

Southern Adventist University

Drug-Free Campus Policy

Our Goal: Your Well-Being

Southern Adventist University is invested in maximizing our students' health and success during their enrollment as a student on our campus. This emphasis is consistent with the Seventh-day Adventist Church's embrace of health principles and temperance practices, which place a high value on the well-being of all persons. For this reason, we promote and work to maintain a drug-free campus via educational prevention programming, therapeutic screening and intervention for students experiencing substance-use issues, and disciplinary intervention in cases of drug-free policy violations.

In keeping with our drug-free campus policy, Southern specifically prohibits the on- and off-campus use, possession, purchase, sale, manufacture or distribution of

- Alcoholic beverages
- Illegal drugs or drug-related paraphernalia
- Prescription drugs, when the use of these drugs fits the description of illegal use
- Tobacco, tobacco products, e-cigarettes, or vaping devices or liquids (including non-nicotine vaping juices)

All enrolled students must also comply with all local, state, and federal laws pertaining to alcohol and other drugs. These include, but are not limited to, minors in possession of alcohol; underage drivers transporting alcohol; students operating a vehicle under the influence, possessing open containers of alcohol in a public space, having false or altered ID's, selling or providing alcohol to minors; and possessing, manufacturing, or distributing illicit drugs. Legal sanctions under local, state and federal laws for the unlawful possession, use, or distribution of illegal drugs and alcohol encompass a wide range of penalties in the form of fines, loss of driving privileges, and prison terms.

It is expected, then, that all students will embrace the health principles that are the foundation of this policy and avoid the illicit substances that are outlined here.

Educational Prevention Programming

In compliance with the Drug-Free Schools and Campuses Regulations established by the U.S. Department of Education, Southern provides prevention programming and educational materials on the health and safety risks associated with the use of alcohol, tobacco, and other drugs. In addition, Southern provides special prevention programming on these topics during scheduled emphasis weeks.

The Benefits of Seeking Help Voluntarily

Students who are experiencing substance-use issues are encouraged to seek help by contacting the Student Success Center at 423-236-2782, or visiting the office, which is located on the third floor of

Lynn Wood Hall. Students who voluntarily seek help for their substance use will not be sanctioned. They will receive respectful, confidential screening and intervention from trained, licensed clinical mental health counselors. Our counseling center uses the BASICS (Brief Alcohol Screening and Intervention of College Students) approach, a SAMHSA- (Substance Abuse and Mental Health Services Administration) approved preventive intervention program designed for college students. Students whose use demonstrates a need for higher levels of care will be referred to area substance-use treatment facilities.

Drug-Free Campus Sanction Policy

If a student is found to be in possession of alcohol, illegal drugs, non-prescribed or abused prescription drugs, drug paraphernalia, or tobacco/nicotine products, Southern will confiscate the items, investigate the circumstances surrounding their presence on campus, and institute both appropriate therapeutic interventions and disciplinary sanctions. All confiscated items will be given to the appropriate authority or destroyed. Local law enforcement agencies will be called if any laws have been broken.

Southern reserves the right to investigate students when a reasonable suspicion exists of the use or possession of any of the above noted substances. An investigation may include a search of one's property, alcohol and drug screenings (urine, hair, or both), and/or breathalyzer tests. If a search is part of an investigation, it may include the examination of any briefcases, backpacks, book bags, handbags, and any university or privately owned on-campus vehicles. Students' residence hall rooms may also be included in the search. If a search is to be made, it must be authorized by the vice president for Student Development or a residence hall dean.

When reasonable suspicion exists or when a search uncovers the presence of drugs, alcohol, tobacco/nicotine, or related items in or on the property of a student, the student will be required to submit to chemical screening (urine, hair or both), and/or breathalyzer tests. Any Southern student who is found to have these items on campus property may be asked to withdraw from Southern for at least a semester before re-admittance will be considered. Students who violate this policy, refuse to be tested, or provide false information can expect *to be sanctioned* up to and including dismissal. In addition, all violators of the policy are subject to applicable federal, state, and local laws.

The entire process of investigation into such policy violations is treated with the highest confidentiality. Only those entities of the campus community that are in a need-to-know capacity will be informed of the student's violation of this policy. As such, the Schools of Nursing, Social Work, Religion, and Education and Psychology have handbook regulations that prohibit the admittance or matriculation of students who have violated this policy in their programs. Therefore, those schools will be informed of their students' violations of this policy.

