptable behavior for a University student. An example of such behavior includes refusing to submit to a breath test when requested by a police officer, whether on or off-campus, which is considered a violation of the University Code of Student Conduct and may result in conduct sanctions.

- b. Illicit Drugs: A student who engages in misconduct is subject to one or more of the following sanctions:
 - i. Restitution, which may take the form of monetary compensation or of appropriate community service to repair or otherwise compensate for damage;
 - ii. Fines, to pay for additional services;
 - iii. University probation. A specified period of time and review of behavior, including terms appropriate to the violation, during which the student must demonstrate compliance with the University regulations and the terms of the probationary period;
 - iv. Removal from the residence halls for a designated period of time, which may include through the remainder of enrollment. During the period of removal, the student is prohibited from entering or loitering around the residence halls;
 - v. Suspension from the University. During the period of suspension, the student is prohibited from entering the University campus or facilities under control or jurisdiction of the University without prior written approval from the Dean of Student Affairs or his/her designee;
 - vi. Expulsion from the University. Student cannot earn or accumulate HT credit. If the suspension or expulsion occurs during the semester, no credit will be awarded to that semester and incomplete grades will not be allowed. During the period of expulsion, the student is prohibited from entering the University campus or facilities under control or jurisdiction of the University without prior written approval from the Dean of Student Affairs or his/her designee;

- vii. Educational sanctions – examples include but are not limited to: attending an educational program or class, creating an educational poster, writing a reflective essay, or hosting a residence hall program;
- viii. Community service; or
- ix. Loss of Privileges:
 1. Prohibited for a specified amount of time from attending certain University functions or activities;
 2. Restricted from entering certain University buildings and using university facilities;
 3. Ineligible to hold an elected position on campus;
 4. Prohibited from operating a motor vehicle on campus. (must be approved by the Director of Campus Safety);
 5. Loss of on-campus employment;
 6. Loss of housing eligibility for a specific amount of time. (see item iv);
 7. Loss of housing eligibility for remainder of enrollment. (see item iv); or
 8. No-contact agreement: Limits contact between student and another student, faculty, or staff member. At the request of a student, and after investigation by the Dean of Student Affairs or his/her designee, a no-contact agreement may be enforced between the above parties. These agreements are for a designated period of time. No contact means that while the accused and/or the complaint are on University property, or at any activity or event associated with the University, the accused may not attempt to communicate with the complainant. Communication includes talking with, attempting to talk with, touching, staring at, writing to, attempting telephone or electronic contact (e.g., email, fax, and pager), third person, and/or any other form of contact of any kind.

Safe

Harbor

Huston-Tillotson University has a Safe Harbor policy for students. The University believes that students who have a drug and/or addiction problem deserve help. If any University student brings his/her own use, addiction or dependency to the attention of HT officials outside the threat of drug tests or imposition of the conduct process and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and the campus conduct process will be initiated.

- III. Texas State Law Summary of Penalties (penalties are based on language contained in applicable Texas statutes and are subject to change at any time by the Legislature and the Governor.):
 - i. Alcohol:
 1. Underage: It is illegal for someone under the age of 21 to possess, purchase, attempt to purchase, or consume alcohol:
 - a. First offense: Alcohol awareness course, community service, a 30-180 day suspension of driver's license, and up to a \$500 fine;

