

Prairie View A&M University



Drug-Free Schools and Communities Act 2020 Biennial Review Academic Years 2018-2019 & 2019-2020

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Introduction

Prairie View A&M University (PVAMU) was established in 1876 as the first state supported college for African Americans. On August 27, 1973 its status as an independent unit of the Texas A&M University System was confirmed. PVAMU is dedicated to excellence in teaching, research and service. It is committed to achieving relevance in each component of its mission by addressing issues and proposing solutions through programs and services designed to respond to the needs and aspirations of individuals, families, organizations, agencies, schools, and rural and urban communities.

PVAMU requires all students, faculty, and staff to adhere to the established federal, state and local laws and regulations regarding alcohol and other drugs (AOD). The Code of Student Conduct Handbook clearly states that the use, manufacture, distribution (including selling), or possession of alcohol and other drugs on the university campus is prohibited (*Prohibited Conduct, Section C—Alcohol Violations and Section J—Drugs*). PVAMU is also committed to a drug-free workplace and educational environment. University administrators, supervisors, and university police are charged with the enforcement of this initiative.

Both students and employees are subject to prosecution under applicable federal or state laws. The University Police Department (UPD) does and will continue to cooperate with federal, state, local and other law enforcement agencies to enforce statutes governing illegal involvement with drugs and violations of state liquor laws including underage drinking. These are criminal offenses and will be treated accordingly. PVAMU reserves the right to permanently dismiss any student or terminate any employee whose continued presence on campus and in the community constitutes a risk to the health, safety, or general well-being of the university community or themselves. As a deterrent to alcohol and other drug use and abuse, the university supports, promotes and sponsors programs to enhance student, faculty, and staff awareness of the devastating effects and consequences of indulging in the use and abuse of alcohol and other drugs. Literature on alcohol and other drug use is distributed to students, faculty, and staff.

In developing a program that complies with the Drug-Free Schools and Communities Act (DFSCA) requirements, PVAMU must:

- Communicate campus policies and standards of conduct regarding alcohol and drug use and the related sanctions to students and employees;
- Publish and distribute written information regarding applicable federal, state, and local laws regarding alcohol possession and use;
- Publish and distribute a description of health risks associated with the use of alcohol and drugs;
- Publish and distribute a description of treatment and counseling programs available on campus; and,
- Provide a clear statement that the university will impose sanctions consistent with local, state and federal laws, system policies and regulations, and university rules and administrative procedures against students, faculty and staff.

Objectives of the Biennial Review

Pursuant to the DFSCA and Part 86 of the Drug and Alcohol Abuse Prevention Regulations, (Education Department General Administrative Regulations [EDGAR]), PVAMU is required to establish a drug and alcohol prevention program for its students, faculty and staff. The DFSCA requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and

implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol for students and employees on school premises and as a part of its activities. The objective of this report is to document the university's alcohol and other drug efforts toward compliance with the Code of Federal Regulations, 34 CFR Part 86, The Drug-Free Schools and Communities Act.

Biennial Review Process

Information in this report was achieved by compiling self-reported efforts from various departments. The departments were asked to provide updates, describe new/revised policies and programs since the previous review, and make recommendations for future development of programming and services. The participating departments were selected on the basis of their roles within the university community as they relate to interactions with students and employees.

The 2020 Biennial Review is a summary of data for the 2018-2019 and 2019-2020 academic years. This Biennial Review includes the following:

- Identification of alcohol and drug programs and services provided at the university;
- Identification of resources and intervention assistance available to individuals;
- Review of all alcohol and drug cases adjudicated at the university and the accompanying sanctions issued for those violations;
- Identification of methods in place to educate members of the university community about policies related to alcohol and drugs, and sanctions in place to enforce those policies;
- Review of the university's alcohol and drug-related policies, procedures, programming and intervention methods; and,
- Recommendations for improving the university's alcohol and drug-related policies, procedures, programs and overall coordination.

Prairie View A&M University is committed to providing its students, faculty and staff a drug and alcohol free environment. In compliance with System Policy 34.02 Drug and Alcohol Abuse and System Regulation 34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs, PVAMU established University Rule 34.02.01.P1 Drug and Alcohol Abuse and Rehabilitation Programs. This rule addresses alcohol use and abuse; the illegal use and sale, or possession of drugs; and the misuse of drugs including over-the-counter and prescription drugs.

Campus Alcohol and Other Drug Programs and Services

In a cooperative effort, the following departments have focused efforts to implement programs to promote a healthy environment for the university community and enforce regulations for prevention of alcohol and drug abuse:

- Office of Human Resources
- Student Health Services
- Student Counseling Services
- Office of Student Engagement
- Housing and Residence Life
- Athletics Department
- Office of Student Conduct
- University Police Department
- Office of Student Financial Aid & Scholarships

Prairie View A&M University has several AOD programs, services and outreach efforts in place to address alcohol and drug issues for students, faculty and staff. In addition, these programs are available at no charge. The overall mission is to provide the campus population with counseling services, rehabilitation and substance abuse awareness and education. Educational information is disseminated through workshops, in person and online training seminars, presentations to classes and student groups, information tables, and special educational promotions throughout the year. This section identifies the various departments and provides a detailed description of the programs offered by each.

A. Human Resources

The Office of Human Resources is committed to providing employees with information and resources needed to be successful in their jobs. PVAMU is concerned about the health and welfare of its faculty and staff. In compliance with the federal Drug-Free Schools and Communities Act, the Office of Human Resources published University Rule 34.02.01.P1 Drug and Alcohol Abuse and Rehabilitation Programs which requires faculty and staff to comply with federal, state and local laws, including those relating to alcoholic beverages, narcotics and other drugs.

Employee Assistance Program (EAP)

For Academic Year 2018 – 2019, PVAMU's Employee Assistance Program (EAP) was offered by the Deer Oaks EAP Services. For Academic Year 2019 – 2020, the university's EAP was offered by Guidance Resources. The service is paid for by PVAMU and covers all employees and their immediate family members. The program provides assessments, short-term counseling, referrals, prevention, and education services for employees and their dependents. The employee and/or immediate family member can self-refer to the EAP program or the Office of Human Resources (OHR) can refer the employee if the issue is related to job performance. In the case of an OHR initiated referral, the EAP will notify OHR that the employee kept the appointment. Details of the sessions are kept confidential.