Disciplinary and Intervention Protocol

If a student is suspected of having violated Southern's Drug-Free Campus Policy, the following protocol is implemented:

Step 1—Assessment

- If it is thought that a student has consumed alcoholic beverages, an initial assessment for alcohol will be performed by a trained residence hall dean or personnel.
- If it is thought that a student is using illicit drugs, tobacco/nicotine products, or abusing prescription drugs, a qualified professional and/or qualified assessment facility will be called to administer a chemical screening or screenings.
- These chemical screenings are performed whether the violation is for alcohol, tobacco, illicit drugs, or prescription drugs. Southern determines the types of screenings and the number of screenings that will be administered in a situation.
- If the professional administers a urine-sample screening and thereafter believes that the sample is adulterated—e.g., the sample is diluted, its temperature is below what a recent sample should be, or the sample suggests use outside of the time window that a urine sample can reveal—the professional may administer a hair-sample screening.
- A student’s choice not to have this screening administered or to be absent during the administration will be considered a positive assessment.

Note: *The student will pay for the qualified professional’s visit and the screening if the sample comes back positive.*

Step 2—Evidence

The Dean of Students will present the student with the evidence derived from the above discovery processes.

Evidence or suspicions that students are distributing drugs may result in dismissal.

All students who have violated this policy will be asked to sign a release of information form so that the vice president for Student Development can coordinate services and verify completion of programming with the student's treatment provider and/or counselor.

Step 3—Imposition of Sanctions

A student who has violated the Drug-Free Campus Policy while enrolled at Southern will be suspended for a minimum period of 3 consecutive days.

POLICY VIOLATION	TYPICAL SANCTION: FIRST OFFENSE	TYPICAL SANCTION: SUBSEQUENT OFFENSES
Use of Tobacco products	Education Program Assessment/Community Service/Notification of Parents if under 21/ Notification of Schools of Education & Psychology/Religion if student is member of one of these areas	Short- to Long-term Suspension
Possession/Drinking of Alcohol	Suspension/Alcohol Education Program/	Long-term suspension lasting a minimum of the

	Assessment/Community Service/Notification of Parents if under 21/ Notification of Schools of Education & Psychology/Religion if student is member of one of these areas	current semester in which offense occurred and as long as an academic year
Supplying Alcohol to a Minor	Long-term suspension lasting a minimum of the current semester in which offense occurred and as long as an academic year	Dismissal
Possession/Use of Marijuana	Suspension/Drug Education Program/ Assessment/Community Service/Notification of Parents if under 21/Notification of Schools of Nursing/Education/Religion if student is member of one of these areas	Long-term suspension lasting a minimum of the current semester in which offense occurred and as long as an academic year or Dismissal
Possession of more than 1 ounce of Marijuana	Long-term Suspension or Dismissal	Dismissal
Possession of an illicit substance identified as a hard drug (meth, cocaine, heroin, etc.)	Suspension/Drug Education Program/ Assessment/Community Service/Notification of Parents if under 21/Notification of Schools of Nursing/Education/Religion if student is member of one of these areas	Long-term suspension lasting a minimum of the current semester in which offense occurred and as long as an academic year or Dismissal
Supplying or distributing Marijuana or an illicit substance on campus or in the community	Dismissal	N/A

Step 4—Intervention and/or Treatment

The student will be required to follow the recommendations provided by the assessing facility as follows:

If the student is deemed fit to resume classes, he or she will be required to participate in the BASICS program, as well as any other interventions recommended by the Counseling Center staff. In addition, the student may be required to attend off-campus programs such as an Intensive Outpatient Program (IOP) or support groups (such as Alcoholics Anonymous, Narcotics Anonymous, or Celebrate Recovery).

If the student is assessed to have a chemical dependency, he or she will be required to enroll in either outpatient or inpatient treatment, as recommended by the assessing facility, as a condition of further enrollment. The student must present satisfactory evidence of compliance with the specified program. If the student does not comply with a recommended treatment, he or she may be subject to further sanctions.

Students who are assessed to have a chemical dependency that requires an IOP or inpatient program that makes successful matriculation virtually impossible may be required to withdraw from Southern for the remainder of the semester during which the violation occurred. The purpose of the withdrawal is to make successfully completing the appropriate level of care a greater possibility. The individual must present satisfactory evidence of compliance with the specified educational program before re-admission to Southern is considered.

Step 5: Reinstatement and Follow-up

Students who are compliant with these requirements will be reinstated and required to sign a letter of commitment to abstinence from alcohol, drugs, and tobacco/nicotine during the remainder of the student's time at Southern.

