

## **Drug and Alcohol Abuse Prevention Program (DAAPP)**

2019 Report

Texas A&M University-San Antonio

The Drug Free Schools and Communities Regulations (34 CFR Part 86) of the Drug Free Schools and Communities Act (DFSCA) require all Institutions of Higher Education (IHE) such as Texas A&M University-San Antonio (A&M-SA) to certify that it has implemented programs to prevent the abuse of alcohol and use, and/or distribution of illicit drugs both by student and employees either on its premises and as part of any of its activities. At a minimum, an IHE must annually distribute the following in writing to all student and employees:

- I. Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
- II. A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- III. A description of the health risks associated with the use of illicit drugs and alcohol abuse;
- IV. A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; and
- V. A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct or law.

### **I. Standards of Conduct**

The Texas A&M University System (system) and each member is committed to a drug-free environment and protecting the safety, health and well-being of all employees and students.

Texas A&M University-San Antonio is an Alcohol and Other Drugs-Free Campus. This includes an alcohol, drug, smoke, tobacco, and vape free-campus. A&M-SA recognizes and supports present local, state, and federal laws, including the Drug Free Schools and Communities Campuses Regulations (DFSCR) and policies of the Board of Regents, with respect to the sale, use, distribution, and possession of alcoholic beverages and illegal drugs. In addition the Drug-Free Postsecondary Education Act of 1990 with respect to the manufacture, distribution, sale, possession, or use of marijuana, controlled substances, or dangerous drugs on college campuses and elsewhere.

#### **A. Employees**

Each Texas A&M System University employee, including student employees, must abide by [Texas A&M University System Regulation 34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#). Other applicable policies include: The Drug Free Workplace Act of 1988, the Drug-Free Schools and

Communities Act of 1989 and the Drug-Free Work Force Rules for Department of Defense (DOD) Contractors and the requirements of the Department of Transportation or other regulatory bodies and applicable state laws.

**B. Students**

Violations of the Student Code of Conduct are taken seriously. The University may impose disciplinary charges against any student who allegedly violated Texas A&M System Policies and Regulations, University Rules and Procedures and/or local, state and federal laws concerning controlled substances. Violations of any local, state or federal law pertaining to controlled substances that occur off campus and are not associated with a University- connected activity may result in disciplinary charges in situations in which the continued presence of the individual on campus is likely to interfere with the educational process and the orderly operation of the University. University disciplinary proceedings will be in accordance with procedures outlined in the [Student Code of Conduct](#).

**II. Legal Sanctions**

A&M-SA enforces all federal and state laws and local ordinances

**A. Federal**

<b>Offense</b>	<b>Minimum Punishment</b>	<b>Maximum Punishment</b>
Manufacture, distribution or dispensing of drugs (includes marijuana)	A term of imprisonment for up to 5 years, and a fine of \$250,000.	A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$8,000,000 (for an individual) or \$20,000,000 (if other than an individual).
Possession of drugs (including marijuana)	Imprisonment for up to 1 year, and a fine of not less than \$1,000.	Imprisonment for not more than 20 years nor less than 5 years and fine of not less than \$5,000 plus costs of investigation and prosecution.

**B. State**

<b>Offense</b>	<b>Minimum Punishment</b>	<b>Maximum Punishment</b>
Manufacture or delivery of controlled substance	Confinement in jail for not more than 2 years nor less than 180 days, and a fine not to exceed \$10,000.	Confinement in a state prison for life or for a term of not more than 99 years nor less than 15 years, and a fine not to exceed \$250,000.
Possession of controlled substances (drugs)	Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000, or both.	Confinement in a state prison for life or for a term of not more than 99 years nor less than 10 years, and a fine not to exceed \$250,000.
Delivery of Marijuana	Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000, or both.	Confinement in a state prison for life or for a term of not more than 99 years nor less than 10 years, and a fine not to exceed \$100,000.
Possession of Marijuana	Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000, or both.	Confinement in a state prison for life or for a term of not more than 99 years nor less than 5 years, and a fine not to exceed \$50,000.

