

# **The University of the South**

## **Drug-Free Campus Statement**

### **Purpose**

This statement is provided in compliance with the provisions of The Drug-Free Workplace Act of 1988 (41 U.S.C. Sec. 701, et. seq.) and The Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. Sec. 3171, et. seq.) to all University of the South employees and students. The University of the South is committed to achieving a drug free campus and will both support those who voluntarily take steps to rid themselves of illicit drug use and alcohol abuse and rigorously enforce applicable laws and policies.

### **Policy Statement**

The unlawful possession, use, distribution, sale or manufacture of illicit drugs and alcohol on the University of the South campus, on property owned or controlled by the University of the South, or as part of any activity of the University of the South is strictly prohibited.

### **Scope and Application**

All employees and students are subject to applicable federal, state and local laws related to this matter. Additionally, any violation of this policy will result in disciplinary action as set forth in the undergraduate Code of Conduct, the School of Letters published policies, the School of Theology Course Catalog, the Personnel Procedures for Tenured and Tenure-Track Faculty, the Staff Handbook and as defined by any other existing University policies, ordinances, rules, and regulations.

### **Consequences**

#### Legal Sanctions

Various federal, state and local statutes make it unlawful to possess, use, distribute, sell or manufacture controlled substances. The penalty imposed depends upon various factors, including the type and amount of controlled substance involved, the number of prior offenses, if any, whether death or serious bodily injury resulted from the use of such substance and whether any other crimes were committed in connection with the use of the controlled substance.

Possible maximum penalties for a first time violation of federal criminal drug laws include imprisonment for any period of time up to a term of life imprisonment, substantial fines, supervised release, or any combination of the above. These sanctions are doubled when the offense involves either: 1) distribution or possession at or near a school or college campus or 2) distribution to persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to \$10,000 may be assessed for simple possession of "personal use amounts" of certain specified substances under federal law (21 U.S.C. Sec. 801, et. seq.).

Under state law, the offenses of distribution, possession or casual exchange of controlled substances are punishable as a Class A misdemeanor for a first offense (unless the possession is

authorized by a valid prescription). If there is an exchange between a minor and an adult at least two years the minor's senior and the adult knew that the person was a minor, the offense is classified as a felony. See T.C.A. §§ 39-17-417, 418. It is also a Class A misdemeanor to possess with intent to use drug paraphernalia. T.C.A. § 39-17-425. Class A misdemeanors are punishable by imprisonment of up to 1 year and fines up to \$2,500.

It is unlawful for any person under the age of 21 to buy, possess, transport (unless in the course of his or her employment) or consume alcoholic beverages, wine or beer. T.C.A. § 1-3-113. Further, it is an offense (1) to provide alcoholic beverages to any person under the age of 21, including purchasing alcoholic beverages for or at the request of a person under 21 years of age, (2) for a person under 21 to attempt to purchase alcohol, and (3) to use false identification to purchase alcohol. T.C.A. § 57-3-412 and 57-5-301. Such offenses are generally classified as misdemeanors punishable by prison sentences of less than a year and fines ranging from \$50 to \$2,500. Repeat offenders may be subject to harsher penalties.

### University Sanctions

The University of the South will impose appropriate sanction(s), consistent with local, state and federal law, on any employee or student who fails to comply with the terms of this policy.

- **Employees:** As a condition of employment, each employee, including student employees, must abide by the terms of this policy, and must notify his or her department head or supervisor of any criminal drug statute conviction for a violation involving the workplace no later than five days after such conviction. A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any federal or state judicial body. In the event any such conviction involves an employee working on a federal contract or grant, the University will contact the granting or contracting federal agency within ten days of receiving notice of a conviction. Possible disciplinary sanctions for failure to comply with this policy, including failure to notify of conviction, may include one or more of the following:
  - termination; suspension; mandatory participation in and satisfactory completion of a drug/alcohol abuse program or rehabilitation program; recommendation for professional counseling; referral for prosecution; letter of warning; or probation.
- **Students:** Possible disciplinary sanctions for failure to comply with the terms of this policy, including failure to notify of conviction, may include one or more of the following:
  - expulsion; suspension; mandatory participation in and satisfactory completion of a drug/alcohol abuse program or rehabilitation program; referral for prosecution; probation; fines; community service; reprimand.

For those cases warranting consideration of reinstatement of students or employees, any such consideration will only be given following appropriate counseling and rehabilitation.

### **Other Applicable Information**

## Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

Many health risks are associated with the use of illicit drugs and the abuse of alcohol, including organic damage; impairment of brain activity, digestion, and blood circulation; impairment of physiological processes and mental functioning; and physical and psychological dependence. Such use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. In addition, the illicit use of drugs can increase the risks of contracting hepatitis, AIDS, and other infections. If used excessively, alcohol or drugs taken singly or in certain combinations may cause death. Additional information on the risks associated with illicit drug use and abuse of alcohol is available to students at the Counseling and Psychological Services located in the University Wellness Commons (931.598.1325, [ucs@sewanee.edu](mailto:ucs@sewanee.edu)) for undergraduate students, from University Health Services located in the University Wellness Commons (931.598.1270, [uwc@sewanee.edu](mailto:uwc@sewanee.edu)) for students in the School of Letters, from the associate dean of community life for students in the School of Theology and the Human Resources office ([hr@sewanee.edu](mailto:hr@sewanee.edu)) for employees.

## Available Drug and Alcohol Counseling, Treatment and Rehabilitation Programs

The University urges students and employees engaged in the illicit use of drugs and/or the abuse of alcohol to seek professional advice and treatment. The University's health plan for employees and their dependents and many other health plans provide some coverage for substance abuse treatment. Preliminary evaluations, case assessment, and referral for undergraduate students are provided by the staff of the Counseling and Psychological Services, University Health Services for students in the School of Letters, the associate dean of community life for students in the School of Theology, and the Human Resources office ([hr@sewanee.edu](mailto:hr@sewanee.edu)) for employees. Information about various drug and alcohol counseling, treatment and/or rehabilitation programs in Sewanee, Winchester, Tracy City, Tullahoma, Chattanooga, Nashville, and elsewhere in the country is also available from Counseling and Psychological Services, University Health Services, the associate dean of community life, and the Human Resources office. All inquiries will be treated confidentially to the extent possible.