Educational Efforts

During New Employee Orientation, each employee is made aware of The Texas A&M University System Policy 34.02 Drug and Alcohol Abuse, System Regulation 34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs and University Rule 34.02.01.P1 Drug and Alcohol Abuse and Rehabilitation Programs. The employees are provided links to the policies and procedures, which can be downloaded at any time. In addition, employees receive annual notifications of the policies and procedures via the Campus Announcement System.

Alcohol and Drug Testing

Employees may be tested for alcohol and/or drugs due to reasonable suspicion or because they are required to participate in alcohol and drug testing per the Texas Department of Transportation regulations.

B. Student Health Services

Student Health Services (SHS) provides services to promote healthy university campus', through its Medical Clinic and Health Education Program. These services include support of alcohol and other drug education both in campus-wide programs and at the level of direct clinical care to students. Empowering students through foundational and transferable life skills, the Health Education & Promotion sector utilizes peer to peer education, a proven source of influence, to

educate the student body on drugs and alcohol along with other important health topics. Through peer to peer education students are given the opportunity to become certified peer educators, health advocates and health leaders as ambassadors and event organizers to lead student led alcohol and other drug related initiatives, campaigns, and programs. In addition, SHS co-facilitates with other departments across campus in sponsoring various national/university campus initiatives. During these programs, SHS provides information on sexual responsibility, date rape drugs, and how alcohol and drugs affect judgment and hydration levels. Below is a summary of peer to peer student programs & services provided to students by SHS that target alcohol and drug use and abuse:

Panthers Promoting Healthy Decisions (PhDs)

The Panthers Promoting Healthy Decisions (PhDs) program is designed to not only empower students through foundational and transferable life skills but also educate PVAMU students and surrounding community about the issues that students face today with drugs, alcohol, and sex along with other important health topics. The goal for this program is to allow students to teach one another about student-related issues, including those related to illicit drug use and alcohol abuse. PhDs educate the campus population through workshops, seminars, training, in-class presentations and panel discussions.

Student Health Advisory Council (SHAC)

Student Health Advisory Council (SHAC) is a body of students who serves in an advisory capacity for Health Services. In this peer to peer education capacity SHAC ensures alcohol and other drug educational messages and material are consistent, relevant, and relatable to the current student.

Sexual Awareness For Everyone (Team SAFE)

Team SAFE is a Health Education and Promotion recognized student group that provides peer to peer education and are subject matter experts on the topic of sexual education. The program provides education on the dangers of combining sex with alcohol and other drugs, the effects on the sexual organs as a response to alcohol and other drugs, provide information on the increased rate of sexual misconduct when associated with alcohol and other drugs, and lastly debunk the common myths that alcohol improves sex.

Additional SHS outreach efforts included the following:

- Certified Peer Education (CPE) Training - Peer educators go through a detailed training on how to educate their fellow peers on the basics of Alcohol and other Drugs & how to identify the stages of change through the Student Health Services AOD Educator.
- Monthly Alcohol Awareness Birthday Celebration - This initiative is designed to educate students on the effects of alcohol on the body via the nationally recognized health topic for the month. In addition, due to the ever so accepted birthday celebrations involving alcohol the Monthly Alcohol Awareness Birthday Celebration provides education on how to celebrate responsibly with tips such as how to spot alcohol poisoning, what meals are best to consume before drinking, and simple tips such as pace & space or setting a limit and sticking to it.
- Red Ribbon Week - The nationally recognized drug free initiative is promoted on campus for a full week. This initiative is delivered in an intense manner to educate the students,

faculty, and staff on the dangers associated with drinking and driving. This emotional program is complemented with a crashed car towed to campus and placed in front of the Memorial Student Center as a visual aid.

- Bingo Not BOOZE - Students are educated about alcohol dangers, binge drinking, addiction and recovery via the classic game of bingo.
- Weedology – This was a workshop on marijuana usage and the negative impact it had on the body and our community. Students were asked to discuss myths and perceived thoughts on marijuana, while the Panther PhDs addressed any misunderstandings and provided facts and statistics. The goal was to inform the students about why marijuana use was an unhealthy behavior. This workshop was to educate students on how to prevent addiction and/or possibly expulsion from the university.
- Open House / Involvement Fair - During this program, SHS student organizations gave out information about their program, which included alcohol and other drugs. Students became familiar with the various programs that they had scheduled for the upcoming year. In addition, reading material was also distributed about marijuana and tobacco. The goal for this program was to get new students familiar with the various organizations on campus.
- Annual Drug Symposium – The goal of this program was to work with the Drug Enforcement Administration (DEA) and Texas Crime Prevention Center to educate the student body on the harms of opioids and other street drugs.
- Departmental Alcohol and Drug Awareness Presentations - Departments may request on-site &/or virtual alcohol and drug awareness presentations. The presentations are facilitated by Student Health Services staff and address various topics such as the five characteristics of addiction and the typical red flags for identifying potential AOD abuse amongst co-workers and students.
- SHS Newsletter - Student Health Services Monthly Newsletter provides another source to educate students on alcohol and other drug education, research updates, and support resources.
- Campus Early Intervention Alcohol and Drug Education Program - The Early Intervention and Education Program (EIEP) is a multilevel educational program designed to meet the individual needs of students who have been referred for drug and alcohol or other conduct violations. Students may refer themselves or they may be referred by another member of the PVAMU community.

C. Student Counseling Services

Student Counseling Services (SCS) understands that college students are oftentimes faced with important decisions about their use of alcohol and other substances on the PVAMU campus. For these reasons, substance abuse counseling and education is a series of individual and/or group sessions that are designed to bring awareness, education, and assistance to students who believe their behaviors with illicit drugs and/or alcohol has become a problem. The sessions are confidential and are intended to assist students in making positive changes in their

lifestyle. SCS also provides referral information for chronic substance abusers or the more severe drug and alcohol dependent person. Individual counseling is given to those students who present with mental health symptoms that coexist with substance abuse. Its ultimate goal is awareness, prevention, and intervention that will lead to student retention. SCS also offers educational workshops and classroom presentations on a variety of topics upon request. Below is a summary of services provided to students by SCS that target substance use and abuse:

Individual Counseling

As a result of an initial assessment, the SCS staff member may suggest that a student participate in individual and/or group counseling for minor substance abuse problems and/or individual counseling for the effects of parental substance abuse.