Driving while intoxicated (includes intoxication from alcohol, drugs, or both)	Confinement in jail for a term of not more than 180 days nor less than 72 hours, and a fine of not more than \$2,000.	Confinement in a state prison for a term of not more than 10 years nor less than 2 years, and a fine of not more than \$10,000.
Public intoxication (Class C Misdemeanor)	Fine not to exceed \$500.	Section 49.02, Texas Penal Code, provides that the offense of public intoxication wherein a person appears in a public place while intoxicated to the degree that the person may endanger himself or another person is punishable as a Class C misdemeanor, unless the person is younger than 21 years old, wherein Sections 106.071 and 106.115, Texas Alcoholic Beverage Code apply and provide for a Class C misdemeanor punishment and attendance at an alcohol awareness program, and where the offender has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.
Purchase of alcohol by a minor	Fine to not exceed more than \$500.	Sections 106.02, 106.071, and 106.115, Texas Alcoholic Beverage Code, provide that the offense of the purchase of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and when the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.
Consumption of alcohol by a minor	Fine to not exceed more than \$500.	Sections 106.04, 106.071, and 106.115, Texas Alcoholic Beverage Code, provide that the offense of consumption of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.
Possession of alcohol by a minor	Fines to not exceed more than \$500.	Sections 106.05, 106.071, and 106.115, Texas Alcoholic Beverage Code, provide that the possession of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.
Sale of alcohol to a minor (Class A misdemeanor)	A fine not to exceed \$4000 or confinement in jail for a term not to exceed one year, or both.	For a subsequent offense, a fine of not less than \$500 nor more than \$1,000 or confinement in jail for not more than 1 year, or both.

### III. Health Risks

There are many types of drugs that trigger harmful effects. According to The National Institute on Drug Abuse and National Institute on Alcohol Abuse and Alcoholism, the following risks are associated with drug and alcohol abuse.<sup>1</sup>

<b><u>SUBSTANCE</u></b>	<b><u>POSSIBLE HEALTH EFFECTS</u></b>
<b>Alcohol</b>	Liver inflammation, mood changes and behavior, problems with thinking and coordination, stroke, high blood pressure, inflammation of the pancreas, and increased cancer risk, bleeding in intestinal tract
<b>Cannabis</b> Marijuana, Hashish, Synthetic Marijuana	Enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; anxiety
<b>Stimulants</b> Cocaine, Methamphetamine (MDMA Molly, Ecstasy, X, XTC), Nicotine, Amphetamines (Adderall)	Anxiety, confusion, insomnia, mood problems, violent behavior, paranoia, hallucinations, delusions, weight loss
<b>Depressants</b> Benzodiazepine (Valiam, Xanax), Flunitrazepam (Roofies), GHB	Euphoria, drowsiness, nausea, vomiting, confusion, memory loss, unconsciousness, slowed heart rate and breathing, lower body temperature, seizures, coma, death.
<b>Hallucinogens</b> LSD, Psilocybin (Shrooms, Peyote, PCP)	Frightening flashbacks (called Hallucinogen Persisting Perception Disorder [HPPD]); ongoing visual disturbances, disorganized thinking, paranoia, and mood swings.
<b>Narcotics</b> Heroin, Morphine, Codeine, Opium, Hydrocodone, Salvia	Collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.
<b>Steroids</b>	Kidney damage or failure; liver damage; high blood pressure, enlarged heart, or changes in cholesterol leading to increased risk of stroke or heart attack, even in young people; aggression; extreme mood swings; anger ("roid rage"); extreme irritability; delusions; impaired judgment.
<b>Inhalants</b> Spray Paints, Markers, Glue, Cleaning Fluids, Gasoline	Liver and kidney damage; bone marrow damage; limb spasms due to nerve damage; brain damage from lack of oxygen that can cause problems with thinking, movement, vision, and hearing.

<sup>1</sup> Points on substance abuse long term effects obtained from The National Institute on Drug Abuse Commonly Abused Drug Charts found online at: <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts> and the

National Institute on Alcohol Abuse and Alcoholism found online at: <https://www.niaaa.nih.gov/alcohol-health/alcohols-effects-body> (websites last visited 4/10/19).

