Alcohol and Other Drugs Policy

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General Description

Policy Summary:

This policy is intended to further the educational mission of the University. It reflects Trinity University's commitment to fostering an environment that promotes the health, safety, and welfare of all members of the community by emphasizing individual and shared responsibility, healthy and informed decision-making, and maintenance of a caring environment.

Purpose:

The purpose of this policy is to establish the University's requirements and restrictions regarding alcohol and other drug use by students, both on and off campus, in accordance with Trinity University's mission and federal, state and local laws.

Scope:

This policy applies to all Trinity University Students.

Exceptions:

None.

Policy Content

Preamble

Trinity University is committed to the health, safety and wellbeing of each member of the University community. In order to further student learning and development and to promote the University's academic mission, Trinity fosters an environment of personal and collective responsibility and respectful participation. This means that all members of the University community—students, faculty, staff and on-campus visitors—have a role in safeguarding a healthy living and learning environment free of the misuse of alcohol and other drugs.

Policy Statement on the Drug-Free Schools Amendment

The federal government's Drug-Free Schools and Communities Act Amendment of 1989 requires universities to certify that they have a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

This policy will be sent to the university community on an annual basis to satisfy our notice requirement under the Drug-Free Schools and Communities Act.

Applicability of the Policy

This policy applies to all students and registered student organizations, and their guests on any University owned or leased property, as well as any off-campus facilities used for a University-related activity or involving Trinity students. Conduct that violates this policy, or any local, state or federal laws regulating drug or alcohol use, will subject a student to disciplinary or other appropriate action.

The "activities" to which this policy applies may include any act or event sponsored or organized by the University, including its constituent administrative and academic units as well as any university or registered student organizations.

Enforcement of the Policy

Students are personally responsible for complying with state and local laws and the University Alcohol and Other Drugs policy. Alcohol or other drugs possessed or consumed in violation of this policy are subject to confiscation and/or disposal and any student in possession of or who has consumed alcohol or other drugs in violation of this policy is subject to the disciplinary process set forth herein, as well as possible criminal prosecution under applicable local, state or federal laws.

Professional staff, residential life staff, and the Trinity University Police Department will respond to any observed Alcohol and Other Drugs policy violations and submit incident reports to the Office of the Dean of Students. Every reported incident will receive follow-up from University staff, but each reported incident may not necessarily result in a conduct violation.

Disciplinary Actions

Any violation of the following rules shall be considered an offense subject to disciplinary action by appropriate authorities. Alcohol and Other Drugs policy violations may result in educational discussions, administrative hearings, or Student Integrity Panel hearings. Sanctions may be imposed at the discretion of the hearing officer.

Sanctions may range from educational assessments (Such as BASICS and CASICS), fines/fees, guardian notifications, warnings, probation, removal from residential life, suspension, or expulsion depending on the severity of the violation. The University reserves

the right to request assistance from law enforcement officials where local, state, or federal laws are violated.

Policy Statement

The University encourages students to make responsible decisions concerning the possession and consumption of alcoholic beverages. The University does not condone the use of illegal drugs or the illegal use of legal drugs, including alcohol. Students are expected to obey the law and to take full responsibility for their conduct relative to alcohol consumption. All members of the Trinity community are responsible for being fully aware of the requirements of University policy as well as local, state, and federal laws regarding alcohol and other drugs. This policy shall be subject to an annual review.

Responsible Friend Initiative

The health, safety and well-being of our community is the highest priority. Trinity University's primary concern with Alcohol and Other Drug (AOD) use is the safety and wellbeing of our students. Students are expected to abide by Texas law and University policies.

Trinity University acknowledges there may be times when students may face medical emergencies involving AOD use. In these situations, Trinity University expects students to request emergency medical assistance for oneself or someone who may be suffering from a serious medical condition, including alcohol poisoning.

When a student contacts the Trinity University Police Department (TUPD, 210-999-7000), Residential Life staff or any other University official out of concern from themselves or another student's health and safety, the student(s) involved will not be considered for violation of the Alcohol and Other Drugs Policy for that incident. If other policies were potentially violated, students may be referred through the student conduct process.

