**Drug-Free Schools and UPPS No. 04.04.48**

**Communities Act Issue No. 5**

**Effective Date: 05/02/2022**

**Next Review Date: 06/01/2025 (E3Y)**

**Sr. Reviewer: Assistant Vice President for Institutional Compliance and Chief Compliance Officer**

**POLICY STATEMENT**

*Texas State University is committed to providing a safe environment for students, employees, and visitors.*

**01. SCOPE**

01.01 This policy establishes guidelines to comply with the [Drug-Free Schools and Communities Act Amendments of 1989](https://www.gpo.gov/fdsys/pkg/STATUTE-103/pdf/STATUTE-103-Pg1928.pdf), hereafter referred to as the Act.

**02. REQUIREMENTS OF THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT**

02.01 The [Act](https://www.govinfo.gov/content/pkg/STATUTE-103/pdf/STATUTE-103-Pg1928.pdf) is overseen by the U.S. Department of Education and provides that, in order to receive federal financial assistance of any kind after October 1, 1990, an institution of higher education 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 on the institution’s premises or as part of any of its sanctioned activities. At a minimum, this program must include the annual distribution of the following to each student and employee:

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 institution's property or as any part of the institution's activities;

b. a description of applicable legal sanctions under local, state, or federal law for unlawful possession, use, 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 available drug and alcohol counseling treatment, rehabilitation, or re-entry programs; and

e. a clear statement that the institution will impose sanctions on students and employees (consistent with local, state, and federal laws), and a description of these sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

**03. RESPONSIBILITIES FOR DISTRIBUTION OF POLICY AND REVIEW OF PROGRAM**

03.01 The associate vice president and dean of Students will distribute the university policy statement, pursuant to the [Act](https://www.gpo.gov/fdsys/pkg/STATUTE-103/pdf/STATUTE-103-Pg1928.pdf), to faculty, staff, and students twice a year, consistent with the academic calendar. This is accomplished via a biannual notification to the campus that the policy is available on the [Dean of Students website](http://www.dos.txstate.edu).

03.02 The associate vice president and dean of Students shall:

1. conduct a biennial review of the institution’s prevention and education program to determine its effectiveness, implement any needed changes, evaluate if any sanctions developed are consistently enforced, and document the university’s compliance with the language of the [Act](https://www.gpo.gov/fdsys/pkg/STATUTE-103/pdf/STATUTE-103-Pg1928.pdf); and
2. certify the university’s compliance with the [Act](https://www.gpo.gov/fdsys/pkg/STATUTE-103/pdf/STATUTE-103-Pg1928.pdf) when requested by the U.S. Department of Education.

03.03 The [Staff Handbook](https://www.hr.txstate.edu/staffhandbook.html), the [Faculty Handbook](https://www.provost.txst.edu/resources-faculty.html), and the Campus Watch shall contain a summary of the policy in the Drug-Free Schools and Communities Information for Students and Employees Regarding Illicit Drug and Alcohol Abuse statement.

**04. REVIEWERS OF THIS UPPS**

04.01 Reviewers of this UPPS include the following:

Position Date

Assistant Vice President for June 1 E3Y

Institutional Compliance and

Chief Compliance Officer

Associate Vice President and Dean June 1 E3Y

of Students

Chair, Faculty Senate June 1 E3Y

Chair, Staff Council June 1 E3Y

**05. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Assistant Vice President for Institutional Compliance and Chief Compliance Officer; senior reviewer of this UPPS

Vice President for University Administration

President