- b. Repeat offenses: Automatic suspension of driver's license, up to a \$2,000 fine, and 180 days in jail. All penalties are assigned at the discretion of the judge; or
 - c. Parental Involvement: A parent must appear in court for any alcohol charges filed against a minor under 21 years of age;
 - 2. Driving while intoxicated (DWI): If under 21, it is illegal to drive with any detectable Blood Alcohol Concentration (BAC):
 - a. A first offense results in up to a \$500 fine, 40 community service hours, alcohol awareness course, and 60-day suspension of driver's license. All penalties are assigned at the discretion of the judge;
 - 3. False identification: Similar to a DWI, a student can receive up to six months in jail, up to a \$2,000 fine, community service hours, and up to six months in jail suspension of driver's license;
 - 4. Providing alcohol to a minor: \$4,000 fine and/or one year in jail and automatic 180 day driver's license suspension; or
 - 5. Legal intoxication and Driving: A BAC of .08 is the legal limit; however, students may be cited for impaired driving due to alcohol regardless of BAC:
 - a. Refusal to take a blood or breath test to measure BAC can result in a 180-day driver's license suspension;
 - b. A first offense results in up to a \$2,000 fine, 180 days in jail and driver's license suspension up to one year; or
 - c. Repeat offenses may result in up to a \$10,000 fine, 10 years in penitentiary and 2 years driver's license suspension;
- ii. **Illegal Drugs**
 - 1. Possession of Controlled Substances (Drugs):
 - a. Minimum: A fine not to exceed \$10,000 and confinement in jail for a term of not more than two years or less than 180 days; or
 - b. Maximum: A fine not to exceed \$250,000 and imprisonment for life or for a term of not more than 99 years nor less than fifteen years;
 - 2. Manufacture/Delivery of Controlled Substances (Drugs):
 - a. Minimum: A fine not to exceed \$10,000 and confinement in jail for a term of not more than two years or less than 180 days; or
 - b. Maximum: A fine not to exceed \$250,000 and imprisonment for life or for a term of not more than 99 years nor less than fifteen years;
 - 3. Possession of Marijuana:
 - a. Minimum: A fine not to exceed \$2,000 and/or confinement in jail for a term of not more than 180 days; or
 - b. Maximum: A fine not to exceed \$50,000 and imprisonment for life or for a term of not more than 99 years nor less than five years;
 - 4. Delivery of Marijuana:
 - a. Minimum: A fine not to exceed \$2,000 and/or confinement in jail for a term of not more than 180 days; or

- b. Maximum: A fine not to exceed \$100,000 and imprisonment for life or for a term of not more than 99 years nor less than ten years.

Alcohol and Other Drug Education and Services

IV. Education – Alcohol and Illegal Drugs

- a. Alcohol and Health: In the U.S., approximately 5 to 10% of the population develops alcohol dependence, a brain disease that can lead to death. Although some drinkers, such as those with a genetic predisposition, are at greater risk for alcohol dependence than others, no one is exempt from the potential to develop an alcohol use disorder. Therefore, HT encourages all students to periodically seek a brief alcohol assessment via a confidential Internet resource. A brief alcohol assessment is available on the HT Counseling and Consultation website. Students will be able to determine how alcohol may be impacting their lives by distinguishing among alcohol use, misuse, abuse, and dependency:
 - i. Safe Alcohol Use: When a person is using alcohol, he or she drinks in moderation, ensures that the focus of the evening is something other than the alcohol itself, and does not drink with the sole purpose of getting intoxicated. Moreover, a person who is using alcohol works to maintain a safe Blood Alcohol Concentration (BAC <.06) and experiences no substance related harm;
 - ii. Alcohol Misuse: The consumption of alcohol in a manner that contributes to harm of the individual, others in their lives, or the wider community is considered alcohol misuse. However, a person may avoid many of the hazards associated with high-risk alcohol use;
 - iii. Alcohol Abuse: Within a 12-month period, alcohol abuse refers to a pattern of drinking that results in one or more of the following circumstances including failure to fulfill major responsibilities, drinking in situations that are physically dangerous, having recurring alcohol-related legal problems, or continued drinking despite having ongoing relationship problems that are caused or worsened by the drinking; or
 - iv. Alcohol Dependency: An individual becomes physically dependent on a substance for which he or she experiences cravings and a compulsion to use it. If he or she does not use the substance, he or she will experience withdrawal. People who are dependent on alcohol are pre-occupied with the use of the substance, and its use becomes a daily/weekly priority. Students who are alcohol dependent often schedule only late classes, lose the ability to predict how much they are going to drink in a given evening (lack of self-control), experience frequent blackouts, sneak drinks in order to hide how much they actually consume from close friends and family, drink before going out (pre-game), and develop/maintain a high tolerance. In addition, any efforts employed to cut down on drinking are unsuccessful. Although many dependent students feel as though their drinking problems will cease with graduation from college, such individuals are often sadly mistaken. Dependency is a serious medical problem that requires time, diligence, and support to overcome;
- b. Moderation vs. Heavy Drinking: Most students who choose to drink should do so in moderation because risks to the health and safety of self and others increase as Blood Alcohol Concentration (BAC) increases. Additionally, heavy drinking

causes multiple physical problems, especially in the brain and digestive system, because alcohol is toxic to the body. Both periodic and chronic heavy drinking is associated with academic, social, and health problems;