When assistance is requested, TUPD will arrive on scene to assess the student experiencing the medical condition. TUPD will ask for identification and may ask witnesses for additional facts on what led to the incident. TUPD may call for certified Emergency Medical Services (EMS) to assist. If the student requires transport to the hospital or sobering unit, TUPD and/or EMS will transport the student. All parties involved are expected to comply with instruction from TUPD and medical authorities.

TUPD or other responding staff are required to collect information and submit an incident report to the Dean of Students office. Upon receipt of a report, the students involved may be required to meet with a member of the Dean of Students office. Although the Responsible Friend Initiative indicates a charge will not be applied for AOD policies, an educational discussion or referral to meet with a campus partner may apply.

Should a serious situation arise, including criminal drug allegations, property damage, violence, etc., TUPD may move forward in their law enforcement process.

Definitions

To provide clarification, the following definitions are provided:

1. The term "alcohol" includes: hard alcohol, wine, beer, seltzer and any other alcoholic beverage.
2. Beer and wine are produced by fermentation. Generally, these items can be purchased in Texas at local grocery stores and gas stations. Champagne, seltzers and similar items purchased in local grocery stores are classified in this policy as beer and wine. The average Alcohol by Volume (ABV) for beer is 5%. The average ABV for wine is 12%.
3. Hard alcohol is prohibited. Hard alcohol or distilled spirits is an alcoholic beverage produced by a distillation process. Types of hard alcohol include liquors (e.g., vodka, rum, tequila), liqueurs (e.g., Kahlúa, Amaretto, etc.), and fortified wines, which contain a distilled alcohol such as brandy (e.g., sherry, port, MD 20/20). Hard alcohol is not sold in Texas grocery stores or convenience stores. The average Alcohol By Volume (ABV) for hard alcohol is 40%. Liqueurs are mainly used as flavoring agents in mixed drinks. The Average by Volume (ABV) for liqueurs range between 15%-55%. Liqueurs are considered hard alcohol under University policy.
4. An “open container” refers to a bottle, can or other receptacle that contains any amount of alcohol and that is open or has a broken seal.
5. Cannabis (also known as Marijuana) is a mind-altering (psychoactive) drug, produced by the Cannabis sativa plant. Cannabis has over 480 constituents. THC (delta9-tetrahydrocannabinol) is believed to be the main ingredient that produces the psychoactive effect.
6. THC is one of at least 113 cannabinoids identified in cannabis. THC is the principal psychoactive constituent of cannabis. With chemical name (−)-trans-Δ^9-tetrahydrocannabinol, the term THC also refers to cannabinoid isomers.
7. CBD is a natural cannabidiol derived from hemp. It is non-psychoactive. It is commercially available in multiple forms such as capsules, creams, sprays, edible products, etc.
8. A “University official” is defined as faculty, staff and paid student leaders such as Resident Assistants with a duty to uphold and enforce rules, regulations and policies of the University.

University Standards for Students

Alcohol

Members of the Trinity community are required to abide by all applicable laws and University policies, including those governing alcohol consumption, distribution and possession. Under Texas law and University policy, it is illegal for anyone under the age of 21 to purchase, possess, or consume alcohol in any public or private space on University property. Trinity University has established the following:

- Only those students of legal drinking age (21 years and older) may possess or consume alcohol on campus and/or during university activities.
- Students living in the residence halls who are 21 years old or older, may be permitted to consume alcoholic beverages:
    - If alcohol is permitted in the residence hall. Some residential halls and residential spaces are substance-free. Students over the age of 21 living in “substance-free” communities may not possess alcoholic beverages. Students should consult the Residential Life Office with any questions.
    - In their residence hall rooms while the room door is closed. Alcohol may not be consumed in hallways, stairways, elevators, lounges, outside on campus property, or any other public areas of campus.
    - If all individuals present in the residence hall room where alcohol is being consumed are 21 years old or older.
- Hard alcohol is prohibited on campus.
- Providing alcohol to a minor or assisting a minor in any way in obtaining alcohol is a violation of state law and is expressly prohibited. This policy includes university/registered student organizations, faculty, staff, alumni, parents/family members, and guests.
- The use, possession, and consumption of alcoholic beverages as part of University-sponsored student activities must be approved through Student Engagement and Development per theStudent Organization Handbook.
- Any act that causes others to involuntarily or unknowingly consume alcohol is prohibited.
- Public intoxication is prohibited. Generally, a person is considered intoxicated if that person has consumed alcohol and is disruptive, disrespecting others, and/or potentially posing harm to their safety and the safety of others.
- Open containers of alcohol may not be possessed or consumed in any public space on the University premises (including but not limited to campus facilities, residential lounges, grounds, or adjacent streets).
- Possessing, furnishing, consuming, or serving from a common source of alcohol (i.e., kegs, beer balls, punch bowls, or other source of 12 or more servings), unless being served and monitored by a licensed vendor after properly registering an event for provision of alcohol on campus or during a university activity, is strictly prohibited.
- Drinking games, beer funnels, beer pong tables, and other practices or materials that encourage unsafe or rapid consumption of alcohol are prohibited on campus and/or during university activities.
- Alcohol-related displays (i.e. signs, glasses, bottles, etc.) are only permitted in a residence hall room if all students who live in the room are 21 years of age or older. No alcohol displays may be visible to the public. Students should note that the possession of alcoholic beverage containers, either full or empty, may be taken as a presumption of use and possession, and as such, may be considered a violation of this policy.

