

1. **About**

Federal law requires that the University notify all faculty, staff, and students of certain information pertaining to unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of its activity. The following information complies with the notification requirements of the Drug-Free Schools and Communities Act (DFSCA) and its implementing regulations by providing standards of conduct, disciplinary sanctions, possible legal sanctions, and penalties.

2. **Drug-Free Schools and Communities Act Policy Statement**

It is the policy of the University of Tennessee Southern (UT Southern) to maintain a safe and healthful

environment for its students and employees. Therefore, university policy prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on university property or during university activities.

Violation of this policy is grounds for disciplinary action -- up to and including immediate discharge for an employee and permanent dismissal of a student. Federal and state laws provide additional penalties for such unlawful activities, including fines and imprisonment (21 U.S.C. 841 et seq.; T.C.A. 39-6-401 et seq.). Local ordinances also provide various penalties for drug- and alcohol-related offenses. The university is bound to take all appropriate actions against violators, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved drug use or alcohol abuse assistance or rehabilitation program.

Individuals who are paid by UT Southern from federal grants or contracts must notify the University of any Criminal Drug Statute Conviction for a violation occurring in the workplace within five days after such conviction. The university is, in turn, required to inform the granting or contracting agency of such violation within ten days of the university's receipt of notification.

To maintain a safe and drug-free environment, University of Tennessee campuses and institutes may establish procedures to perform screenings for controlled substances and alcohol within areas or positions of employment that affect the public welfare or safety, or where such screenings are required by federal regulations, such as those developed by the Federal Highway Administration and Federal Aviation Administration. In addition, screenings are permissible where there is reasonable suspicion of drug or alcohol use.

Each University of Tennessee campus or institute conducting such screenings shall develop and document the necessary screening procedures. The procedures shall identify specifically the positions and locations that will require testing, the conditions under which the screenings will be conducted, and the specific plans for conducting the tests. Before implementation, all plans and procedures for such screenings must be approved by the Senior Vice President and Chief Financial Officer and the General Counsel. Costs of all required screenings will be borne by the individual campus or institute of the University of Tennessee.

A complete set of drug screening procedures for employees in positions requiring the use of a commercial driver's license (CDL) is available for those employees and their supervisors from their campus or institute human resources office. The procedures discuss the types of screenings, when and how they are to be conducted, and the actions that will be taken by the university should the employee receive a confirmed positive alcohol or drug test.

3. Drug-Free Workplace Policy Statement

UT Policy-HR0720- Drug Free Campus and Workplace

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4. Standards of Conduct: Students

Students at UT Southern are members of both the University community and the larger community of which the University is a part. Accordingly, students are responsible for conducting themselves in a lawful manner as well as in compliance with university rules and policies. In addition, the University has developed a set of aspirational goals titled, Principles of Civility and Community, which encourages all members of the University community to foster a learning environment where diversity is valued, respected, and celebrated.

Students are responsible for being fully acquainted with and for complying with the Code, the University catalog, handbook, and other rules and policies relating to students.

Alcohol Related Standards of Conduct

Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages on university-controlled property or in connection with a University-affiliated activity unless expressly permitted by university rules or policy is a violation of Section 1720-07-01-.04 18 of the Student Code of Conduct.

Consuming, manufacturing, possessing, distributing, dispensing, selling, or being under the influence of alcoholic beverages, if prohibited by federal, state, or local law is a violation of Section 1720-07-01-.04 19 of the Student Code of Conduct.

Providing an alcoholic beverage to a person younger than twenty-one (21) years of age, unless permitted by law is a violation of Section 1720-07-01-.04 20 of the Student Code of Conduct.

Drug and Drug Paraphernalia Standards of Conduct

Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs, if prohibited by federal, state, or local law; using, manufacturing, possessing, distributing, or selling drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued is a violation of Section 1720-07-01-.04 21 of the Student Code of Conduct.

5. Standards of Conduct: Employees

UT Policy HR0580- Code of Conduct

The Code of Conduct was developed to supplement and clarify existing university policies, procedures, and rules. It does not replace, limit, or otherwise alter any existing policies.

Employees are expected to familiarize themselves with the Code and to abide by it. Employees who violate the Code will be subject to appropriate disciplinary action. Employees should direct

specific ethical or compliance questions to their supervisor or the university's director of compliance.

Standards of Safety

Prohibits the unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol in a university vehicle on or off university property; possession or use of alcohol while on duty (except at university-sponsored events and other events an employee is expected to attend as part of his or her duties); or reporting to work under the influence of illegal drugs or alcohol or while unlawfully using controlled substances.

6. Student Sanctioning

Per Section 1720-07-01-.11 of the Student Code of Conduct, Disciplinary sanctions are primarily intended to educate students and student organizations about appropriate behavior, encourage students and student organizations to take responsibility for misconduct, promote the personal and professional development of students, discourage other students and student organizations from violating the Standards of Conduct, and protect members of the University community.

The sanctions imposed should be appropriate for the particular case based on the gravity of the offense (including without limitation how the violation affected or reasonably could have affected other members of the University community). Consideration may also be given to the student's or student organization's conduct record; the student's or student organization's responsiveness to the conduct process; whether the student acted in self-defense, and, if so, whether the amount of force used was reasonable under the circumstances; student academic classification; and other aggravating or mitigating factors.

Administrative and Developmental Sanctions

A student who accepts responsibility or is found responsible for violating the Standards of Conduct generally will be given one (1) or more administrative sanctions. A student may also be given one (1) or more developmental sanctions.

