

**PRAIRIE VIEW A&M UNIVERSITY
UNIVERSITY RULE**



34.02.01.P1 Drug and Alcohol Abuse and Rehabilitation Programs

Approved June 7, 2016

Revised May 4, 2021

Next Scheduled Review: May 4, 2026

Rule Statement

Prairie View A&M University (PVAMU) is committed to protecting the safety, health, and well-being of its employees, students, and all people who come into contact with its property and facilities. Recognizing that drug and alcohol abuse poses a direct and substantial threat to this goal, PVAMU is committed to providing a drug-free working and learning environment for all of its employees and students.

Reason for Rule

This Rule provides requirements for addressing substance abuse or suspected substance abuse by PVAMU employees and students while on the job, on PVAMU property, in a PVAMU vehicle, or while representing PVAMU. PVAMU reserves the right to change these requirements as required by law or as it deems appropriate.

Official Procedures and Responsibilities

1. GENERAL

- 1.1 This Rule addresses:
 - 1.1.1 Alcohol use and abuse;
 - 1.1.2 The illegal use, sale, or possession of drugs; and,
 - 1.1.3 The misuse of drugs including over-the-counter and prescription drugs.
- 1.2 The provisions of this Rule are applicable to all PVAMU employees and students. This Rule applies while on the job, on PVAMU property, in a PVAMU vehicle, or while representing PVAMU.
- 1.3 Some employees are also subject to the U.S. Department of Transportation (DOT), Department of Defense (DOD), or conditions of a federal grant or contract regulations governing workplace substance abuse and testing. These employees must also comply with this Rule.

2. PROHIBITION AND CONSEQUENCES

- 2.1 Illicit Drug Policy: PVAMU prohibits the illicit use, sale, attempted sale, conveyance, distribution, manufacture, cultivation, dispensation, purchase, attempted

purchase, and possession of illegal drugs, intoxicants, or controlled substances, at any time and in any amount or in any manner. Illicit drugs include all drugs for which possession is illegal under federal or state law, including prescription drugs for which the individual does not have a valid prescription.

- 2.2 Prescription Drug Policy: PVAMU prohibits the use of prescription medications for which the employee does not have a valid prescription, and the use of prescription medication in a manner inconsistent with the prescription.
- 2.3 Alcohol Policy: The purchase, consumption and possession of alcoholic beverages in facilities under the control of PVAMU shall in all respects comply with state laws and with guidelines as defined in System Policy [34.02 Drug and Alcohol Abuse](#) and System Policy [34.03 Alcoholic Beverages](#).
- 2.4 Failure to comply with this Rule will result in disciplinary sanctions, up to and including expulsion or termination of employment and referral for prosecution. An employee or student who violates any state or federal law pertaining to controlled substances, illicit drugs, or the use of alcohol may be subject to prosecution in accordance with the law. Legal sanctions for violation of local, state and federal laws may include, but not be limited to: fines, probation, jail or prison sentences.

3. RESPONSIBILITY

- 3.1 Employees shall report suspected violations of this Rule to their immediate supervisor or to the Office of Human Resources (OHR).
- 3.2 Employees shall report to their supervisor, or to the OHR, any use of a prescribed or over-the-counter medication that could adversely affect their job performance. It is each employee's responsibility to check with a healthcare provider regarding whether any medication may adversely affect performance. Any such medical information will be kept confidential and shared with appropriate PVAMU personnel only on a need-to-know basis. Employees working in safety- or security-sensitive positions may be temporarily transferred or placed on leave in accordance with PVAMU leave provisions for so long as the employee may be adversely affected by a medication.

4. DRUG AND ALCOHOL TESTING

- 4.1 PVAMU may require employees and final job applicants to provide a urine specimen for drug testing, and/or a breath sample for alcohol testing, and/or another type of specimen suitable for testing for illicit drug abuse or alcohol use. Agreeing to such testing; providing such samples; and fully cooperating in the testing process are mandatory conditions of employment and continued employment with PVAMU.

5. ALCOHOL AND CONTROLLED SUBSTANCES TESTING

- 5.1 The decision to test for alcohol and controlled substances will be in accordance with System Regulation [34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs](#).

6. UNIVERSITY PROGRAMS AND COMMUNITY SERVICES

- 6.1 PVAMU is committed to providing comprehensive alcohol and other drug education, as well as early intervention and referral services. Assessment, intervention and referral are available through the Employee Assistance Program

(EAP) (for employees), Student Counseling Services (for students), and other services in the community. All contacts with these services are confidential. Voluntary contacts may not be the basis for disciplinary action.

- 6.2 Community service hospitals can be contacted for emergency care. Other community services include therapists, counselors, treatment centers, and support groups. For assistance in identifying an appropriate service, contact the EAP, or Student Counseling Services.
- 6.3 Employees can contact the OHR Benefits Services, the Employee Assistance Program, or their individual health plan representative for information. Students may contact Student Counseling Services for information.

7. DISTRIBUTION OF INFORMATION

- 7.1 Required information and material as outlined in System Regulation [34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs](#) is distributed, in writing, to all new employees through new employee orientation and annually to all employees and students.

Related Policies and Regulations

[U.S. Department of Transportation \(DOT\) regulations: *Substance Abuse in the Workplace*](#)

[20 U.S.C. § 1011i, Drug and Alcohol Abuse Prevention](#)

[20 U.S.C. § 1094, Program Participation Agreements](#)

[21 U.S.C.A. § 812, The Controlled Substances Act](#)

[41 U.S.C. §§ 701-707, The Drug-Free Workplace Act of 1988](#)

[34 C.F.R. 86 \(Authority: 20 U.S.C. 1145g\), The Drug-Free Schools and Communities Act of 1989](#)

[48 C.F.R. 252.223-7004, The Drug-Free Work Force Rules for Department of Defense \(DOD\) Contractors](#)

[Texas Health and Safety Code, Chapter 481, Texas Controlled Substances Act](#)

[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](#)

Definitions

Unless stated otherwise, all terms used in this Rule shall have the meaning assigned by System Regulation [34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs](#).

Contact Office

Office of Human Resources 936-261-1730