Other Drugs

Trinity University prohibits the use, possession, manufacture, sale, and/or distribution of controlled and illegal substances (consistent with federal, state, and local laws). The possession or use of prescription drugs without a valid medical prescription and the use of illegal substances for any purpose is prohibited. Trinity University has established the following:

- Cannabis is classified as a Schedule I drug according to the Controlled Substances Act. Thus, the use, possession, cultivation, or sale of marijuana violates federal policy. Federal grants are subject to university compliance with the Drug Free Communities and Schools Act, and the Drug Free Workplace Act. The university is also subject to the Controlled Substances Act. This prohibits the university from allowing any form of cannabis use on campus.
- Possession, consumption (without a legal prescription), sale and/or distribution of any substance used to cause impairment is prohibited.
- Possession, consumption, sale and/or distribution of any substance, whether legal under state or federal law or not, that contains any measurable amount of tetrahydrocannabinol (THC), such as hemp and CBD is prohibited. This includes but is not limited to CBD gummies and synthetic cannabis such as Delta 8, Spice, K2, etc.
- Use or possession of drug paraphernalia is prohibited. This includes but is not limited to weights, scales, rolling papers, e-cigs, pipes, blunts, vapes, hookahs and other smoking devices used to consume controlled substances.
- Selling and sharing prescription drugs is prohibited.
- Students convicted of drug offenses off campus may be referred to the Student Conduct Program.

Counseling, Education, and Resources

The following are alcohol and other drug-related resources available on and off campus:

On-campus Resources

- Counseling Services
  Coates Student Center 108
  210-999-7848 | counseling@trinity.edu
- Dean of Students
  Coates Student Center 222
  210-999-8844 | deanofstudents@trinity.edu
- Spiritual Life
  Margarite B. Parker Chapel 202
  210-999-7311 | parkerchapel@trinity.edu
- Trinity University Police
  538 Kings Court, San Antonio, TX 78212
  210-999-7070 | tupd@trinity.edu

- Health Services
  Myrtle Hall 80
  210-999-8111 | healthservices@trinity.edu
- Wellness Services
  Coates Student Center 112E
  210-999-7492 | wellness@trinity.edu
- BASICS (Brief Alcohol Screening and Intervention for College Students) and CASICS (Cannabis Screening and Intervention for College Students) Programs for college students to help examine alcohol and cannabis use in a judgment-free environment designed to help reduce unhealthy behaviors and their potential for harmful consequences. Set up an appointment by emailing wellness@trinity.edu.
- TigerCare Live

Free and confidential counseling. Step-by-step guide.

Off-campus Resources

- Referral Guide for Alcohol and Other Drug Assessment, Treatment, and Peer Support

The Office of the Dean of Students maintains an Alcohol webpage providing resources for alcohol safety and support. Trinity University aims to collect alcohol assessment data through the National College Health Assessment (NCHA) in order to align harm reduction strategies to the current student culture.

Alcohol and Other Drug Health Education and Risks

As a part of encouraging responsible lifestyles, Trinity University strives to provide education about alcohol and other drug use, encourage responsible choices, and intervene in situations where it has knowledge of individual misuse and abuse of substances. Trinity will encourage and provide reasonable help for members of the University community who seek treatment for chemical dependency. In addition, the University will continue to study, develop, and evaluate the education program for the campus community about the implications of alcohol and drug use.

