



Drug & Alcohol Prevention Program

The King's University

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Drug and Alcohol Abuse Prevention Program

Introduction

The King's University (TKU) is committed to maintaining an alcohol and drug-free campus. TKU deeply cares for the well-being, health, and safety of our students and staff members and is committed to educating students and staff about the physical dangers of the use and abuse of alcohol and other drugs. Part of our commitment to students and staff is to help ensure they are safe from and completely avoid the harmful and negative effects of alcohol and drug abuse. All institutions of higher education are required to create a drug and alcohol abuse prevention program. This program is required to do the following:

1. Annually notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violation of federal, state, and local law and campus policy; a description of health risks associated with alcohol and other drugs use; and a description of available treatment programs.
2. Develop a sound method for distributing annual notification information to every student and staff member each year.
3. Prepare a biennial report on the effectiveness of its Drug and Alcohol Abuse Prevention program and the consistency of sanction enforcement.

The following information is intended not only to meet this federal requirement but also make all students and staff aware of TKU's expectations in regards to alcohol and other drugs, and assist anyone struggling with these harmful substances.

Annual Notification to Students and Employees

TKU will notify all students and employees through TKU email accounts of this Drug and Alcohol Abuse Prevention Program following late registration each fall semester. The notification will be sent by October 1 of each year. Because all students (including applicants) and staff members are provided a university-issued email account and are expected to access TKU email on a regular basis, providing the Drug and Alcohol Abuse Prevention Program through email is the most efficient, effective and all-inclusive method of communication. In addition, new employees will be provided a copy of the program during or following their new employee orientation. The full program is also available on TKU's website and is available for viewing online at any time to students, staff, parents, prospective students and the general public.

Standards of Conduct and Policies

Recognizing that our bodies are the temples of the Holy Spirit, TKU is committed to maintaining a drug-free environment. In support of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, TKU has adopted the following policy statement as conditions of enrollment and/or employment:

1. As a condition of enrollment/employment, the unlawful manufacture, distribution, dispensing, possession or use of illicit drugs and alcohol is prohibited at any time on the campus and premises.
2. The University will comply with all applicable legal sanctions under local, state and federal law for unlawful possession, use, or distribution of illicit drugs and alcohol.
3. Students/employees are required to notify Campus Security, Director of Student of Life, or supervisor respectively of any known criminal drug statute conviction or violation occurring at the University immediately upon knowledge of such conviction or violation.

In accordance with our educational mission, and for the well-being of our students and the TKU community, the University has established the following policies related to alcohol and other drugs:

1. The possession, consumption, or distribution of alcoholic beverages and illegal drugs while on properties owned or used by TKU is strictly prohibited. Moreover, any student present where alcohol is found on campus and premises may be subject to sanctions.
2. Alcohol is prohibited at all University-sponsored events (including off-campus events).
3. Any officially recognized student club or organization (regardless of legal drinking age of its members) is prohibited from hosting or participating in any formal group event (on or off- campus) that involves alcohol. Such groups include, but are not limited to: special interest groups, social clubs, athletic and intramural teams, and Spring Break Campaigns, etc. Any TKU-provided channels of communication may not be used to promote or advertise any event (on or off campus) that involves alcohol.
4. Intoxicated students coming on campus or at a University-sponsored event will be sanctioned. For the purposes of TKU's student conduct policy and process, intoxication will be defined as any disruptive, destructive, hazardous, vulgar, or uncontrolled behavior during or following the consumption of alcoholic beverages or illegal drugs.

5. Alcohol paraphernalia (such as glassware commonly used to serve alcoholic beverages; empty beer bottles or cans; posters, clothing, or signs promoting alcohol, etc.) is not permitted on campus.
6. All students must abide by Texas law related to the possession, consumption, and distribution of alcohol. Specifically, Texas law prohibits:
 - The purchase, possession, or consumption of alcoholic beverages by a person under 21 years of age (Texas Alcohol Beverage Code Sec. 106.02, 106.04-106.05, 106.071);
 - Being intoxicated in public to the degree that one poses a danger to him/herself or to others (Texas Penal Code Sec. 49.02);
 - Furnishing alcohol to a minor (Texas Alcohol Beverage Code Sec. 106.06). For the purposes of this policy, TKU defines furnishing as purchasing for, giving to, or making alcoholic beverages available to a minor. This includes, but is not limited to, creating a situation where there is a risk a minor may be provided with or obtain alcohol.
 - Driving while intoxicated (Texas Penal Code Sec. 49.04).
 - Driving under the influence of alcohol by a minor (TABAC Code 106.041). Per Texas Law, any detectable amount of alcohol in the minor's system (such as alcohol emitting from the person's breath) is defined as driving under the influence.