## **IV. Drug and Alcohol Programs**

The following training, programs, resources, counseling, treatment, rehabilitation or reentry programs are available to employees and/or students as described below.

### **A. Employees**

Texas A&M University-San Antonio annually notifies employees of [\*Texas A&M University System Regulation 34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs\*](#). Additionally, Texas A&M University-San Antonio provides employees with [\*Rule 34.02.01.01, Substance Abuse Prevention\*](#).

The University offers an Employee Assistance Program (EAP) contracted through Deer Oaks EAP Services. Deer Oaks EAP Services can be reached via the web [www.deeroaks.com](http://www.deeroaks.com), email [eap@deeroaks.com](mailto:eap@deeroaks.com) or telephone (866) 327-2400. Substance abuse treatment may be covered by medical plans offered by Texas A&M University-San Antonio.

A&M-SA offers leave covered under the Family and Medical Leave Act (FMLA). Employees are encouraged to meet with the Office of Human Resources regarding FMLA requests. Medical information including the reason for the medical leave remains confidential.

### **B. Students**

Texas A&M University-San Antonio's Drug-Free Campus Rule is stated within the [\*Student Handbook\*](#) (Section 15) and The Student Code of Conduct (Section 13). This includes on-campus housing. Alcohol is not allowed on University property or at University sponsored events, unless approved by The Office of the President. The Alcohol and Other Drug Prevention Committee upholds the mission of the university to enrich in the social development of students through alternative programming by educating on safe behaviors of alcohol as well as potential dangers of other drug use. The Committee is made up of various offices on campus to include The Dean of Students, University Police Department, Student Counseling and Wellness Services, Student Conduct, Recreational Sports, University Housing, student representatives, and other stakeholders on campus.

Everfi AlcoholEDU, an online alcohol education course, is a mandated course for all incoming students under the age of 21. This course is also open to all students for education on alcohol use and abuse. Also, a Sexual Assault Prevention Course is offered to assist in education of sexual assault prevention.

All new students are presented with general information during their face-to-face or online Orientation about the Alcohol and Drug-Free Campus. All

university-sponsored activities are alcohol and drug free unless approved by the University President, and provide opportunities for participants to enjoy a healthy entertainment and educational activities. Students traveling for any extra-curricular or university-sponsored event must sign a Student Travel Waiver indicating that they have read, understand, and will abide by all University rules.

Through the A&M-SA Office of Student Counseling and Wellness Services, students have free access to licensed mental health providers on campus for initial screening/consultation in regards to a concern around substance use, with possible referral to outside agencies. Upon request, a Behavioral Health Provider list with options for addiction treatment is available, along with various informational brochures. Also, various screening tools and information are available on the Counseling webpage. Please visit the Office of Student Counseling and Wellness at the following link: <http://www.tamusa.edu/studentcounseling>

### C. Resources

#### A. Residential treatment

San Antonio Recovery Center	(866) 514-0275
Center for Healthcare Services	(800) 316-9241
Soba Texas	(866) 948-9014
Lifetime Recovery	(210) 734-6362, Press 1
Alpha Home (Women)	(210) 785-3011
La Hacienda Treatment Center (Hunt, Texas)	(800) 749-6160
Origins Recovery Center (South Padre, Texas)	(844) 211-6304
Starlite Recovery Center (Center Point, Texas)	(866) 863-1164

#### B. Intensive Outpatient

Creekview Counseling	(210) 280-0262
Right Step- Alamo City Treatment Services	(844) 768-7043
Rise Recovery- Palmer Drug Abuse Program (free) youth/adult	(210) 227-2634

### C. Detox

Center for Healthcare Services	(210) 246-1300
The Nix Specialty Health Care	(877) 231-4299
Methodist Specialty and Transplant Hospital (Alcohol and benzodiazepine only)	(210) 575- 8110

## V. Disciplinary Sanctions

A&M-SA will impose sanctions on employees and students for violation of A&M-SA's policies and standards of conduct (consistent with federal, state and local laws) up to and including reprimands, expulsion, termination, and referral for prosecution. Possible sanctions are described in more detail below.