Alcohol and other drugs can affect your body in different ways, and the effects can vary from person to person. The quality and strength of illegal drugs may differ from one batch to another, reducing the predictability of their effects. Factors that impact how a drug affects someone include:

- Amount and strength of drug
- Whether other drugs have been taken
- Body size, age, metabolism
- General health
- Mood
- Environment

- How often or how long you have used the drug
- How the drug is taken

Alcohol and other drug use can have immediate and long-term effects. These can include:

- Neurological, respiratory, and cardiovascular issues and emergencies, such as increased or decreased heart rate or blood pressure, heart attack, stroke, seizure, and brain hemorrhage
- Liver, kidney, and heart problems
- Infectious disease risk
- Cancer
- Cognitive and memory issues
- Taking part in risky behaviors such as impaired driving or unprotected sex
- Changes in behavior, including mood swings or increased aggression
- Impacts on sleep
- Appetite and diet issues
- Dental health problems
- Mental health issues such as anxiety, depression, and psychosis
- Dependence
- Financial, work, or social problems

Summary of State and Federal Law

Alcohol

A. Minors and Alcohol

The legal drinking age is 21, and it is illegal for a minor to possess, purchase, attempt to purchase, or consume alcohol. A first offense results in an alcohol awareness course, community service, a 30-day suspension of driver's license, and up to a $500 fine. Repeat offenses may result in automatic suspension of driver's license and up to a $2000 fine and 180 days in jail. All penalties are assigned at the discretion of a judge. Possession of false identification results in up to a $200 fine. Making alcohol available to a minor results in up to a $4000 fine and/or one year in jail. A parent must appear in court for any alcohol charges filed against a minor under 21 years of age.

B. Driving While Intoxicated

For anyone under 21, it is illegal to drive with any detectable Blood Alcohol Concentration (BAC). A first offense results in a fine up to a $500, 40 community service hours, alcohol awareness course, and 60-day suspension of driver's license. All penalties are assigned at the discretion of a judge. The legal limit for intoxication is a BAC of .08. However, drivers may be cited for impaired driving due to alcohol regardless of BAC. Refusal to take a blood or breath test to measure BAC can result in a 180-day driver's license suspension. A first offense results in a fine of up to $2000, 180 days in jail and driver's license suspension up to one year. Repeat offenses may result in a fine up to $10,000, 10 years in penitentiary,

and two years of driver's license suspension.

Drugs

I. Texas Law

Offense	Minimum Punishment	Maximum Punishment
Manufacture or delivery of controlled substances (drugs) HSC 481.112-4	Confinement in a state jail for a term of not more than two years or less than 180 days	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed $250,000
Possession of controlled substances (drugs) HSC 481.1125-8	Confinement in jail for a term of not more than 180 days, and a fine not to exceed $2,000, or both	Confinement in TDCJ for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed $250,000
Delivery of marijuana HSC 481.120	Confinement in jail for a term of not more than 180 days, and a fine not to exceed $2,000, or both	Confinement in TDCJ for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed $100,000
Possession of marijuana HSC 481.121	Confinement in jail for a term of not more than 180 days, and a fine not to exceed $2,000, or both	Confinement in TDCJ for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed $50,000
Driving while intoxicated (includes intoxication from drugs, alcohol* or both) PC 49.09	Confinement in jail with a minimum term of 72 hours, and a fine not to exceed $2,000	Confinement in TDCJ for a term of not more than 10 years or less than 2 years and a fine not to exceed $10,000
Public intoxication PC 49.02		Class C misdemeanor – maximum fine of $500

II. Federal Law

Offense	Minimum Punishment	Maximum Punishment

Manufacture, distribution or dispensing drugs (includes marijuana) 21USC841	A term of imprisonment not more than one year, and a minimum fine of $1,000	A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed $20,000,000 (for an individual) of $75,000,000 (if other than an individual)
Possession of drugs (including marijuana)	Civil penalty in amount not to exceed $10,000 21USC844	Imprisonment for not more than 20 years or not less than 5 years, a fine of not less than $5,000 plus cost of investigation and prosecution 21USC841
Operation of a common carrier 18USC342		Imprisonment for up to 15 years and a fine not to exceed $250,000

Revision Management

Revision History Log:

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Vice President Approval:

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