Sanctions for Violation of Federal/State/Local Law and Campus Policy

1. TKU will impose disciplinary actions on students and employees for violations of the University's code of conduct and policies related to the use and abuse of alcohol and other drugs. These sanctions are described below.
2. All students found in violation of TKU drug and alcohol policies and standards of conduct will be referred to the Campus Life Office, and employees will be referred to the Human Resources Office.
3. The penalty for violation of any of TKU's policies and standards of conduct may be terminated from enrollment/employment.
4. All students/employees are subject to federal, state and local laws. Violators are subject to university disciplinary action and/or criminal prosecution.

Federal Law:

- According to state and federal laws, a person convicted of certain misdemeanor or felony offenses may forfeit certain civil rights, including his/her right to vote, hold public office, purchase or possess firearms, or obtain or maintain certain licenses for a specified period of time. (United States Code Sec. 1973gg-6, United States Code Sec. 992 (g)).
- 21 U. S. C. 841 makes it a crime (a) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or (b) to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance.
- Possession of a controlled substance is defined in 21 U.S. C. 844(a) is defined as knowingly or intentionally possesses a controlled substance unless such substance was obtained directly or pursuant to a valid prescription or order, from a practitioner. Punishable by up to 1-year imprisonment and/or a minimum fine of \$1,000. Note: Possession of Flunitrazepam (also known as Rohypnol) may be punishable by up to 3 years imprisonment.
- The Controlled Substances Act places all substances which are in some manner regulated into one of five schedules. The CSA provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances.
- The U. S. Code establishes and authorizes the U. S. Attorney General to revise as needed, classifications of controlled substances. Schedule I is comprised essentially of

"street drugs," and Schedule V is comprised of drugs with a "low potential for abuse" when compared with drugs in schedules I-IV. Examples of Schedule I drugs are heroin and marijuana. PCP, for example, is a Schedule II drug. Amphetamine is a Schedule III drug, while Barbitol is a Schedule IV drug. An example of a Schedule V drug would be a prescription medication with not more than 200 mg. of codeine per 100 grams.

- The penalties are determined by the schedule of the drug or other substance, and sometimes are specified by drug name, as in the case of marijuana.
 - Penalties for first offenses include a fine up to \$10 million and/or a prison term up to life, but no less than 1 year.
- For the Drug Enforcement Agency's complete list of Federal Trafficking Penalties for Schedules I-V, please see:
http://www.justice.gov/dea/druginfo/ftp_chart1.pdf

NOTE: Penalties for subsequent violations of the above-described provisions are progressively more severe than the initial convictions. Penalties, laws, and statutes may change without notice. This list is not intended to be comprehensive. For a complete list of drug and alcohol-related offenses, please contact the appropriate law enforcement agency.

State Law:

Applicable Texas state laws and legal sanctions that apply to illegal alcohol and drug use, possession or distribution include, but are not limited to:

- Public Intoxication is defined as being intoxicated in public to the degree that one poses a danger to him/herself or to others. Class C Misdemeanor punishable by a fine up to \$500 and/or subject to arrest. (Texas Penal Code Sec. 49.02)
- Possession of Alcoholic Beverage in Motor Vehicle is defined as possessing an opened container of alcohol in a motor vehicle regardless of whether the vehicle is being operated or is stopped or parked. Class C Misdemeanor punishable by a fine up to \$500. (Texas Penal Code 49.031)
- Driving While Intoxicated is a Class B Misdemeanor punishable by a fine up to \$2,000 and/or 180 days in jail. (Texas Penal Code Sec. 49.04)
- The Texas Penal Code defines intoxication as "not having the normal use of

mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug” or any combination of substances. Therefore, drug consumption and intoxication laws under the Texas Penal Code may overlap with alcohol offenses.

