

## 34.02.01.01 SUBSTANCE ABUSE PREVENTION

Approved: November 11, 2010

Reviewed: April, 2014

Revised: December 5, 2019

Reviewed: January 8, 2021

Next Scheduled Review: January 8, 2026

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### RULE STATEMENT

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Texas A&M University-San Antonio (A&M-San Antonio or University) strives to prevent substance abuse and foster an alcohol and drug-free work and educational environment.

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### REASON FOR RULE

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The Texas A&M University System (System) Regulation [34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#) requires this rule.

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### DEFINITIONS

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This rule incorporates the Definitions in System Regulation [34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#).

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### RULE

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#### I. GENERAL

- I.I This rule addresses possession, misuse, purchase and sale of:
- a. Alcohol;
  - b. Illicit drugs;
  - c. Prescription drugs;
  - d. Over-the-counter medications and other substances that, when abused, produce effects like those produced by alcohol or illicit drugs.

- 1.2 This rule applies to:
  - a. Employees, whether full or part-time, and student workers;
  - b. Applicants for employment; and
  - c. Contractors, subcontractors and their employees (together, contractor).
- 1.3 The A&M-San Antonio [Student Handbook](#) supplements this rule and lists specific alcohol and drug standards, programs, and disciplinary processes for students.
- 1.4 This rule applies when an employee, student worker, applicant, or contractor are:
  - a. Working or on duty;
  - b. On campus or property that A&M-San Antonio owns or controls;
  - c. Operating or riding in an A&M-San Antonio vehicle; or
  - d. Representing A&M-San Antonio off campus in any capacity.

## 2. STANDARDS OF CONDUCT

- 2.1 Alcohol: A&M-San Antonio is an alcohol-free campus, with limited exceptions. The possession, use, purchase or sale of alcohol on campus or in University facilities shall comply with state law and System Policies [34.02, Drug and Alcohol Abuse](#) and [34.03, Alcoholic Beverages](#).
- 2.2 Illegal drugs and controlled substances: A&M-San Antonio is a drug-free campus.
  - 2.2.1 All members of the University community and visitors to campus shall abide by federal and state drug laws.
  - 2.2.2 The possession, use, purchase, manufacture, cultivation, sale, or distribution of illegal drugs is prohibited.
  - 2.2.3 The possession and use of a controlled substance for a legitimate medical or research purpose with a valid prescription or legal authorization is permissible. Possession and use of a controlled substance without a legitimate medical or research purpose or without a valid prescription or legal authorization is prohibited and shall be treated as possession and use of an illegal drug under this rule.

- 2.3 Prescription and over-the-counter medication: A&M-San Antonio is a substance abuse-free campus. The use of a prescription medication without a valid prescription is prohibited. The misuse of a prescription or over-the-counter medication to produce intoxicating effects like those produced by illegal drugs or alcohol shall be treated as use of an illegal drug und this rule.
- 2.4 Impairment: An employee, student worker, or contractor who is under the influence of or impaired by alcohol or illegal drugs may not report for duty, work, or represent the University on or off campus. A student who is under the influence or impaired by alcohol or illegal drugs may not attend class, participate in University-sponsored activities, or represent the University on or off campus.
- 2.5 Sanctions: An employee, student worker, or contractor who violates this rule is subject to discipline, which may include completion of a required treatment, rehabilitation, or assistance program, suspension, termination, and referral to authorities for prosecution.

### 3. DUTY TO REPORT

- 3.1 An employee, student worker, or contractor shall report a known or reasonably suspected violation of this policy to an immediate supervisor; to Human Resources if the report concerns the conduct of the person's supervisor; or to the University Police Department. Failure to report may result in discipline.
- 3.2 An employee, student worker, or contractor shall notify his or her supervisor or Human Resources of the use of a prescribed or over-the-counter medication that could adversely affect his or her job performance, safety, or the safety of others.
- 3.2.1 The University may request from the employee, student worker, or contractor additional information about the medication. A&M-San Antonio will keep medical information confidential and limit access to appropriate University personnel on a need-to-know basis.
- 3.2.2 When a medication could or has adversely affected job performance or safety, A&M-San Antonio shall evaluate whether interim measures are necessary to mitigate risk, such as reassigning or transferring the employee, placing the employee on leave or, if requested, taking steps in accordance with the Americans with Disabilities Act.

3.2.3 If a supervisor reasonably suspects that alcohol or drug use has adversely affected an individual's job performance or safety or jeopardizes the safety of others the supervisor shall give the notice and follow the steps required by Section 5 of System Regulation [34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#).

3.3 The University shall notify employees and students of the substance of this rule annually in accordance with System Regulation [34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#).

#### 4. EMPLOYEE ASSISTANCE

4.1 A&M-San Antonio offers an [Employee Assistance Program](#) (EAP) to support employees and their families through a range of issues, including substance abuse. The EAP provider may conduct an evaluation and provide a referral to services and rehabilitation programs that emphasize education, prevention, counseling, and treatment. The EAP provider's services are confidential.

4.2 The responsibility for seeking assistance and treatment for alcohol and drug issues resides with the employee, student worker, or contractor. An employee, student worker, or contractor may not avoid disciplinary consequences by seeking assistance or treatment after a violation occurs.

4.3 The University may be require an employee, student worker, or contractor to complete an approved rehabilitation or assistance program as a condition of returning to work or continuing employment. If the person fails to comply, he or she may be suspended or terminated.

#### 5. AWARENESS AND PREVENTION PROGRAM

5.1 A&M-San Antonio's Alcohol and Other Drugs (AOD) Committee oversees the University's [Drug and Alcohol Abuse Prevent Program](#) (DAAPP).

5.2 The AOD shall conduct a biennial review of the DAAPP and report the results in accordance with the Drug-Free Schools and Communities Act of 1989 (DFSCA).

5.3 Human Resources and the Dean of Students shall be responsible for giving to employees and students, respectively, the annual notifications required by the DFSCA and System Regulation [34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#).

6. ALCOHOL AND DRUG TESTING

A&M-San Antonio follows the alcohol and drug testing requirements and processes in System Regulation [34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#).

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## RELATED AUTHORITIES

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System Policy [34.02, Drug and Alcohol Abuse](#)

System Regulation [34.02.01, Drug and Alcohol Abuse and Rehabilitation Programs](#)

System Policy [34.03, Alcoholic Beverages](#).

A&M-San Antonio [Student Handbook](#)

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## CONTACT OFFICES

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**For employees, student workers, and contractors:**

Human Resources, (210) 784-2058

**For students:**

Office of Student Rights and Responsibilities, (210) 784-1353