

Memo to: All UH-Downtown/PS Holders
From: William Flores, President
Subject: Drug and Alcohol Abuse Policy

UH-Downtown/PS 01.A.05
Issue No. 3
Effective date: 07/09/2015
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1. PURPOSE

This PS establishes the University of Houston-Downtown's guidelines for the enforcement of a drug and alcohol abuse policy.

2. DEFINITIONS

- 2.1 [Drug Free Workplace Act of 1988](#): A federal statute relating to drug abuse policies that requires all employers with federal contracts, regardless of dollar amount, to certify as a condition of receiving a federal contract, that the employer will provide and maintain a drug-free workplace. A recipient of a federal grant must certify that the employer will provide and maintain a drug-free workplace. This act also requires federal contractors and grantees to publish and distribute a policy statement stating the prohibitions against the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace. An ongoing drug-free awareness program must be established warning employees of the dangers of drug abuse.
- 2.2 [Drug Free Schools and Communities Act of 1989](#): A federal statute that requires institutions of higher education, as a condition of receiving funds or any other form of financial assistance under any federal program, to 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.
- 2.3 Employee: An individual receiving a salary, wages, other compensation, and/or stipend support from the University.
- 2.4 Employee Assistance Program (EAP): A service, plan, or set of benefits provided by an employer that includes counseling for personal or family problems, including mental health, substance abuse, gambling addiction, marital problems, parenting problems, emotional problems, or financial pressures, and may also provide legal and financial planning.
- 2.5 Illicit drug use: The use of an illegal drug substance or abuse of other drugs and alcohol.
- 2.6 Student: a person who; (a) is currently enrolled at the University; (b) is accepted for admission or readmission to the University; (c) has been enrolled at the University in a prior semester or summer term and is eligible to continue enrollment in the semester or summer term that immediately follows; (d) is attending an additional program sponsored by the University while that person is on campus; or (e) has engaged in prohibited conduct at a time when he/she met the criteria of (a), (b), (c), or (d).

- 2.7 Student Assistance Program (SAP): A service, plan or set of benefits provided by a university or school that includes counseling for personal or family problems, including mental health, substance abuse, gambling addiction, marital problems, parenting problems, emotional problems, or financial pressures, and may also provide legal and financial planning.
- 2.8 University activities: Activities officially sponsored by the University of Houston-Downtown.
- 2.9 Workplace: The physical boundaries of and facilities owned or controlled by the University of Houston-Downtown.

3. POLICY

- 3.1 The unlawful use, manufacture, sale, distribution, dispensation, or possession of any illicit drug, including alcohol, in the workplace, on campus, or as part of any campus activities is strictly prohibited. [PS 01.A.14, Use of Alcoholic Beverages](#), outlines the regulations for the service, consumption and distribution of alcoholic beverages on campus.
- 3.2 Any employee engaged in the unlawful possession, use, or distribution of illicit drugs or alcohol on campus or at campus-sponsored events held off-campus will be subject to disciplinary action up to and including termination, depending on the severity of the infraction as outlined in [PS 02.B.03, Discipline and Dismissal of Regular Staff Employees Policy](#), and may be referred to a drug and alcohol rehabilitation program, if deemed necessary. Employees referred for assistance must satisfactorily participate in a drug and alcohol abuse rehabilitation program, as agreed upon between the employee, The Office of Human Resources (HR), and the Employee Assistance Program (EAP) staff.
- 3.3 Any student having violated [PS 04.A.01, Student Rights and Responsibilities Policy](#), regarding the unlawful possession, use or distribution of illicit drugs and alcohol on campus or at campus-sponsored events held off-campus will be subject to disciplinary action and referral to a drug and alcohol rehabilitation program, if deemed necessary. The Dean of Students or designee will enforce the disciplinary measures, as outlined in PS 04.A.01. Students referred for assistance must satisfactorily participate in a drug and alcohol abuse program, as agreed upon between the student, Dean of Students or designee, and the Student Assistance Program (SAP) staff.
- 3.4 An employee working on a federal contract or grant must notify his/her supervisor and HR, within five (5) calendar days, if he or she is convicted of any criminal drug violation in the workplace.

- 3.5 The University will notify the appropriate contracting or granting agency within ten (10) days after receiving notice that a covered employee has been convicted of a criminal drug violation in the workplace.

4. PROCEDURES

- 4.1 Each student will receive a copy of PS 01.A.05, Drug and Alcohol Abuse Policy and the Drug and Alcohol Abuse Prevention Statement through the distribution of the Student Handbook, orientation, the UHD website, and/or information kiosks located on campus. The policy will be distributed by email to all students on an annual basis.
- 4.2 All new employees will be issued a copy of PS 01.A.05, Drug and Alcohol Abuse Policy, and the Drug and Alcohol Abuse Prevention Statement upon employment with the University.
- 4.3 PS 01.A.05, Drug and Alcohol Abuse Policy and the Drug and Alcohol Abuse Prevention Statement will be distributed by email to all employees on an annual basis.
- 4.4 The [Staff Handbook](#) will include information on the Drug and Alcohol Abuse Policy, and is available on the UHD website. All staff are required to sign a Statement of Acknowledgement acknowledging that they have read and understood the Staff Handbook.
- 4.5 This policy will be disseminated to faculty, staff and students when significant changes in the policy occur.
- 4.6 The University will provide information to faculty, staff and students about prevention, counseling and treatment of drug and alcohol problems through seminars and newsletters.
- 4.7 A biennial review and report of the Drug and Alcohol Abuse Policy and the Drug and Alcohol Prevention Statement will be conducted to assess the effectiveness of the policy and the prevention statement.

5. EXHIBITS

There are no exhibits associated with this policy.

6. REVIEW PROCESS

Responsible Party (Reviewer): Vice President for Human Resources and Associate Vice President for Student Affairs.

Review: Every two years on or before May 1st.

Signed original on file in The Office of Human Resources.

7. POLICY HISTORY

Issue #1: 04/08/94

Issue #2: 02/02/10

8. REFERENCES

[Drug Free Workplace Act of 1988](#)

[Drug Free Schools and Communities Act of 1989](#)

[PS 01.A.14, Use of Alcoholic Beverages](#)

[PS 02.B.03, Discipline and Dismissal of Regular Staff Employees Policy](#)

[PS 04.A.01, Student Rights and Responsibilities Policy](#)