- A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another. (Texas Penal Code 49.02)
- A person commits an offense if the person knowingly possesses 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. Possession by a person of one or more open containers in a single criminal episode is a single offense. (Texas Penal Code 49.031)
- A person commits an offense if the person is intoxicated while operating a motor vehicle in a public place. (Texas Penal code 49.04)
 - Note that a person may also be convicted of offenses if intoxicated while operating a plane, driving with a minor in the vehicle, or boating. (Texas Penal code 49.045-.06)
 - Punishable with a minimum term of confinement of 30 days.
- A person commits an offense if the person, by accident or mistake while operating an aircraft, watercraft, or amusement ride while intoxicated, or while operating a motor vehicle in a public place while intoxicated, by reason of that intoxication causes serious bodily injury to another. (Texas Penal Code 49.07)
- A person commits an offense if the person: (1) operates a motor vehicle in a public place, operates an aircraft, a watercraft, or an amusement ride, or assembles a mobile amusement ride; and (2) is intoxicated and by reason of that intoxication causes the death of another by accident or mistake. (Texas Penal Code 49.08)
- A minor commits an offense if the minor purchases or attempts to purchase an alcoholic beverage. (Texas Alcoholic Beverage Code 106.02-.025)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver’s license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if he consumes an alcoholic beverage. (Texas Alcoholic Beverage Code 106.04)
- The offense is punishable by a fine of not less than \$250; confinement in jail for

a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- A minor commits an offense if the minor operates a motor vehicle in a public place, or a watercraft while having any detectable amount of alcohol in the minor's system. (Texas Alcoholic Beverage Code 106.041)
- The offense is punishable by a fine of not less than \$500 or more than \$2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. In addition, the court shall order community service to be performed.
- A minor commits an offense if he possesses an alcoholic beverage. (Texas Alcoholic Beverage Code 106.05)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A person commits an offense if he purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence. (Texas Alcoholic Beverage Code 106.06)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if he falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic beverages. (Texas Alcoholic Beverage Code 106.07)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- The manufacture, delivery, or possession of a controlled substance (as defined by the Texas Controlled Substances Act) in the State of Texas is a crime and punishable by a fine up to \$250,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.112-.119)

- Possession of a Controlled Substance is defined as knowingly or intentionally possessing a controlled substance without a valid prescription. The minimum penalty (depending on amount) includes a Class B Misdemeanor punishable by a fine up to \$2,000 and/or 180 days in jail. (Texas Penal Code Sec. 481.115, 481.116, 481.117, 481.118)
- A person commits an offense if the person knowingly or intentionally delivers marijuana.
 - Such offense is punishable by a fine up to \$100,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.120)
- A person commits an offense if the person knowingly or intentionally possesses a usable quantity of marijuana.
 - This offense is punishable by imprisonment 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. (Tex. Health & Safety Code 481.121)
- A person commits an offense if the person knowingly delivers a controlled substance listed in Penalty Group 1, 1-A, 2, or 3 (of the Texas Controlled Substances Act) or knowingly delivers marijuana and the person delivers the controlled substance or marijuana to a person who is a child or who is enrolled in a public or private primary or secondary school.
 - This offense is punishable as a felony in the second degree. (Tex. Health & Safety Code 481.122)
- Drug-related offenses have increased penalties if the offense occurs in a "drug-free zone." Drug-free zones include institutions of higher education, youth centers, schools (and other facilities) and the areas surrounding such locations.
 - Penalties include fines that may be doubled and minimum jail terms that may be raised. (Tex. Health & Safety Code 481.134)
 - Offenses that occur within 1,000 feet of property owned by an institution of higher learning may be punishable to stricter criminal sanctions.

For more information on specific state codes, including the Texas Penal Code, Texas Alcoholic Beverage Code, and the Texas Health and Safety Code, visit:
<http://www.statutes.legis.state.tx.us/>

Sanctions Regarding University Policies on Alcohol and Drugs:

- TKU will impose disciplinary actions on students and employees for violations of the University's code of conduct and policies related to the use and abuse of alcohol and other drugs. These sanctions are described below.
- Students found in violation of TKU policies and standards of conduct will be assessed the full range of disciplinary action which could include probation or expulsion of enrollment.
- Employees found in violation of TKU policies and standards of conduct will be assessed the full range of disciplinary action including up to discharge.
- The possession, consumption, or distribution of alcoholic beverages on campus and premises is strictly prohibited.
- Alcohol is prohibited at all University-sponsored events (including off-campus events).
- Intoxicated employees coming to work, onto campus or to a University-sponsored event will receive disciplinary action including up to discharge.
- Alcohol paraphernalia (such as glassware commonly used to serve alcoholic beverages; empty beer bottles or cans; posters, clothing, or signs promoting alcohol, etc.) is not permitted on campus.
- Consuming alcoholic beverages in the presence of students, on or off campus, is not permitted.
- All employees must abide by Texas law related to the possession, consumption, and distribution of alcohol. (Refer to the section above entitled: State, Local and Federal Laws).