Group Counseling

Group counseling includes referrals from an initial assessment by SCS, participants who volunteer from advertisement of such services, or referrals from the campus community. Also included are groups that focus on the deleterious effects of alcohol and drug usage on behavior on the PVAMU campus. Outreach efforts included the following:

- Adult Children of Alcoholics (ACOA) Group
- Alcohol Anonymous (AA) Group (Sobriety Equals Success Program)
- Men Among Men Group (substance abuse and its impact on behavior)
- Sexual Assault Awareness Group
- Women Support Group

Personal Counseling/Substance Use Intervention

It is through the process of awareness that brings attention and serious comprehension as to how alcohol and drug use can impact the community and stifle the development of the learning environment. As students become more mindful of such concerns, then they are more inclined to seek help. Students who may have an alcohol and/or illicit drug problem may benefit from Substance Use Intervention. The intervention segment offers confidential individual and/or group sessions, (Substance Abuse Group), substance abuse assessment, treatment of co-occurring concerns, as well as information, education, and referrals. For those students whose concerns are outside of the spectrum of the Sobriety Equals Success substance abuse intervention services, they will be referred to area agencies, hospitals, and institutions. These facilities provide day treatment and inpatient detoxification, as well as rehabilitation services to its clients. The cost of their services may be covered in whole or in part by the client's health insurance. Students who are seen in SCS have their individual sessions paid from their student service fee.

D. Office of Student Engagement

The Office of Student Engagement (OSE) serves as a resource for all students while providing programming services to support student organizations and advisors. OSE provides opportunities for students to join a registered student organization, engage in leadership development, trainings, and community engagement. OSE also partners with all students who are passionate about transforming the campus, to create dynamic learning opportunities for everyone.

E. Housing and Residence Life

In an effort to provide information and education, Housing and Residence Life works closely with Student Affairs, Student Health Services, Student Counseling Services, and the University Police Department to offer multiple programming outlets and provide opportunities for both group and individual learning.

In accordance with prevention and intervention efforts of alcohol and other drugs, Housing and Residence Life conducts an annual week-long training with over 70 community assistants prior to the fall semester. Training includes, but not limited to, the following areas:

- Job responsibilities, contracts, and confidentiality policies;
- Campus resources;
- Clery Act training;
- Title IX training;
- Alcohol awareness;
- Maxient conduct database system and incident reports;
- University housing policies and procedures;
- Emergency procedures; and,
- Student Code of Conduct disciplinary procedures.

Housing and Residence Life establishes the following components to minimize the impact of high risk drinking and drug usage among the resident community:

- Within the first week of the semester, a mandatory residence meeting is held to discuss information related to the housing rules, community living standards, and university policies and procedures including the alcohol and drug policies.
- Monthly health/safety inspections are conducted during the academic year. The department inspects the room of each resident to determine possible damages and/or violations of rules concerning prohibited items.
- Housing and Residence Life also sponsors in-house presentations on alcohol related topics and allocates funding resources to sponsor university-wide speakers and alcohol awareness programs/events. Housing and Residence Life staff sponsor a wide variety of social and educational activities during the year. All Housing and Residence Life-sponsored programs/activities are alcohol-free.
- Meetings are held with residential staff to discuss cases that involve the misuse of alcohol & other drugs among the residence hall students.
- Housing and Residence Life works closely with Student Conduct, Student Health Services, Student Counseling Services, and University Police Department to ensure that residents know their rights and responsibilities.

Outreach efforts included the following:

- Spring Break Tips – Prior to departure for spring break, students received information about the importance of being safe, which included information regarding the dangers of drug and alcohol use/abuse.
- Henny Thing is Possible – At this program, students received information about the importance of not drinking and driving.

F. Athletics Department

The Athletics Department at PVAMU advocates the development of healthy and responsible lifestyles for student-athletes during their years of eligibility as a long-term enrichment and enhancement of their lives. In addition, the department has a policy that stresses the importance of the role a student-athlete serves as a university representative and role model to the youth who admire them. The department has a substance abuse program in place that provides education about mood- and body-altering substances, drug testing, evaluation and assessment, AOD treatment and counseling on an annual basis. The program also educates student-athletes on discipline and consequences of violating federal and state laws, system policies and regulations, or university rules and administrative procedures. The management team, which consists of the medical review officer, drug testing coordinator, coaching staff representative, team sports administrator, and an intervention coordinator, monitors student-athletes in the program. In addition, all student-athletes are required to complete and return a drug testing consent form before they are allowed to participate in any PVAMU athletic program.

The Athletics Department promotes value development, moral reasoning and ethical conduct in intercollegiate athletes. Special attention will be given to personal health, leadership skills, alcohol/drug education and community involvement. The Athletics Department is responsible for initiating and maintaining substance abuse education programs, including the administration, education and monitoring of medical staff and counseling staff. As a condition for any student-athlete to be a member of a varsity intercollegiate athletic team, the student-athlete must annually agree to participate in the Athletics Department's substance abuse program.

G. Office of Student Conduct

PVAMU's Office of Student Conduct imposes sanctions on students that have violated the Student Code of Conduct regarding drugs and alcohol. These sanctions may also require students to complete a drug and/or alcohol education program with Student Counseling Services.

H. University Police Department

The University Police Department (UPD) enforces alcohol and drug laws. UPD also tracks alcohol and drug violations, which occur on and adjacent to campus and offers programs to the campus community on drug and alcohol laws. UPD officers conduct sessions on drug and alcohol awareness during student orientation. Additionally, throughout the year, the UPD officers serve as program facilitators on crime prevention/safety, Texas laws and institutional rules and regulations upon request by campus organizations, clubs and professional organizations on and off campus. The goal of the department is to make students aware of the potential consequences of alcohol and other drug possession or abuse.

I. Office of Student Financial Aid and Scholarships

The Free Application for Federal Student Aid (FAFSA) includes a drug question that reads: Have you been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid (such as grants, loans, or work-study). The student self-certifies this question. The Office of Student Financial Aid and Scholarships (OSFAS) is notified by the Department of Education (DOE) if a student admits a conviction. The OSFAS then must determine if the conviction affects the student's eligibility. No financial aid can be awarded or disbursed until the OSFAS receives confirmation from the DOE that the student is eligible for aid. The DOE requires any student convicted to complete a qualified drug rehabilitation program, which must include two unannounced drug tests.

Program Participation Agreement

As part of the DOE's Program Participation Agreement (PPA), PVAMU must make a certification statement, which is signed by the University President. Under the PPA, if an employee is found to have a drug or alcohol related issue, PVAMU must have a drug and alcohol abuse prevention program in operation to assist the employee. The EAP satisfies the employee portion of the PPA. The PPA must be completed and renewed every five years as part of maintaining eligibility for administering financial aid programs.