The following is a sample of such a commitment, though it may be individualized for a student's specific situation:

Alcohol and Drug Use Readmission Commitment

I, _____, agree to accept the following conditions for continuing as a student at Southern Adventist University:

- 1.) I will abstain from any use of alcohol, illicit drugs, and tobacco/nicotine. I understand that any failure to do so will require my immediate withdrawal.
- 2.) I will complete the intervention program as scheduled by Southern.
- 3.) I agree to submit to any screening process Southern requires and pay for the expenses of such screening.

Signed,

Reinstated students will be subject to the following requirements:

- **Accountability:** Students will be monitored for compliance with, and completion of, their required on-campus intervention, off-campus treatment, and/or support group attendance, as noted above. The student's behavior will also be monitored for further use of alcohol, tobacco/nicotine, and other prohibited drugs. Students who use substances banned by this policy after being reinstated may be subject to long-term suspension or dismissal from the university.
- **Citizenship Probation:** Reinstated students will be placed on citizenship probation for a minimum of six weeks at the time of readmission. Further explication surrounding the specifics of this sanction may be found in the *Student Handbook and Planner*.

- **Periodic Screening:** Students must be willing to submit to periodic chemical screening (urine, hair, or both) as a condition of their reinstatement and continued attendance at Southern. Any expense for such screening will be paid by the student.
- **Community Service Hours:** In some cases, students may also be required to participate in community service.

Noncompliance with an individualized follow-up intervention plan may result in the student's jeopardizing his or her stay at Southern in the semester during which the plan is to be completed, and a hold may be placed on his or her registration for subsequent semesters.

Random, Reasonable Suspicion, and Periodic Chemical Screening

In its efforts to promote a drug-free campus, Southern's Student Development office uses the services of Physician Services Drug and Alcohol Testing, Inc., located in Cleveland, TN. Physician Services uses only professionally-trained technicians to administer urine- and hair-sample chemical screenings.

Southern administers three types of chemical screenings:

- **Random:** Randomly-selected students are administered a chemical screening on a monthly basis. Students who test negatively will not be subject to a subsequent random screening in the same academic year; however, if their names are randomly selected in a subsequent year, they may be tested again. Students who test positively will enter the protocol described above.
- **Reasonable Suspicion:** All students involved in an episode in which law enforcement, Southern residence-hall personnel, or Campus Safety suspect the use or presence of substances that are banned by this policy will be administered a chemical screening.
- **Periodic:** Students who have been administered a chemical screening whose results reveal a positive test will agree to monthly testing as part of their Alcohol and Drug Use Readmission Commitment, as noted above. A subsequent positive test may lead to long-term suspension.

Amnesty Policy

The health and safety of every student at Southern Adventist University is of utmost importance. Southern recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) may be hesitant to report excessive intoxication or endangerment due to the fear of being sanctioned for their own conduct, or the conduct of their peers.

Southern strongly encourages students to contact campus officials, medical emergency personnel, or local law enforcement if they believe a person may be in need of assistance for alcohol or other substance intoxication. An impaired student or a bystander reporting in good faith will not be subject to campus sanctions for violations of Southern's Drug-Free Campus Policy occurring at or near the time of the incident. This amnesty policy applies to emergencies both on and off campus.

A student who receives medical assistance for alcohol or drug use under this amnesty policy will be referred by the vice president for Student Development, or his/her representative, to a mandatory

intervention and prevention program. Additionally, a student who calls for medical assistance for another student may be required to participate in Southern's intervention.

Students lose this amnesty if, subsequent to seeking help for their illicit substance use, are found to be using the illicit substance. This violation, whether on or off-campus, will result in mandatory entry into Southern's discipline and intervention program.

Repeated use of this amnesty policy is cause for a higher level of concern for the well-being of the student; such repeated cases will be individually reviewed.

As detailed in Southern's Sexual Misconduct policy, students who become the victims of sexual misconduct while violating this drug-free policy will receive amnesty for this violation. Recognizing that sexual misconduct often occurs when students are drinking alcoholic beverages, Southern encourages the reporting of sexual misconduct by offering amnesty to any student who has been the victim of sexual misconduct or witnessed an assault. For a fuller discussion of amnesty in this situation, please refer to Southern's Sexual Misconduct policy, which may be found on Southern's Student Development website.

Notification of Alcohol and Drug Violations to Parents

In accordance with state law, Southern notifies the parent or legal guardian of any student under the age of 21 who is found to be in violation of federal, state, or local law or university policy related to the use, possession or distribution of drugs and/or alcohol.