### A. Employees

If a supervisor reasonably suspects that use of a controlled substance or alcohol has resulted in absenteeism, tardiness or impairment of work performance or is the cause of workplace accidents, the supervisor shall immediately notify the appropriate department head or designated administrator. Upon direction from the department head or designated administrator, the supervisor or designated administrator shall discuss with the employee the suspected alcohol or drug-related problem(s). The employee shall be advised of available alcohol and drug counseling, rehabilitation or employee assistance programs, and the terms of any applicable disciplinary sanctions. The employee may be required to participate in an assistance program and be subject to discipline (up to and including termination of employment) if he or she rejects participation in the program. All meetings between the employee and the supervisor or designated administrator to address the suspected alcohol or drug-related problem and/or its resolution shall be documented in a memorandum to the record and filed in the employee's personnel file.

If discussion and/or participation in available alcohol or drug counseling, rehabilitation or the employee assistance program fails to resolve the suspected alcohol or drug-related problem(s) or if the employee fails to meet the terms of any applicable disciplinary [34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs](#) sanctions, the employee may be subject to disciplinary action up to and including termination. Any disciplinary action will be governed by system policies on discipline and dismissal and academic freedom, responsibility and tenure. A record of the action will be placed in the employee's personnel file.

## **B. Students**

Disciplinary action in cases involving drug-related violations may result in sanctions varying from conduct review up to suspension, dismissal or expulsion from the University, or eviction from housing, depending on the nature and seriousness of the case. Participation in a substance abuse education may be required in addition to other sanctions. This includes, but is not limited to, Everfi AlcoholEdu online course and Sexual Assault Prevention Course. Any disciplinary action imposed by the University may precede and be in addition to any penalty imposed by an off-campus authority. Refer to Student Handbook.

## **VI. Annual Notification of the DAAPP and Biennial Report**

### **A. Employee Notification**

Notification of the information contained in the DAAPP is distributed to all current employees of the university on an annual basis via an all-staff email. New employees will receive notification during their orientation process. The DAAPP is also available for review online at [The Alcohol and Drug Prevention Webpage](#).

### **B. Student Notification**

Notification of the information contained in the DAAPP is distributed to all currently enrolled students each semester via Jaguar email. Students also receive notification during New Student Orientation of the Mandatory AlcoholEDU course, and receive an informational postcard with further information on the AlcoholEDU course, the DAAPP, and the Biennial Review. The DAAPP is also available for review online at [The Alcohol and Drug Prevention Webpage](#).

### **C. Annual Security and Fire Safety Report (ASFSR) Notification**

The Annual Security and Fire Safety Report (ASFSR) includes statistics for the previous three years concerning reported crimes that occurred on campus, including alcohol and other drug law violations and referrals. The report also includes institutional policies concerning campus security and personal safety including topics such as: crime prevention, A&M-SA PD law enforcement authority, crimes reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. Notification is sent out to the university community by October 1 of every year by email. Obtain a copy of this report by contacting the University Police Department at (210) 784-1900 or by accessing the following website: <http://www.tamusa.edu/uploadFile/folders/fcestrad/Pdf/Pdf-636459219108003240-10.100.150.124.pdf>



## **VII. Oversight Responsibility**

The Office of the Assistant Vice President of Student Engagement/Dean of Students and the Director of Human Resources shall serve as the main contacts that will have oversight responsibility of the DAAPP including, but not limited to: updates, coordination of information required in the DAAPP, and coordination of the annual notification to employees and students and the biennial review.

Assistant Vice President of Student Engagement, Dean of Students

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For further information on various resources and events, please visit the following link: <http://www.tamusa.edu/studentengagementsuccess/dean-of-students/alcohol-drug-prevention/index.html>. For more information or review of the Texas A&M University 2015-2017 Biennial Review of Drug and Alcohol Abuse Prevention Programs, please visit the following link: <http://www.tamusa.edu/uploadFile/folders/fcestrad/Pdf/Biennial-Review-DAAPP-2015-2017.pdf>