Procedures for Distributing Written AOD Annual Notification

Student Notifications

The annual AOD notification letter is disseminated to all students each semester via campus email. Students are made aware of PVAMU's alcohol and drug abuse education and prevention programs, including information about the university standards of conduct, health risks and sanctions for engaging in illegal substance abuse on campus and at campus sponsored activities. In addition, students are provided links to system policies and regulations, university rules and administrative procedures, and additional information or resources available to support their needs and decision-making process. See Appendix A for the full notification.

Faculty and Staff Notifications

The annual AOD notification letter is disseminated to all faculty and staff each year in the fall via campus email. Faculty and staff are made aware of PVAMU's alcohol and drug abuse education and prevention programs, including information about the university's standards of conduct, health risks and sanctions for engaging in illegal substance abuse on campus and at campus sponsored activities. In addition, during New Employee Orientation, faculty and staff are provided links to system policies and regulations, university rules and administrative procedures, and any additional information or resources available to support their needs and decision-making process. See Appendix A for the full notification.

Violations, Sanctions and Enforcement

A student or employee found responsible for noncompliance with the PVAMU alcohol or other drug policies and procedures or the laws of the State of Texas is subject to sanctions. A noncompliant student or employee who has committed a violation of system and university requirements is subject to sanctions commensurate with the offenses and any aggravating and mitigating circumstances.

Disciplinary action in cases involving drug related violations by students may result in suspension, dismissal or expulsion from the university. Cases involving employees will result in disciplinary sanctions up to and including termination. Severity of sanctions will depend upon the nature and seriousness of each case.

Violations of any state or federal law pertaining to controlled substances which occur off campus and are not associated with a university-connected activity may also result in disciplinary actions. University disciplinary proceedings will be in accordance with the procedures outlined in the student handbook and university rules and/or administrative procedures. Any disciplinary action imposed by the university may precede and be in addition to any penalty imposed by authorities off campus.

Law Violation Statistics

The following table illustrates the number of alcohol and drug related law violations that occurred at PVAMU from Fall 2018 through Summer 2020 as provided by PVAMU's Clery Act Compliance Coordinator.

	Fall 2018	Spring 2019	Summer 2019	Fall 2019	Spring 2020	Summer 2020	Total
Drug Law Arrests	57	75	18	32	39	5	226
Drug Law Violations Referred for Disciplinary Action	25	32	6	11	41	7	122
Liquor Law Arrests	7	3	2	17	5	1	35
Liquor Law Violations Referred for Disciplinary Action	18	9	0	0	3	0	30

Student Sanction Statistics

The Office of Student Conduct is responsible for administering the university's student disciplinary process. The Office of Student Conduct utilizes Maxient, a centralized reporting and record maintenance program for logging student conduct-related offenses and sanctions. Students found in violation of the university's regulations pertaining to alcohol and drugs may be assessed a variety of sanctions and are sometimes referred to Student Counseling Services as part of the disciplinary referral process. The following tables illustrate the totals for alcohol and drug violations and the sanctions that were assessed for the 2018-2019 and 2019-2020 academic years. Please note that some students may have been found responsible for both alcohol and drug violations in the same incident, which would be reflected in both tables for the respective academic year.

During the 2018-2019 academic year, there were a total of 25 alcohol and 107 drug violations processed by the Office of Student Conduct.

2018-2019 Alcohol Violations = 25	
Sanction	Total Assessed
Expulsion	1
Suspension	0
Deferred Suspension	1
Conduct Probation	7
Counseling	0
Community Service	8
Reflection Paper	0
Loss of Privileges	0
Marijuana 101	0
Under the Influence	16
Reprimand	0
Apology Letter	0
Psychological Evaluation	0
Restitution	0

2018-2019 Drug Violations = 107	
Sanction	Total Assessed
Expulsion	4
Suspension	6
Deferred Suspension	1
Conduct Probation	44
Counseling	0
Community Service	52
Reflection Paper	17
Loss of Privileges	0
Marijuana 101	76
Under the Influence	0
Reprimand	0
Apology Letter	0
Psychological Evaluation	0
Restitution	0

2018-2019 Alcohol Violations = 25			
Sanction			Total Assessed
PVAMU	Annual	Drug	
Symposium			7
Additional Sanctions			7

2018-2019 Drug Violations = 107			
Sanction			Total Assessed
PVAMU	Annual	Drug	
Symposium			8
Additional Sanctions			8

During the 2019-2020 academic year, there were a total of 15 alcohol and 44 drug violations processed by the Office of Student Conduct.

2019-2020 Alcohol Violations = 15			
Sanction			Total Assessed
Expulsion			0
Suspension			0
Deferred Suspension			0
Conduct Probation			14
Counseling			0
Community Service			11
Reflection Paper			0
Loss of Privileges			0
Marijuana 101			0
Under the Influence			15
Reprimand			0
Apology Letter			0
Psychological Evaluation			0
Restitution			0
PVAMU	Annual	Drug	
Symposium			0
Additional Sanctions			0

2019-2020 Drug Violations = 44			
Sanction			Total Assessed
Expulsion			2
Suspension			0
Deferred Suspension			0
Conduct Probation			24
Counseling			0
Community Service			23
Reflection Paper			10
Loss of Privileges			0
Marijuana 101			36
Under the Influence			0
Reprimand			4
Apology Letter			0
Psychological Evaluation			0
Restitution			0
PVAMU	Annual	Drug	
Symposium			0
Additional Sanctions			4

Based on our review of the available documentation provided relating to students found in violation of the university's regulations pertaining to alcohol and drugs, we believe sanctions were administered in a consistent manner during academic years 2018-2019 and 2019-2020.

Employee Assistance Program Utilization for AOD-Related Issues

For Academic Year 2018-2019, PVAMU contracted with the Deer Oaks EAP Services to provide counseling and other services to PVAMU employees through its Employee Assistance Program (EAP). For Academic Year 2019-2020, the university contracted with Guidance Resources to provide the services. Based on the data provided by the EAP service providers, we were unable to determine the utilization of the EAP for alcohol and/or drug related issues due to the data not being in a user-friendly format.

Policies and Procedures Distributed to Students and Employees

The policies and procedures pertaining to alcohol and illicit drug violations for the student population are included in the online Code of Student Conduct Handbook; and for faculty/staff, this information is located in the online Policy Library.