Health Risks Associated with the Use of Alcohol and Other Drugs

There are serious physical and psychological health implications associated with the use and/or abuse of drugs and alcohol that vary based on the frequency, extent, and intensity of consumption. When consumed in excess, drugs and alcohol can also lead to overdose or death. Drug use can cause changes in the brain that result in memory and cognition problems or lead to more severe consequences such as seizures, stroke, and possible brain damage. Alcohol use can impair brain function and motor skills; excessive use can increase the risk of certain cancers, stroke, and liver disease. Drug and alcohol use while pregnant may result in a number of health complications for the fetus such as premature birth, miscarriage, and low birth weight. For more information on the use of drugs and its effects on the brain and body, visit The National Institute on Drug Abuse website at <http://www.drugabuse.gov/>

Available Resources and Treatment Programs

The school does not sponsor drug or alcohol counseling, treatment, or rehabilitation programs. Students and employees, however, should know that near the Southlake campus in the Dallas Fort Worth area there many fine drug and alcohol counseling treatment and rehabilitation programs. Among these centers are:

- **Overcomers Outreach**
overcomersoutreach.org
800-310-3001
- **Alcoholics Anonymous**
aa.org
818-988-3001
- **Alpha Recovery Center**
alpha-recovery.com
818-502-2300
- **Sante Center**
santecenter.com
940-464-7222
- **Stonegate Center**
stonegatecenter.com
817-993-9733

This policy is acknowledgment of The King's compliance with Government Code Section 8355 and the Drug-

Free Schools and Communities Act of 1989 (Public Law 101-226).

Biennial Review

Federal Drug-Free Schools and Campuses Regulations also require institutions of higher education to conduct a biennial review of their alcohol and other drugs programs and policies to determine program effectiveness and consistency of policy enforcement and to identify and implement any changes needed to either. The required review has two objectives:

1. To determine the effectiveness of, and to implement any needed changes to, TKU's Drug and Alcohol Abuse Prevention Program.
2. To ensure that TKU enforces the disciplinary sanctions for violating standards of conduct consistently.

TKU will perform a review every two years. Each report will review the Drug and Alcohol Abuse Prevention Program's effectiveness for the previous two academic years.

Research Methods and Data Analysis Tools for Biennial Review

TKU will use a variety of methods and tools to conduct the biennial review of its Drug and Alcohol Abuse Prevention Program. Each institution of higher education faces its own unique set of challenges in regards to the prevention of drug and alcohol abuse. The details of each institution's review can and should adjust to strategically address the specific alcohol and other drug issues faced by their students.

The various methods and tools used for the biennial review can include but are not limited to the following:

- Campus surveys including students and employees
- Interviews with students and employees
- Campus Life Department records regarding incidents that reported the use or abuse of alcohol and other drugs including sanctions and disciplinary action taken

- Operations Department records regarding incidents that reported the use or abuse of alcohol and other drugs including any available information from local law enforcement
- Evaluation of any specific programs used to assist with the prevention of drug and alcohol use and abuse that were implemented or administered during the academic years being evaluated by the biennial review

Responsible Offices and Officials for Biennial Review

TKU's commitment to a drug and alcohol-free University is a campus-wide effort. In conjunction with other offices and individuals across campus, the following offices and officials work together to produce the biennial review and submit to the President's Cabinet for approval.

<i>Responsible Departments</i>	<i>Responsible Individual</i>
Campus Life Department	Director of Campus Life
Operations Department	Director of Building and Operations
Student Financial Services Department	Director of Financial Aid

Approval of Biennial Review

TKU's biennial review of its Drug and Alcohol Abuse Prevention Program is evaluated and approved by the President's Cabinet.

Availability of Biennial Review

TKU's biennial review is available to students, applicants, parents, employees, and the general public. Any interested party can request a copy of the biennial review by contacting the Financial Aid Office at financialservices@tku.edu or 817-722-1730.

Contact Information for Additional Questions

Students, parents, employees or any other interested party that would like additional information regarding TKU's efforts to maintain a drug and alcohol-free campus should contact the Director of Campus Life at 817-722-1700.