- i. Academic problems include class absenteeism, poor performance on major projects and exams as well as inattentiveness;
 - ii. Social problems include unhealthy relationships, sexual victimization, isolation, arguments, and fights; or
 - iii. Health problems include accidental injury and the consequences of unprotected and other forms of high-risk sex behavior;
- c. Tolerance: Contrary to popular notions, tolerance actually impairs an individual's ability to enjoy the positive, low dosage effects of alcohol. Tolerance can be artificially manipulated by periodic or chronic drinking, which involves the consumption of increasing amounts of alcohol to receive the same effects. With increased tolerance, the euphoria experienced is lowered and an individual will show fewer signs of intoxication. Consequently, a person with high tolerance will be impaired without showing the typical signs of intoxication. Generally, if drinking stops, the person's body will revert to the tolerance level in existence when alcohol was consumed for the first time;
- d. Point of Diminishing Returns: Levels below the "point of diminishing return" reflect low dosages of alcohol (BAC <.06) that produce positive feelings through reduced inhibition, relaxation, slowed thinking, and a mild stimulating "buzz" or euphoria. Alcohol is a depressant to the central nervous system, which causes the feeling of euphoria that most people expect from appropriate use;
- e. Beyond the Point of Diminishing Returns: The negative depressant effects of alcohol intensify as BAC rises above .06 producing fatigue, impairment of coordination, increase in reaction time, diminished sensory perception, impaired judgment while simultaneously erasing the positive, low-dosage effects. Intoxication is involved in a majority of violent student behaviors, including acquaintance rape, vandalism, and fights as well as a majority of vehicular accidents;
- f. Legally Intoxicated: In Texas and most other states, a BAC of .08 or above is considered legally intoxicated;
- g. Alcohol Blackout: If a student's BAC rises above .15, he or she can pass out and/or experience a memory loss (blackout) the next day. While passed out, a drinker can die from choking on his or her vomit. Breathing will slow as the central nervous system becomes increasingly sedated. Another common experience is called "brownout," which is a state when the person has consumed enough alcohol to pass the stage of being intoxicated, yet remembers everything. However, he/she is so intoxicated that he/she cannot control his/her behavior;
- h. Alcohol Poisoning: If BAC rises above .30, the drinker is at serious risk of alcohol poisoning from respiratory failure. An intoxicated person is also at risk for death if the following occurs:
- i. Cannot be awakened and/or passes out;
 - ii. Cold, clammy, bluish or unusually pale skin;
 - iii. Breathes slowly (less than 8 times per minute) or irregularly (more than 10 seconds between breaths); or
 - iv. Vomits while asleep/passed out and does not awaken;
- i. Illegal Drug Use: Marijuana, hashish, non-medical prescription, cocaine, hallucinogenic (i.e., ecstasy, LSD, mushrooms) and inhalant (i.e., aerosols, gasoline, paint) drugs, and heroin rank as the most popular illegal drugs in America. Oftentimes, there are no warning labels or little consideration is given

to the hazards of illegal drugs. Nonetheless, illegal drug use is a major public health concern impacting quality of life, resulting in absenteeism, poor academic performance, and suspension. A variety of symptoms include euphoria, increased pulse rate and blood pressure, visual hallucinations, illusions, drowsiness, respiratory depression, slow reaction time, impaired judgment, and death among several others. The University encourages all students to periodically seek an assessment via the Counseling and Consultation Center:

- i. Drug abuse is the use of illicit drugs or the abuse of prescription or over-the-counter drugs for purposes other than those for which they are indicated or in a manner or in quantities other than directed; or
 - ii. Drug abuse and dependence: Drug dependence is compulsive use of a substance despite negative consequences which can be severe; drug abuse is simply excessive use of a drug or use of a drug for purposes for which it was not medically intended. Physical dependence is not necessary to define addiction. Some substances cause addiction and do cause dependence and some substances cause addiction but may not cause dependence;
- j. Prescription Drug Misuse: Addiction rarely occurs among those who use medicine as prescribed. However, abuse of, and addiction to, prescription drugs and pain medications are public health problems for many Americans. The risk for addiction exists when drugs are used in ways other than as prescribed:
- i. Attention Deficit/Hyperactivity (ADHD) Medications: The current ADHD medications are Dexedrine, Adderall, Ritalin, Concerta and Strattera. Researchers have concluded that ADHD medications metabolize too slowly to be habit-forming. In spite of this, non-medical use of ADHD medications as “gateway drugs” can turn into use of legal or street drugs. The small percentages of students who are likely to abuse or to sell prescribed stimulants also tend to have other substance use or conduct disorders. Moreover, research findings suggest an alarming level of non-medical use of ADHD medication has led to life-threatening consequences such as heart attack or stroke;
 - ii. Opiate withdrawal: A class of drugs called opiates includes morphine, codeine, Oxycontin, and others. Withdrawal is caused by stopping or greatly reducing use of an opiate after heavy and prolonged use. When these drugs are stopped, the body needs time to recover and withdrawal symptoms result. Withdrawal from opiates can occur when use is discontinued; or
 - iii. Opioid intoxication: Opium and its derivatives, which include morphine, oxycodone, and the synthetic opioid narcotics, can generate an abnormal mental state. Intoxication is generally characterized by excessive sleepiness or unconsciousness depending on the degree of intoxication, which is usually associated with respiratory depression and small pupils;
- k. In Case of Emergency: As a member of the University community, anyone who recognizes that a student is in danger should call Campus Safety at 512.505.3010 to request assistance (if on-campus) or 911 (if off-campus). If the call is placed from an on-campus extension, students should call x3010. Campus Safety Officers can direct Emergency Medical Service (EMS) to the proper location as quickly as possible.

V. University Services

- a. Counseling and Consultation Center: Counseling staff offer a variety of services and resources to students that include the following:
 - i. Confidential consultations with a counselor for those who desire an alcohol assessment or who are concerned about their own alcohol use or that of a friend or family member;
 - ii. Confidential counseling concerning alcohol use;
 - iii. Referrals to off-campus specialists, support groups, outpatient and inpatient services for the treatment of alcohol dependence; and
 - iv. Educational materials and programs for educational campaigns, classes and student groups;
- b. Campus Ministry: the University Chaplain provides pastoral care through an array of opportunities addressing alcohol and other drug problems and leading students to recovery support and healing;
- c. Residence Life: Staff members address residents' concerns and make appropriate referrals related to the negative effects of alcohol use, including interpersonal conflicts, vandalism, and health concerns;
- d. Student Health Services: Professionals treat injuries and illnesses associated with alcohol use and refer students who may have problems related to alcohol use to the Counseling and Consultation Center or an off-campus specialist for assessment and treatment, if needed;
- e. Campus Life and the First Year Experience: Staff members provide training during New Student Orientation and provide programming on related topics; and
- f. Alcohol and Other Drug Task Force (AOD Task Force): The Dean of Student Affairs coordinates and collaborates with members of the AOD to periodically review University policies, sanctions, educational initiatives, and treatment efforts related to alcohol and other drugs.

Amnesty:

1) For Victims

The University provides amnesty to victims who may be hesitant to report to University officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.

2) For Those Who Offer Assistance

To encourage students to offer help and assistance to others, the University pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Dean of Student Affairs, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

3) For Those Who Report Serious Violations

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

Abuse of amnesty requests can result in a decision by the Dean of Student Affairs not to extend amnesty to the same person repeatedly.