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