

**East Tennessee State University | Office of Human Resources**  
**PPP-26 Policy Statement on Drug Free Campus**

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## PPP-26 Policy Statement on Drug Free Campus

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### Policy

It is the policy of this university that the unlawful manufacture, distribution, possession, use of alcohol and illicit drugs on the ETSU campus, in the workplace (on or off campus), on property owned or controlled by ETSU, or as part of any activity of ETSU is strictly prohibited. All employees and students are subject to applicable federal, state and local laws related to this matter. Additionally, any violation of this policy will result in disciplinary action.

### Legal Sanctions

Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, dispense, deliver or sell, controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substance involved, the number of prior offenses, if any, whether death or serious bodily injury resulted from the use of such substance, and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment; a fine of up to \$4,000,000 if an individual; supervised release; any combination of the above; or all three. These sanctions are doubled when the offense involves either: 1.) distribution or possession at or near a school or college campus or, 2.) distribution to persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to \$10,000 may be assessed for simple possession of "personal use amounts" of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor's senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in T.C.A. Section 39-17-417. (21 U.S.C. Section 801, et. seq.; T.C.A. Section 39-17-417)

It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his employment), or consume alcoholic beverages, wine, or beer. Such offenses are classified as Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than \$2,500, or both. (T.C.A. Sections 1-3-113, 57-5-301) It is further an offense to provide alcoholic beverages to any person under the age of twenty-one (21), such offense being classified as a Class A misdemeanor (T.C.A. Section 39-15-404). The offense of public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than \$50, or both. (T.C.A. Section 39-17-310).

### Institutional/School Sanctions

East Tennessee State University will impose the appropriate sanction(s) on any employee or student who fails to comply with the terms of this policy.

Employees: As a condition of employment, each employee, including student employees, must abide by the terms of this policy, and must notify the Office of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace (on or off campus) no later than five days after such conviction. A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body. Possible disciplinary sanctions for failure to comply with this policy, including failure to notify of conviction, may include one or more of the following depending on the severity of the offense:

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- termination
- suspension
- mandatory participation in, and satisfactory completion of drug/alcohol abuse program, or rehabilitation program
- recommendation for professional counseling
- referral for prosecution
- letter of warning
- probation

Moreover, the following certification and notification requirements apply (responsibility of Research and Sponsored Programs in coordination with Human Resources):

- ❖ A certification statement will be placed in all federal grant requests that the institution is complying with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.
- ❖ All employees involved in the performance of federal contracts and grants will be furnished a written copy of this policy statement. In addition, they must certify that they will abide by the terms of the policy.
- ❖ Upon receiving notice of a drug conviction by an employee involved in the performance of a federal contract or grant, the appropriate federal agency will be notified (upon approval by the University President) within ten (10) days of the notice of conviction.

Students: Possible disciplinary sanctions for failure to comply with the terms of this policy may include one or more of the following depending on the severity of the offense:

- expulsion
- suspension
- mandatory participation in, and satisfactory completion of a drug/alcohol abuse program, or rehabilitation program
- referral for prosecution
- probation
- restriction of privileges
- educational project
- assignment of volunteer work hours
- referral to the University Counseling Center
- written warning
- reprimand

**Health Risks Associated With the Use of Illicit Drugs and the Abuse of Alcohol**

There are many health risks associated with the use of illicit drugs and the abuse of alcohol including organic damage; impairment of brain activity, digestion, and blood circulation; impairment of physiological processes and mental functioning; and, physical and psychological dependence. Such use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. Additionally, the illicit use of drugs increases the risk of contracting hepatitis, AIDS and other infections. If used excessively, the use of alcohol or drugs singularly or in certain combinations may cause death.

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**Available Drug and Alcohol Counseling, Treatment, Rehabilitation Programs, and Employee Assistance Programs**

The university and local community provide a variety of educational programs and services to respond to the problems associated with alcohol and drug abuse. The Campus Alcohol and Other Drug (AOD) Program at East Tennessee State University is designed to serve university students by providing information related to alcohol awareness and chemical dependency. The Division of Student Affairs offers several educational programs which seek to involve university student organizations.

Below is a list of campus and community agencies which also provide referral, information, and/or counseling to students and/or employees:

- ETSU Counseling Center (students only) 423-439-3333  
<https://www.etsu.edu/students/counseling/>
- ETSU Department of Public Safety 423-439-4480  
<http://www.etsu.edu/dps/>
- ETSU Employee Assistance Program 423-439-5825  
<http://www.etsu.edu/humanres/benefits/eap.php>
- State of Tennessee Employee Assistance Program 1-855-437-3486  
<http://www.tn.gov/finance/article/fa-benefits-eap>
- Alcoholics Anonymous 423-928-0871
- Comprehensive Community Services (Alcohol & Drug Counseling & Prevention Center) 423-928-6581
- Franklin Woods Community Hospital 423-302-1000
- Woodridge Hospital 423-431-7111
- Watauga Mental Health Center (Frontier Health) 423-232-2600