

**UNIVERSITY OF CENTRAL ARKANSAS
BOARD POLICY**

Policy Number: 506

Subject: Drug-free Schools and Campuses

Date Adopted: 09/90 Revised: 12/12

This policy is mandated by and complies with the provisions of the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226).

1. ANNUAL DISTRIBUTION OF POLICY, IN WRITING, TO EACH STUDENT AND EMPLOYEE:

The vice president for student services will be responsible for providing a copy of the "Drug-free Schools and Campuses" policy on an annual basis to all students. The Office of Human Resources will provide a copy of this policy to all employees.

OFFICE OF ITS ACTIVITIES:

The university is committed to the maintenance of a drug- and alcohol-free workplace and the encouragement of a standard of conduct for employees and students that discourages the unlawful possession, use, or distribution of controlled substances and alcohol on university property or as part of any of its activities.

Therefore, the unauthorized or unlawful possession, use, manufacture, or distribution of controlled substances or alcohol by students and employees on university property or as part of any university activity is expressly prohibited. Off-campus activities sponsored by recognized student organizations must abide by all local and state laws.

3. A DESCRIPTION OF APPLICABLE LEGAL SANCTIONS UNDER LOCAL, STATE, OR FEDERAL LAWS.

quantity and type of drug. In addition, real and personal property used in the manufacture, delivery, or importing of controlled substances may be forfeited to the government. An enhanced penalty of 10 years can be added if the person is on or within 1,000 feet of the UCA campus.

- b. **Manufacture or Delivery of a Counterfeit Substance:** It is unlawful for any person to create, deliver, or possess with intent to deliver, a counterfeit substance purporting to be a controlled substance. Penalties for the creating and/or delivery of a counterfeit substance can range from one to 20 years in prison, and fines up to \$15,000 depending on the type of drug being counterfeited.
- c. **Possession of a Controlled or Counterfeit Substance:** It is unlawful for any person to possess a controlled substance or counterfeit substance. Penalties for possession of a controlled or counterfeit substance can range from one to 10 years in prison, and fines up to \$10,000, depending on the type of drug or counterfeit substance possessed.
- d. **Underage DUI Law.** The State of Arkansas has recently passed an "Underage DUI Law" (Act 863 of 1993) in which it is an offense for a person under the age of 21 with a blood alcohol content of .02 – .08 to operate or be in control of a motorized vehicle. Penalties for a first offense can result in (1) suspension of driver's license for not less

program as approved by the Office on Alcohol and Drug Abuse Prevention; and

- vii. Upon an arrest for a first or second offense, the Office of Driver Services may restrict the person to operating only a motor vehicle that is equipped with a functioning ignition interlock device.

(.05 evidence) = A blood alcohol level of 0.5 may be considered with other competent evidence in determining guilt or innocence.

(.08 persuasive) = A blood alcohol level of .08 or more shall give rise to a presumption of intoxication.

f. **Public Intoxication – Drinking in Public:**

- i. A person commits the offense of **public intoxication** if he or she appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree and under circumstances such that:
- The person is likely to endanger himself or herself or another person or property; or
 - The person unreasonably annoys a person in his or her vicinity.
- ii. A person commits the offense of drinking in public if the person, other than in a place of business licensed to sell alcoholic beverages for consumption on the premises, consumes any alcoholic beverage:
- In any public place;
 - On any highway or street;
 - Upon any passenger coach, streetcar, or in or upon any vehicle commonly used for the transportation of passengers; or
 - In or about any depot, platform, waiting station or room, or other public place.

Public Intoxication/Drinking in Public is a Class C misdemeanor and can result in (1) a fine of up to \$100, and/or (2) imprisonment in the county jail (or other authorized institution) for up to 30 days.

- g. **Minor in Possession of Alcohol:** Any person under twenty-one (21) years of age

mandatory driver's license suspension for sixty (60) days by the Office of Driver Control, whether or not the person was in or about a vehicle at the time of arrest. Possession can include internal possession.

- h. **Contributing to Delinquency of a Minor:** A person commits the offense of "Contributing to the Delinquency of a Minor" if, being an adult (18 and over), he or she knowingly aids, causes, or encourages a minor to do any act prohibited by law, such as purchasing or providing alcoholic beverages to a minor. Such an offense is a Class A misdemeanor and can result in (i.) a fine of up to \$1,000 and/or (ii.) imprisonment in the county jail (or other authorized institution) for up to one full year.

- i.

5. DESCRIPTION OF AVAILABLE DRUG OR ALCOHOL COUNSELING, TREATMENT, OR REHABILITATION OR RE-ENTRY PROGRAMS:

There are a number of groups, offices, agencies, and hospitals in central Arkansas that offer drug treatment and rehabilitation services/programs. Information regarding these programs can be located in the yellow pages of the telephone directory under the headings "Alcoholism Information and Treatment Centers" and "Drug Abuse and Addiction Information and Treatment."

The UCA Counseling Center (501-450-3138) can provide referrals for those with alcohol and other drug problems. The UCA Health Resources Center (501-450-3133) provides information and Alcohol/Drug Awareness programming.

6. CLEAR STATEMENT OF THE DISCIPLINARY SANCTIONS THAT WILL BE IMPOSED ON STUDENTS AND EMPLOYEES:

Students violating the university policy on alcohol or drugs are subject to sanctions up to and including expulsion from the university and referral for prosecution. Any student allowed to remain in the university will, at a minimum, be required to successfully complete a university-sponsored alcohol and drug education course. Any employee violating any criminal alcohol or drug statute while in the work place will be subject to discipline up to and including termination.

7. BIENNIAL REVIEW OF PROGRAM TO DETERMINE ITS EFFECTIVENESS, IMPLEMENT CHANGES, AND ENSURE THAT DISCIPLINARY SANCTIONS ARE CONSISTENTLY ENFORCED.

The Drug-free Schools and Campuses policy will undergo a biennial review by the University Alcohol and Drug Abuse Prevention Committee. This committee makes recommendations to the vice president for student services.