

TEXAS STATE TECHNICAL COLLEGE  
**STATEWIDE OPERATING STANDARD**

<b>No. ES 3.08</b>	<b>Page 1 of 5</b>	<b>Effective Date: 01/04/2019</b>
<b>DIVISION:</b>	<b>Educational Services</b>	
<b>SUBJECT:</b>	<b>Drug-Free Schools &amp; Campuses &amp; Workplace</b>	
<b>AUTHORITY:</b>	<b>Minute Order #125-90</b>	
<b>PROPOSED BY:</b>	<b>Sarah S. Patterson</b>	
<b>TITLE:</b>	<b>Executive Director of Transition Services</b>	<b>Date: 01/04/2019</b>
<b>RECOMMENDED BY:</b>	<b>Rick Herrera</b>	
<b>TITLE:</b>	<b>Vice Chancellor &amp; Chief Student Services Officer</b>	<b>Date: 01/04/2019</b>
<b>APPROVED BY:</b>	<b>Mike Reeser</b>	
<b>TITLE:</b>	<b>Chancellor</b>	<b>Date: 01/04/2019</b>

**STATUS:** Approved by Leadership Team 01/04/2019

**HISTORICAL STATUS:** Approved by the Chancellor 8/31/15  
 Revised 03/2015  
 Reviewed/Updated 9/10/12  
 Approved by MC 09/10/04  
 Revised 08/2004  
 Reviewed and Approved 05/28/96  
 Approved M/C 05/22/91  
 Approved M/C 09/22/90

**I. STATEWIDE STANDARD**

**COMPLIANCE:** Texas State Technical College (TSTC) shall comply with the Drug Free Schools and Communities Act. TSTC upholds that drug-free campus and workplace conditions shall be maintained. No students on campus and no employees at any work station shall unlawfully manufacture, distribute, dispense, possess, or use on or at the campus or workplace any narcotic drug, alcohol, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in schedules [I through V of Section 202 of the Controlled Substances Act \(21 U.S.C. 812\)](#) and as further defined by regulations at [21 CRF 1300.11 through](#)

[1300.15.](#)

## II. PERTINENT INFORMATION

The [Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226](#), requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE), state education agency (SEA), or local educational agency (LEA) must 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.

The [Drug-Free Workplace Act of 1988](#) requires that all grantees receiving grants from any federal agency certify to that agency that the grantee will maintain a drug-free workplace, or, in the case of a grantee who is an individual, certify to that agency that his or her conduct of grant activity will be drug free.

This Statewide Operating Standard (SOS) is subject to the exceptions set out in [SOS ES 3.05, Alcohol and Drug Possession](#).

## III. GENERAL GUIDELINES

In order to certify its compliance with the regulations, an IHE, such as TSTC, must adopt and implement a drug prevention program that includes annual notifications and methods of distribution. TSTC must also prepare and maintain a biennial review that is evaluated to ensure sanctions are enforced consistently.

## IV. DEFINITIONS

**Campus:** Any property owned or leased by TSTC as Lessee including, but not limited to, College buildings, single residence dwellings (dormitories and apartments only, excluding designated housing occupied by students otherwise legal to possess and consume alcohol), classrooms, and any temporary geographical area being used for the College's activities or educational purposes.

**Workplace:** The site for the performance of work done in connection with TSTC or a federal grant including any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; and off-school property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school.

## V. DELEGATION OF AUTHORITY

The Chancellor, or his/her designee, has the authority and responsibility to implement this SOS.

## **VI. PERFORMANCE STANDARDS**

1. The TSTC policy on Drug-Free Schools and Campuses and Workplace is included in the TSTC Catalog and Student Handbook.
2. A biennial review is conducted and submitted to the Chancellor or to his/her designee prior to September 1, 1992, and biennially thereafter.
3. Drug-free awareness information is distributed to all employees and students on an annual basis.

## APPENDIX

### VII. RELATED STATEWIDE STANDARDS. LEGAL CITATIONS, OR SUPPORTING DOCUMENTS

[Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226](#)

[Drug-Free Workplace Act of 1988](#)

[SOS ES 3.05, Alcohol and Drug Possession and Use](#)

[TSTC Catalog and Student Handbook](#)

[TSTC Drug Free Schools and Campuses Website](#)

### VIII. OPERATING REQUIREMENTS:

1. TSTC shall distribute annually to each student and employee of the College the following drug-free campus information:
  - a. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the College's property or as part of any of the College's activities;
  - b. A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
  - c. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
  - d. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
  - e. A clear statement that the College will impose sanctions on students and employees (consistent with local, state, and federal law), 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 required by Item 1.a., listed above.
2. TSTC shall conduct a biennial review of the College's program to:
  - a. Determine its effectiveness and implement changes to the program if they are needed; and
  - b. Ensure that the sanctions required by Item 1.e., listed above, are consistently enforced.

This review shall be submitted to the Chancellor or to his/her designee prior to September 1, 1992 and biennially thereafter.

3. TSTC shall, upon request, make available to the U.S. Secretary of Education and to the public a copy of each item required by Item 1, as well as the results of the biennial review required by Item 2, both of which are listed above.
4. TSTC shall be responsible for organizing and maintaining a Drug and Alcohol Committee appointed by the Chancellor, or his/her designee.
5. TSTC shall establish a drug-free awareness program to inform employees and students about:
  - a. The dangers of drug abuse;
  - b. TSTC's policy of maintaining a drug-free campus and workplace;
  - c. Available drug counseling, rehabilitation, and assistance programs; and
  - d. Penalties that may be imposed for alcohol and drug abuse violations.
6. As a condition of employment, an employee must notify his or her immediate supervisor of any criminal drug statute conviction for a violation occurring on or off a TSTC campus no later than five (5) working days after such conviction.
7. TSTC shall notify the granting agency within ten (10) working days after receiving notice of a conviction for a violation occurring on or off a TSTC campus, in accordance with the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, the Drug-Free Workplace Act of 1988, and/or other appropriate laws and regulations.