AOD Program Effectiveness and Assessments

As a means to create a holistic approach to the implementation of an effective alcohol and drug abuse prevention program, effective assessments should be used in the evaluation and to assist the university in setting goals for future outreach activities.

Program Goals and Achievements

In Fall 2018, the Drug and Alcohol Abuse Prevention Program (DAAPP) committee was in the beginning stages of establishing overall DAAPP program goals and targets.

Program Strengths and Weaknesses

Favorable Compliance:

- The established DAAPP Committee collaborated with various departments campus-wide to promote learning and development by administering a range of programs and services for faculty, staff, and students.
- The DAAPP Committee developed a standard assessment tool to be utilized by every entity sponsoring an alcohol or drug free program.
- The university distributes information on the DAAPP rules and procedures during New Employee Orientation and annually thereafter to faculty and staff, and each semester for students.
- The university tracks the number of drug- and alcohol-related offenses utilizing the "Maxient" student conduct software and the UPD records management software.
- The university provides numerous services and activities (counseling, treatment, rehabilitation, and re-entry) in an effort to promote a strong alcohol/drug-free campus environment.
- The OHR advises all new employees of the system policies and regulations and university rules and administrative procedures relating to alcohol and drugs during New Employee Orientation.
- DAAPP educational presentations are held during various student orientations/meetings at the beginning of each semester (i.e. new student and transfer student orientations, housing and residence life meetings, student athlete assembly).
- Housing and Residence Life events are alcohol- and drug-free.
- Peer educators create and promote alcohol- and drug-free events.
- Several departments across campus embrace opportunities for collaborative initiatives in regards to sponsoring DAAPP programs and activities.
- Housing and Residence Life train the community assistants annually on alcohol awareness.

Compliance Concerns:

- DAAPP program leaders did not consistently determine the effectiveness of their DAAPP programs. There was no documented program performance information such as strengths and weaknesses or measures with targets, etc.
- Lack of assigned leadership responsibilities for ensuring compliance with DFSCA requirements.
- Variances in Clery and Student Conduct statistical data were noted. There was significant disparity in the number of cases processed by Student Conduct, as opposed to the overall number of violations reported. For example, during academic year 2018-2019, Clery reported 39 alcohol violations and 213 drug violations, as opposed to Student Conduct

processing 25 alcohol violations and 107 drug violations. In addition, there were several instances where incidents occurred and not all pertinent parties were notified.

2020 Biennial Review Recommendations

Based on our review of the DAAPP in place at PVAMU during academic years 2018-2019 and 2019-2020, we recommend the following:

1. The university should continue efforts to clearly define its DAAPP including identifying all related activities and services as well as goals and targets.
2. DAAPP program leaders should insure the utilization of the standard assessment instrument recently developed by the DAAPP Committee to determine the success of its programs.
3. On an annual basis, program leaders should ensure that program sponsors are measuring the achievement of the program goals, as well as the strengths and weaknesses associated with those goals, and any recommendations for improvement.
4. Utilize weekly campus safety meetings to discuss incidents to ensure that all pertinent parties are informed.
5. Reinforce training to ensure that all reporting parties understand proper protocol for reporting incidents.
6. The Student Conduct office should determine the root cause for student conduct cases being significantly less than the number of violations reported during the academic years. The Maxient Student Conduct Management system includes a significant number of pending cases dating back several years, which could partially explain the difference in the number of reported violations and the adjudicated cases. Upon identification of the cause(s), implement any necessary changes. Additionally, the Student Conduct office could be positively impacted by the assistance of a Student Conduct Case Manager to help facilitate the management and timely disposition of cases.

Lastly, the DAAPP initiative will benefit from the addition of a dedicated staff member out of the Health Services area to coordinate campus wide DAAPP implementation and assessment efforts.

APPENDIX A: 2018-2019 and 2019-2020 ANNUAL NOTIFICATION

The following is the 2018-2019 and 2019-2020 annual notice distributed to students, faculty and staff.

Please review this essential information.

You are receiving this notification in accordance with the federal government requirements of the Drug-Free Schools and Communities Act. In order for Prairie View A&M University to receive federal funding of any kind, including federal financial resources, all faculty, staff, and students must receive a copy of this notification document. To view this notification, please visit <https://www.pvamu.edu/universitycompliance/wp-content/uploads/sites/87/Drug-and-Alcohol-Abuse-Prevention-Program-Notice.pdf>.

If you have questions regarding this notification, please contact Tim Sams at tesams@pvamu.edu or 936-261-2130.

Drug and Alcohol Abuse Prevention Program (DAAPP) Notice

In accordance with requirements of the federal Drug-Free Schools and Communities Act, Prairie View A&M University is to disseminate the following information to all students, faculty and staff on an annual basis:

- *Standards of conduct* that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
- A description of the applicable *legal sanctions* under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the *health risks* associated with the use of illicit drugs and the abuse of alcohol.
- A description of available drug and alcohol *counseling, treatment, or rehabilitation* or re-entry programs.
- A clear statement of the *disciplinary sanctions* that the university will impose on students and employees who violate the standards of conduct.

Prairie View A&M University is committed to the elimination of alcohol abuse and illicit drug use. The use of such substances disrupts the university's mission of excellence in teaching, research and service. We all must help prevent alcohol abuse and illicit drug use from negatively affecting the learning environment. The university expects its students and employees to cooperate in maintaining an environment free from the effects of alcohol and other drugs and to comply with laws and regulations related to the consumption, possession, sale and distribution of alcohol and other drugs.

Standards of Conduct

All members of the university community (students and employees) are responsible for being familiar and complying with the requirements of federal and state laws concerning the use, possession, sale and distribution of alcohol and other drugs. All members of the university community are expected to be familiar and comply with [System Policy 34.02 Drug and Alcohol Abuse](#); [System Regulation 34.02.01 Drug and Alcohol Abuse and Rehabilitation Programs](#) and [PVAMU Rule 34.02.01.P1 Drug and Alcohol Abuse and Rehabilitation Programs](#) regarding drug and alcohol abuse.

The university recognizes both alcohol and drug abuse as potential health, safety, and security problems. The university expects students, faculty and staff to assist in maintaining an environment free from the effects of alcohol and other drugs.