Administrative Sanctions

Warning, Disciplinary Probation, Deferred Suspension, Suspension, Expulsion

Developmental Sanctions

Educational Activities, Restitution, Supervised Work/Service, Loss or Restriction of Privileges, University Housing Reassignment or Removal, Parental Notifications

7. Employee-Specific Sanctioning

Violations of the Employee Code of Conduct are grounds for disciplinary action, up to and including termination of employment, pursuant to UT Policy HR0525.

Illegally using, manufacturing, possessing, distributing, purchasing or dispensing of controlled substances or alcohol as well as reporting for duty under the influence of intoxicants, constitutes gross misconduct under university policy. In a case of gross misconduct, immediate disciplinary action up to and including discharge may be taken. During the investigation of alleged gross misconduct, an employee may be placed on administrative leave with pay.

8. Health Risks Associated with Alcohol and Other Drugs

Aside from any legal or university policy considerations, the use of illicit drugs and/or the misuse of alcohol may be harmful to one's health. Some of the health risks associated with such use/misuse are:

Alcohol Misuse Health Risks

Over 30 percent of fatal auto accidents involve alcohol. Suicide is known to be highly prevalent among those who suffer from alcohol disorders.

Liver damage-cirrhosis, alcoholic hepatitis; heart disease-enlarged heart, congestive heart failure; ulcers and gastritis; malnutrition; cancer—of the mouth, esophagus, stomach, liver; brain damage-memory loss, hallucinations, psychosis; damage to fetus if pregnant mother drinks; death.

Common Drug Types and Risks

Cannabis

- Can increase anxiety and depression symptoms
- Increased risk of memory and learning problems
- Increased heart rate

Depressants

Alcohol, Benzodiazepines, Barbiturates, Sedatives

- Withdrawal can cause seizures or other harmful consequences
- Heartbeat and respirations decrease
- Risk of developing tolerance, dependence, or addiction is high

Stimulants

Cocaine, Nicotine, Methamphetamine

- Brain damage
- Anxiety, psychosis, hallucinations
- Addictive

9. Drug and Alcohol Abuse Prevention Programs

Units in the university's Division of Student Affairs are committed to promoting responsible decision-making regarding alcohol and drugs through educational programming, resources, and referrals.

The university's Employee Assistance Program may be reached directly at 855-437-3486, or www.Here4TN.com and manages the alcohol & drug abuse and rehabilitation program for benefits-eligible employees. The Employee Assistance Program also provides counseling and a

variety of other referral services. For more information, visit <http://hr.utk.edu/employee-relations/employee-assistance/>.

10. Student Affairs Prevention Programs

We utilize campus surveys, national statistics, and current research to inform our evidence-based prevention and intervention strategies.

Alcohol and Other Drug (AOD) Risk Reduction

Participants engaging with the AOD area/initiative will be able to:

- Make decisions that promote safe, healthy behaviors and reduce risk related to AOD use
- Appraise oneself accurately regarding their current AOD use
- Identify and utilize campus/community resources
- Demonstrate AOD misuse/use disorder awareness, understanding, and advocacy

eCHECKUP To Go

eCHECKUP To Go is a self-assessment tool available for use by students to examine their own alcohol use. The program provides immediate personalized feedback about:

- Drinking patterns
- Risk patterns
- Aspirations and goals
- Targeted risk reduction strategies
- Helpful on and off-campus resources

Marijuana Awareness and Risk Education Course

Topics covered in this course include:

- Assessment of marijuana use
- Substances and the brain
- Tolerance and overdose
- Risk reduction strategies

Students are typically sanctioned to complete these sessions as a part of a drug violation. However, any student may request to complete this course voluntarily or meet with staff due to concerns or questions regarding their personal use of substances.

STAR

Stand Together and Recover is a collegiate recovery group at UT Southern dedicated to supporting students in recovery. Through fellowship, they provide a healthy environment for students in recovery or interested in recovery. We promote personal development, and academic success, University of Tennessee community and beyond.

11. Local, State and Federal Laws*

Alcohol

All members of the university community and guests are required to comply with university policies and federal, state and local laws regarding the distribution, possession and consumption of alcoholic beverages.

Tennessee State Law

§ 1-3-113- Underage purchasing, possession, transportation or consumption of alcoholic beverages, wine or beer is a Class A misdemeanor

§ 39-15-404- It is a Class A misdemeanor offense for a person to give or buy alcoholic beverages or beer for or on behalf of a minor or to cause alcohol to be given or bought for or on behalf of a minor for any purpose

Illegal Drugs

Various federal and Tennessee laws make it unlawful to manufacture, distribute, dispense, deliver, or sell or possess with intent to manufacture, distribute, dispense, deliver, or sell controlled substances.

Tennessee State Law

§ 39-17-418- Simple possession or casual exchange.

It is an offense for a person to knowingly possess or casually exchange a controlled substance, unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice.

Depending on the circumstances, this offense is either a Class A misdemeanor or a Felony.

In Tennessee, Class A misdemeanors carry up to 11 months, 29 days in jail, and or fines up to \$2,500.00.

Federal Illegal Drug Laws

The Controlled Substance Act provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances. An overview of federal penalties and Scheduling is found below:

FEDERAL TRAFFICKING PENALTIES – MARIJUANA –

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants; 1 to 49 marijuana plants;	Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

FEDERAL TRAFFICKING PENALTIES—

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Document can be found [here](#)

*The information provided as a brief summary of laws and not an exhaustive list, as they are subject to change.

12. Resources (On-Campus and Community)

Campus Resources

[UT Southern Student Affairs](#)

[UT Southern Mental Health](#)

[Substance Use & Recovery](#)

[Human Resources](#)

Community Resources

[SAMHSA](#)

[Metro Drug Coalition \(MDC\)](#)