

**TEXAS STATE TECHNICAL COLLEGE SYSTEM
SYSTEM OPERATING STANDARD**

No. ES.3.05	Page 1 of 4	Effective Date: 07/26/97
DIVISION:	Educational Services	
SUBJECT:	Alcohol/Drug Possession and Use	
AUTHORITY:	Minute Order #75-97	
SUBMITTED BY:	<i>Original Signed by J. Gary Hendricks</i>	
TITLE:	Director, Educational Services and Information Resources	Date: 07/26/97
APPROVED BY:	<i>Original Signed by Ralph T. Strother</i>	
TITLE:	Interim Chancellor	Date: 07/26/97

STATUS: Approved by BOR 07/26/97

HISTORICAL STATUS: Approved M/C 07/24/97
 Revised 07/14/97
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 Approved M/C 09/15/86

POLICY

It is the policy of Texas State Technical College to (1) maintain the order and discipline of the teaching, studying, socializing, and living environments, (2) protect the health, safety, and welfare of students, faculty, and staff in fulfillment of the residential and educational role and purpose of the Institution, (3) delineate the conditions which allow the possession and use of alcohol, and (4) prohibit the possession, use, distribution, or sale of prohibited substances.

PERTINENT INFORMATION

Definition: Prohibited Substances — Those substances prohibited under Texas Statutes, Health and Safety Code, Title 6, Subtitle C — Substance Abuse Regulation and Crimes. Prohibited substances include controlled substances, simulated controlled substances, dangerous drugs, volatile chemicals, and abusable glues and aerosol paints.

While there is significant amount of case law regarding the possession and use of alcohol and prohibited substances in higher education institutions which may be cited here, it is more important to recognize the sources for regulations and the Institution's rationale for regulation. First, Texas State Technical College is a higher education unit serving the entire state as well as foreign and out-of-state students. As such, its residential role results in a substantial portion of the enrollment residing on the campus throughout the year. The demand for services which supports a healthy student life and student residence program is obvious. Secondly, as citizens and as residents, students at TSTC become subject to local, state, and federal laws governing alcohol/drug possession and use. The third factor is the recognition of the educational role of the Institution and a declared educational objective by each student. Therefore, the environment of TSTC is one of residential men and women seeking an educational objective on a full time basis until their educational objective is met. TSTC must foster a healthy living environment, maintain the order and discipline for teaching and studying and provide a balance of student life services and activities in which students may grow and learn as citizens.

DELEGATION OF AUTHORITY

Presidents have the responsibility and authority to develop procedures which assure the compliance with this System Operating Standard. Presidents have the authority and responsibility to delegate duties and assignments sufficient to carry out policy and have authority to enter into contracts or agreements with other agencies as necessary to meet policies and procedures. Presidents have the authority to approve the sale and public possession and use of alcoholic beverages for a specified time and event according to procedures in this System Operating Standard.

OPERATING REQUIREMENTS

Each college shall:

- A. Conform to State and Federal Law by:
 1. Inclusion in contracts with any licensee a statement prohibiting the sale of alcoholic beverages to any person under legal age and prohibition of sales to any person appearing to be intoxicated.
 2. Designation of the possession or consumption of alcoholic beverages in class, an on-campus motor vehicle, a College facility or property as a violation of the College's rules, except where expressly permitted.
 3. Affirmation of the College's willingness to cooperate in criminal investigations.
 4. Affirmation of the College's position that at no time will alcoholic beverages be served to persons under the legal drinking age.
- B. Expressly prohibit the possession, sale, or use of all prohibited substances on any property of TSTC and at any event sponsored by TSTC including student organizations.

- C. Support Alcohol/Drug Awareness and Training for students and key staff who interact with students.
- D. Consider the sale or consumption of alcohol at any student organization or social event on or off campus a violation of College rules, except where expressly permitted.
- E. Declare an exception to prohibited public possession and use of alcoholic beverages for a specified time and event when it is in the best interest of all concerned to do so. Such times include those in which the College is hosting an event attended by the public, all relevant laws and local ordinances are met, and proper security measures have been taken.
- F. Permit or restrict the sale of alcoholic beverages by second parties doing business with TSTC as specified by term of contract.
- G. Restrict patrons of athletic events sponsored by the College from bringing or using alcohol or prohibited substances at any and all events.
- H. Refer to professional services any student who experiences academic problems, has repeated disciplinary infractions or who experiences other health problems which are considered to be related to alcohol or prohibited substance abuse.
- I. Not designate or expend any portion of student fees for the purchase of alcoholic beverages.
- J. Each college shall determine and publish notice of whether alcoholic beverages may be consumed in private on-campus domiciles by students of legal age. If student alcoholic beverage consumption is permitted in private, on-campus domiciles, transportation of alcoholic beverages from the point of purchase to the student's private domicile is an implied permission.
- K. Provide students due process for reported infractions of College rules and subject students to disciplinary sanctions, including either suspension or expulsion from the College for violations.
- L. Publish all appropriate rules and regulations in student handbooks, include appropriate statements in contracts, and post all appropriate notices of regulations in public places.

PERFORMANCE STANDARDS

The College complies with each of the operating requirements of this System Operating Standard.



COLLEGE OPERATING PROCEDURE

COLLEGE		Page 1 of
OFFICE OF RESPONSIBILITY:		
APPROVED BY:		
TITLE:		Date