The manufacture, possession, use, distribution or sale of alcohol (except as expressly authorized by system and/or university regulations) and illicit drugs is prohibited on university property and in the context of any university activity. 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. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one (21) years of age. Individuals may not be in a state of public intoxication or drunkenness. Individuals may not operate a motor vehicle or another form of transportation while intoxicated or while under the influence of alcohol or another drug.

Employees and students are responsible for reporting a reasonable suspicion of drug or alcohol abuse by employees or students to their immediate supervisor, Office of Human Resources, Office of Student Affairs, or the University Police Department.

Legal Sanctions

Various federal and state laws prohibit the possession, distribution, and use of controlled substances, unless in compliance with licensing requirements or a physician's prescription. Moreover, state law prohibits the consumption and possession of alcohol by persons under the age of 21 and the supplying of alcohol to any person under the age of 21. Additionally, state law prohibits the sale of alcoholic beverages except by those licensed to sell such beverages. State law also prohibits public intoxication to a degree that it may pose a danger to the intoxicated person or others, the operation of a vehicle under the influence of alcohol or other intoxicants, and the possession of an open container of alcohol in a motor vehicle on a public roadway.

Violation of laws relating to drugs and alcohol may result in probation, fines, imprisonment, and permanent criminal record. Violation of drug laws may also result in civil seizure and forfeiture of property used in connection with the offense. A violation may also result in university disciplinary action.

Federal Sanctions

Federal law penalizes the manufacture, distribution, possession with intent to manufacture or distribute, and simple possession of drugs (“controlled substances”).

Federal penalties and sanctions for the simple possession of a controlled substance are quite severe. The law sets forth sentences and fines that include the following:

- First conviction: up to one-year imprisonment, a fine of at least \$1,000, or both. After one prior drug conviction: at least 15 days in prison, not to exceed two years, and a fine of at least \$2,500. After two or more prior drug convictions: at least 90 days in prison, not to exceed three years, and a fine of at least \$5,000. A special, harsher sentencing provision applies for possession of flunitrazepam (Rohypnol). (21 U.S.C. §844(a))
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment, as well as forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance. (21 U.S.C. §§853(a) & 881(a))
- Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to five years for the first offense, up to 10 years for the second offense, and permanently upon the third offense. (21 U.S.C. §862)
- Ineligibility to receive or purchase a firearm. (18 U.S.C. §922(g))

Moreover, revocation of certain federal licenses and benefits (e.g., pilot licenses, public housing tenancy) are vested within the authorities of individual federal agencies.

These penalties may be doubled when a person who is at least 18 years old: (1) distributes a controlled substance to a person under 21 years of age (a term of imprisonment for this offense shall not be less than one year), and/or (2) distributes, possesses with intent to distribute, or manufactures a controlled substance in or on, or within 1,000 feet of, the real property comprising a public or private elementary or secondary school, or a public or private college. (21 U.S.C. §§859 & 860).

Federal penalties and sanctions for trafficking in controlled substances are considerably more severe than those outlined above for simple possession. **Appendix A** outlines federal trafficking penalties for substances covered by the Controlled Substances Act.

State Sanctions

State laws also cover a wide range of drug offenses. Sentences and fines for simple possession of various controlled substances and for the manufacture of, delivery of, or possession with intent to deliver controlled substances are outlined in **Appendix B**.

The summary of state alcohol-related sanctions provided in this document is intended to provide general information to students and employees. It is for reference only and is not intended to provide legal advice. Specific advice regarding an individual person or situation should be requested from an attorney. The use of alcoholic beverages by members of the university

community is at all times subject to the alcoholic beverage laws of the State of Texas. For example, individuals must be at least 21 years old to purchase, possess, or consume alcoholic beverages. State laws with penalties, sentences and fines are outlined in **Appendix C**.

Health Risks

The use of illicit drugs and the abuse of alcohol and prescription drugs have potential adverse health consequences that may be permanent. These consequences include disorders and dysfunctions that affect the central nervous system, reproductive functioning, cardiovascular and pulmonary systems, and endocrine functioning. Specifically, there are both short- and long-term effects on cognition, memory, retention, information processing, coordination, and athletic and academic performance. The use of illicit drugs and the abuse of alcohol also affect emotional equilibrium, mental well-being, and the ability to make critical decisions. Such use also impairs judgment, which in turn increases one's vulnerability and risk-taking behaviors, including engaging in unprotected sex, which may lead to exposure to HIV and other sexually transmitted diseases and to unplanned pregnancy. The chronic use and abuse of illicit drugs and alcohol have been shown to cause adverse permanent changes in most of the biological systems studied. These changes can lead to severe impairment, disability, and premature death.

Illicit Drugs

The use of any amount of drug—prescription, illicit, or legal—will alter the chemical balance of the body. Misuse of drugs may lead to lifelong chemical dependency, the disease of addiction, and possible death. Abuse and addiction to drugs often cause serious damage to major body organs such as brain, stomach, lungs, liver, kidneys, and heart, as well as the immune and reproductive systems. The sharing of needles when using drugs is known to be a major cause of the spread of HIV. The health risks associated with various controlled substances are summarized in **Appendix D**.

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and learning disabilities. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Counseling, Treatment, and Rehabilitation

Students and employees who believe they may have an alcohol or drug problem are strongly encouraged to seek assistance through resources available through the university. Employees may contact the Employee Assistance Program ([ComPsych EAP website](#)), which manages the university's alcohol & drug abuse and rehabilitation program for employees. The Employee Assistance Program (EAP) provides counseling and referral services. More information about the EAP can be obtained by calling 800-851-1714 or 936-261-1730.

To help students who may have an alcohol or other drug problem, PVAMU offers an Early Intervention and Education Program. The program offers individual counseling, assessment and/or treatment referral. For more information on the alcohol and other drug program for students, or to schedule an appointment, call the Owens-Franklin Health Center at 936-261-1410.

Students who may have an alcohol and/or illicit drug problem may seek assistance from Student Counseling Services. Student Counseling Services offers substance use intervention services. The program is called Sobriety Equals Success. It includes confidential individual sessions, confidential group sessions, substance abuse assessment, and treatment of co-occurring concerns as well as information, education, and referrals. The program offers educational workshops and classroom presentations as it pertains to substance abuse among college men and women. Each year the Sobriety Equals Success co-sponsors a student drug prevention forum. All direct services are provided by Student Counseling Services' professionals who are board certified and state licensed.