Legal Ramifications

Illicit Drugs

Federal, state, and local laws make it illegal to possess, manufacture, distribute, dispense, deliver, sell, or possess with intent to manufacture, distribute, dispense, deliver, or sell controlled substances. The resulting penalty would depend upon many factors including the type and amount of controlled substance involved, number of prior offenses, incidence of death or serious bodily injury resulting from the use of such substance, and the commission of other crimes in connection with activities involving the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time (up to life) and a fine up to \$500,000. These penalties are doubled when the offense involves any of the following:

- Distribution or possession at or near a school or college campus
- Distribution to someone under 21 years of age

Furthermore, punishment for repeat offenders may be increased. In addition, a civil penalty of up to \$10,000 may be assessed for simple possession of "personal use amounts" of certain substances under federal law. Under state law, possession or casual exchange is punishable as a Class A misdemeanor. If there is an exchange between a minor and an adult who is at least two years older than the minor and the adult knew that the person was a minor the offense is classified as a felony.

Also, possession of medication prescribed to someone else or giving medication to someone else to whom the medication is not prescribed will fall under the same category as possession of illicit or controlled substances.

Possession of drug paraphernalia is also considered a Class A misdemeanor, in the same category as possession of a controlled substance.

Tennessee distinguishes among offenses based on their seriousness. These offenses range from minor misdemeanors to capital crimes. The following chart shows the gradation of criminal offenses under Tennessee law.

Offense	Punishment
Capital crime	Death; life imprisonment
Class A felony	Not less than 15 nor more than 60 years in prison. In addition, the jury may assess a fine not to exceed \$50,000, unless otherwise provided by statute
Class B felony	Not less than 8 nor more than 30 years in prison. In addition, the jury may assess a fine not to exceed \$25,000, unless otherwise provided by statute
Class C felony	Not less than 3 years nor more than 15 years in prison. In addition, the jury may assess a fine not to exceed \$10,000, unless otherwise provided by statute
Class D felony	Not less than 2 years nor more than 12 years in prison. In addition, the jury may assess a fine not to exceed \$5,000, unless otherwise provided by statute
Class E felony	Not less than 1 year nor more than 6 years in prison. In addition, the jury may assess a fine not to exceed \$3,000, unless otherwise provided by statute
Class A misdemeanor	Not greater than 11 months 29 days in jail or a fine not to exceed \$2,500, or both, unless otherwise provided by statute
Class B misdemeanor	Not greater than 6 months in jail or a fine not to exceed \$500, or both, unless otherwise provided by statute
Class C misdemeanor	Not greater than 30 days in jail or a fine not to exceed \$50, or both, unless otherwise provided by statute

Alcohol

It is unlawful for anyone under the age of 21 to buy, possess, transport (unless required for employment), or consume alcoholic beverages. This Class A misdemeanor is punishable by imprisonment for up to 11 months and 29 days and/or a fine, and loss of driver’s license for one year. It is also against the law to provide alcoholic beverages to any person under the age of 21. In addition, public intoxication is a Class C misdemeanor that can lead to imprisonment for up to 30 days and/or a fine.

In Tennessee, a person may be charged with public intoxication if he or she appears in public under the influence of alcohol or a controlled substance to the degree that the intoxicated person:

- May be endangered
- Presents a danger to other people or property, or
- Unreasonably annoys people in the vicinity

Public intoxication is a misdemeanor crime in Tennessee. (Tenn. Code Ann. § 39-17-10.)
 The possible penalty for the crime is up to 30 days in jail, a fine of up to \$50, or both. As noted above, in counties where treatment facilities are available, an individual taken into custody for public intoxication with no record of arrest must be offered treatment.