For those students whose concerns are outside of the spectrum of the Sobriety Equal Success program, substance abuse intervention services will refer to area agencies, hospitals, and institutions. These facilities provide day treatment and inpatient detoxification, as well as rehabilitation services to its clients. The cost of their services may be covered in whole or in part by the client's health insurance.

Prairie View A&M University is also committed to promoting responsible decision-making regarding alcohol and other drugs through educational programming and resources. The university has several programs and services in place for students, faculty and staff. These programs, which are available at no charge, provide the campus population with services and substance abuse awareness and education. The following are specific programs:

- Panthers Promoting Healthy Decisions (PhDs) - the program is designed to educate students, as well as the community, about the issues that students face today with drugs, alcohol, and sex. PhDs educate the campus population through workshops, seminars, training, in-class presentations and panel discussions on an ongoing basis.

- Departmental Drug Awareness Presentations - departments may request on-site drug awareness presentations. The presentations are facilitated by staff from the Owens-Franklin Health Center.
- Student-Athlete Drug and Alcohol Program - the Department of Athletics advocates the development of healthy and responsible lifestyles for student-athletes during their years of eligibility for long-term enrichment and enhancement of their lives. The department has a substance abuse program in place that provides education about mood-and body-altering substances, drug testing, evaluation and assessment, treatment and counseling on an annual basis.

University Disciplinary Sanctions

In addition to possible criminal penalties for violations of state or federal law, the unlawful possession, use, or distribution of illicit drugs and alcohol, and any violation of the system or university alcohol and other drug policy by a student or employee, will result in appropriate sanctions under the student disciplinary system or the employee disciplinary process.

For students, sanctions include, but are not limited to: referral to the Early Intervention and Education Program, completion of some other appropriate rehabilitation or assistance program, expulsion from school or referral to authorities for prosecution.

For employees, sanctions include but are not limited to: the successful completion of an approved rehabilitation or chemical dependency treatment program, suspension, termination of employment, or referral to authorities for prosecution.

Specific areas of the university (e.g., Athletics) may also take action based on a violation of the university alcohol and other drug policy or their specific policies. The particular sanction in a given case will depend on such factors as the nature of the violation, the seriousness of the offense, and the prior record of the individual or organization.

For both students and employees, the university retains full and final discretion, within the limits established by system policies and regulations and university rules and procedures, on whether, when, and under what conditions a student may be reinstated or an employee returned to employment after an instance of alcohol abuse or improper drug use. Student organizations that violate this policy are also subject to sanctions, including, but not limited to, probation and removal of recognized student organization status.

Appendix A – Federal Drug Trafficking Penalties

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. 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 bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. 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 bodily 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.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
II	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
Substance/Quantity		Penalty		
Any Amount Of Other Schedule I & II Substances		First Offense: Not more 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 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.		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		First Offense: Not more than 10 yrs. If death or serious bodily 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.		

Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>
Any Amount Of All Schedule V Drugs	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<p>First Offense: 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.</p> <p>Second Offense: 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.</p>
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p>First Offense: 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.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<p>First Offense: Not more 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.</p> <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Hashish More than 10 kilograms	
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

Source: [Drug Enforcement Agency](#)

Appendix B – Texas Laws on Drug Offenses and Penalties

This information is only to be used as a guideline. Many things factor into determining specific offenses and penalties, including but not limited to prior convictions. Also, state statutes/penalties are subject to change at any time by the Legislature and Governor, therefore, for the most current statutory information refer to Texas State Statutes -

www.statutes.legis.state.tx.us.

Possession of controlled substances (drugs)

- **Minimum:** Fine not to exceed \$10,000 and confinement in jail for a term of not more than two years or less than 180 days.
- **Maximum:** A fine not to exceed \$250,000 and imprisonment for life or for a term of not more than 99 years nor less than fifteen years.

Manufacture or delivery of controlled substances (drugs)

- **Minimum:** Fine not to exceed \$10,000 and confinement in jail for a term of not more than two years or less than 180 days.
- **Maximum:** A fine not to exceed \$250,000 and imprisonment for life or for a term of not more than 99 years nor less than fifteen years.

Possession of marijuana

- **Minimum:** A fine not to exceed \$2,000 and/or confinement in jail for a term of not more than 180 days.
- **Maximum:** A fine not to exceed \$50,000 and imprisonment for life or for a term of not more than 99 years nor less than five years.

Delivery of marijuana

- **Minimum:** A fine not to exceed \$2,000 and/or confinement in jail for a term of not more than 180 days.
- **Maximum:** A fine not to exceed \$100,000 and imprisonment for life or for a term of not more than 99 nor less than ten years.

Appendix C – Texas Laws on Alcohol Offenses and Penalties (Revised 2013)

This information is only to be used as a guideline. Many things factor into determining specific offenses and penalties, including but not limited to prior convictions. Also, state statutes/penalties are subject to change at any time by the Legislature and Governor, therefore, for the most current statutory information refer to Texas State Statutes - www.statutes.legis.state.tx.us.

I. Alcoholic Beverage Provisions Relating to Age

1. Punishment for Alcohol-Related Offense by Minor. The following penalties apply for Minor in Possession Violations (MIP) which include Attempted Purchase, Purchase, Possession, Consumption of Alcohol, and Misrepresentation of Age. ABC§106.071

Table 1: Penalties for Minor in Possession (MIP)					
Offense	Fine	Community Service	Loss of License	Education	Jail
1st	Up to \$500	8-12 hours	30 days	Required	None
2nd	Up to \$500	20-40 hours	60 days	Judges' option	None
3rd	\$250-\$2000	None	180 days	Judges' option	Up to 180 days
Deferred disposition is considered a conviction for enhancement (See Table 5 below).					

2. Purchase of Alcohol by a Minor. A minor commits an offense by purchasing an alcoholic beverage; punishable by §106.071. (For penalties, see Table 1 above). ABC§106.02.

3. Attempted Purchase of Alcohol by a Minor. A minor commits an offense by an act amounting to more than mere preparation to purchase an alcoholic beverage; punishable by §106.071. (For penalties, see Table 1 above). ABC§106.025.

4. Sale to Minors. A person commits an offense by selling an alcoholic beverage to a minor through an act of criminal negligence. This is a Class A misdemeanor. (For penalties, see Table 5 below). ABC§106.03.

5. Consumption of Alcohol by a Minor. A minor commits an offense by consuming an alcoholic beverage; punishable by §106.071. (For penalties, see Table 1 above). An order of deferred disposition under this section is considered a conviction of an offense. ABC§106.04.

6. Driving Under the Influence of Alcohol by a Minor (DUI). A minor commits an offense if the minor operates a motor vehicle in a public place while having any detectable amount of alcohol in the minor's system. This is a Class C misdemeanor except if the minor has been previously convicted at least twice of an alcohol-related offense. Deferred disposition is considered a conviction for enhancement. A Minor is not eligible for deferred disposition on 3rd offense. (For penalties, see Table 2 and Table 5 below. See also Sections II-8). ABC§106.041.

Table 2: Penalties for DUI by a Minor

Offense	Fine	Community Service	Loss of License		Education	Jail
			Failing*	Refusing*		
1st	Up to \$500	20-40 hours	60 days	180 days	Required	None
2nd	Up to \$500	40-60 hours	120 days	2 years	Judges' option	None
3rd	\$500-\$2000	40-60 hours	180 days	2 years	Judges' option	Up to 180 days

*Failing a breath/blood test means there was ANY detectable amount of alcohol present. Due to Implied Consent, refusing to take the breath/blood test results in higher penalties. TC§724.035

7. Possession of Alcohol by a Minor. A minor commits an offense by possession of an alcoholic beverage; punishable by §106.071. (For penalties, see Table 1 above). Exceptions: a minor may possess an alcoholic beverage while in the course and scope of employment, or in the visible presence of an adult parent, guardian, or spouse. ABC§106.05.

8. Purchase of Alcohol for a Minor; Furnishing Alcohol to a Minor. A person commits an offense by purchasing an alcoholic beverage for a minor, or by furnishing an alcoholic beverage to a minor through an act of criminal negligence. This is a Class A misdemeanor. (For penalties, see Table 5 below). ABC§106.06.

II. Intoxication and Alcoholic Beverage Offenses

1. Definition of Intoxication. "Intoxicated" is either 1) not having the normal use of mental or physical faculties due to the introduction of alcohol or other drugs into the body; or 2) having an alcohol concentration of 0.08 or more. PC§49.01.

2. Public Intoxication. An individual commits an offense by appearing in a public place while intoxicated to the degree that the individual may endanger the person or another. This is a Class C misdemeanor. (For adult penalties, see Table 5 below. For minor penalties, see Table 1 above). PC§49.02.

3. Possession of Alcoholic Beverage in Motor Vehicle. A person commits an offense by knowingly possessing an open container in a passenger area of a motor vehicle that is located on a public highway, regardless of whether the vehicle is being operated or is stopped or parked. This is a Class C misdemeanor. (For penalties, see Table 5 below). PC§49.031.

4. Driving While Intoxicated. A person commits an offense if the person is intoxicated while operating a motor vehicle in a public place. Except as provided by Subsection (c) [relating to an open container] and Section 49.09, the offense is a class B misdemeanor, with a minimum term of confinement 72 hours. If at the time of the offense the driver had an open container of alcohol in their immediate possession, the offense is a class B misdemeanor, and the minimum term of confinement is six days. (For penalties, see Table 3 and Table 5 below. See also Section II-8 below). PC§49.04.

Table 3: Penalties for Driving While Intoxicated			
	Fines	License Loss	Jail
1st Offense	Up to \$2,000	90 days - 1 year	72 hours – 180 days
2nd Offense	Up to \$4,000	180 days - 2 years	30 days – 1 year
3rd Offense or more	Up to \$10,000	180 days - 2 years	2 – 10 years

5. Flying or Boating While Intoxicated. A person commits an offense if the person is intoxicated while operating an aircraft or watercraft. This is a Class B misdemeanor with minimum jail term of 72 hours. (For penalties, see Table 5 below). PC§49.05, §49.06.

6. Intoxication Assault. A person commits an offense by causing serious bodily injury to another, by accident or mistake, while operating an aircraft, watercraft, or motor vehicle in a public place while intoxicated. This is a 3rd Degree felony. (For penalties, see Table 5 below. See also Section II-8 below). PC§49.07.

7. Intoxication Manslaughter. A person commits an offense by causing the death of another, by accident or mistake, while operating an aircraft, watercraft, or motor vehicle in a public place while intoxicated. This is a 2nd Degree felony. (For penalties, see Table 5 below. See also Section II-8 below). PC§49.08.

8. Administrative License Revocation. Upon arrest for DWI, Intoxication Assault, or Intoxication Manslaughter, failing the breath/blood (BAC) test can result in license revocation. Revocation may not be probated and there is a \$125 reinstatement fee. An appeal process is available. (For penalties, see Table 4). TC§524.022.

Table 4: License Revocation Penalties for Adults		
Terms of Offense	Failing BAC test	Refusing BAC test
1st Offense	90 days license revocation	180 days license revocation
Previous Revocation due to: Refusal/failure of BAC test	1 year license revocation	2 year license revocation
Previous Revocation due to: DWI or Intoxication Manslaughter	1 year license revocation	2 years license revocation

III. Legal Charges and Penalties

Table 5: Legal Charges	Fine and/or	Imprisonment
1st Degree Felony Punishment	Up to \$10,000	5 to 99 years
2nd Degree Felony Punishment	Up to \$10,000	2 to 20 years
3rd Degree Felony Punishment	Up to \$10,000	2 to 10 years
Class A Misdemeanor	Up to \$4,000	Up to 1 year
Class B Misdemeanor	Up to \$2,000	Up to 180 days
Class C Misdemeanor	Up to \$500	none

1. Enhanced Offenses and Penalties. Previous convictions for driving, boating, or flying while intoxicated will enhance the offenses and penalties for subsequent DWI convictions. One previous conviction enhances the offense to a Class A misdemeanor with a minimum term of 30 days. Two previous convictions enhance the offense to a 3rd Degree felony. PC§49.09.
2. No Defense. In a prosecution of consumption of alcohol in a motor vehicle, DWI, intoxication assault, or intoxication manslaughter, the fact that the defendant is or has been entitled to use the alcohol or other substance is not a defense. PC§49.10.

Appendix D – Health Risks of Commonly Abused Substances

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite, increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility; increased rate of breathing, muscle spasms and convulsions, dilated pupils, disturbed sleep,	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, “heavy” arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity , increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions, death, physical dependence, psychological dependence
Marijuana/ Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement, slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some
Morphine/ Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, “heavy” feeling in arms and legs	constipation, loss of appetite, collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination,	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
		nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,
Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization for women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence

Source: Eastern Illinois University