Tennessee Sanctions Under 21 Alcohol Offenses

Offense	Punishment
Tenn. Code Ann. § 1-3-113 Unlawful for person under 21 to purchase, possess, transport or consume alcoholic beverages unrelated to employment.	The class of offense is not specified but is a misdemeanor per 39-11-111. Pursuant to TCA 39-11-114, it is a Class A misdemeanor. Therefore, 11 mos. 29 days and fine of up to \$2500 applies. Statute makes no mention of impact to driving privileges. However for individuals under 18, T.C.A. 55-10-701 would require the denial of driving privileges.
Tenn. Code Ann. § 37-1-156 Contributing to the delinquency of a minor	Class A misdemeanor.
Tenn. Code Ann. 39-15-404 Relates to the furnishing of alcohol to a minor by an adult.	Class A misdemeanor and punishable as such and additionally the offender shall be sentenced to 100 hours of community service work. The court in its discretion may send an order to the Dept. of Safety denying the offender's driving privileges. If the offender does not have driving privileges then the court may impose 200 hours of community service.
Tenn Code. Ann § 55-10-415 Driving while impaired 18 to 21 for driving under the influence of any intoxicant or with a BAC over .02	>18 years and <21 years old: Class A Misdemeanor that is punishable only by suspension of driving privileges for 1 year and by a fine of \$250. Court may impose community service. No provision for restricted license. Not eligible for judicial diversion since no incarceration and thus no probation is permitted, but would be eligible for pre-trial diversion. >16<18: Same as above, but delinquent act not misdemeanor. Note that no jail time is applicable in conflict with general penalty relating to delinquent children, see T.C.A. § 37-1-131.
Tenn. Code Ann. § 57-3-412 (a)(3)(A) Prohibits the possession, consumption, or transporting of alcoholic beverages unrelated to employment by anyone under 21.	Class A misdemeanor. Regardless of disposition, the record can be expunged 6 months after the date of the violation and such offense cannot be used against them in any criminal proceeding. Under section (a)(5)(C), an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the

	same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.
Tenn. Code Ann. § 57-3-412 (a)(4) Prohibits the purchase of alcohol for or at the request of anyone that is under 21.	Class A misdemeanor. 1st offense: fine of not less than \$25 nor more than \$500, 2nd and subsequent offenses: minimum \$50 fine with max of \$1,000. In addition to the fines stated above, all offenders are additionally subject to all penalties imposed by T.C.A. 39-15-404. (see above, 100 hours community service work, potential loss of license).
Tenn. Code Ann. § 57-3-412 (a)(5)(A) Prohibits the purchase or attempted purchase of alcoholic beverages by anyone under 21.	Class A misdemeanor. "In addition to any criminal penalty imposed by this section (see above)," an order denying the offender of driving privileges is required, and the court and dept of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.
Tenn. Code Ann. § 57-3-412 (c) Penalty for someone under 21 using a fake id.	Class A misdemeanor. (1) Less than 18: fine of \$50 and not less than 20 hours community service. (2) >18<21: Fine of not less than \$50 but no more than \$200 OR by imprisonment in jail for a minimum of 5 days and a max of 30 days. In addition to above, an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.
Tenn. Code Ann. § 57-4-203 (b)(2) (A) Prohibits the purchase, attempted purchase, or possession of alcohol by a person under 21 in a public place. (B) Exhibiting a fake id saying you are 21.	See box immediately above for penalty for this offense.
Tenn. Code Ann. § 57-5-301(d)(1)(A) Unlawful for minor to purchase or attempt to purchase any "such beverage." (presumed beer).	Such Statutes under Title 57, Part 5 appear to relate particularly to beer. Punishment is under 57-5-303, which defines it as a Class C misdemeanor. An order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions. of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.
Tenn Code. Ann. § 57-5-301(d)(1)(A)(2) Prohibits purchasing beer for someone under 21.	Penalty is the same as Tenn Code. Ann. § 39-15-404.
Tenn Code. Ann. § 57-5-301(d)(1)(A)(3) Making a fake ID to show you are 21 or presenting such.	Penalty is the same as Tenn Code. Ann. § 57-3-412(c)

<p>Tenn. Code Ann. § 57-5-301(e) unlawful for someone under 21 to have beer in their possession.</p>	<p>Class A misdemeanor. Regardless of disposition, the record can be expunged 6 months after the date of the violation and such offense cannot be used against them in any criminal proceeding. Under section (d)(1)(B)(i), an order denying the offender of driving privileges is required, and the court and dept. of safety shall follow the same provisions of T.C.A. 55-10-701 et seq. that apply to persons 13 to 18.</p>
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Tobacco and Nicotine

It is unlawful for any person to sell or distribute any tobacco or nicotine product to a person who is under 18 or to purchase a tobacco or nicotine product on behalf of a minor. Supplying tobacco or nicotine to a minor is a civil penalty punishable by a fine.

Health Risks

For information on the health (RISKS) of alcohol, nicotine, and other commonly-abused drugs, visit Southern’s Student Development website.

Financial Aid Ramifications

Students receiving federal Title IV financial aid must certify that they do not engage in unlawfully manufacturing, distributing, possessing, or using controlled substances. If a student is convicted of any of these behaviors, he or she must notify the director of Student Finance within five days of the conviction. A student convicted of violating the regulation may lose his or her federally funded financial aid and will be subject to disciplinary action by Southern.

Access to Treatment Information

Students needing substance abuse intervention and treatment information should contact Southern’s University Health Center or Counseling Center. All requests are confidential.

Other agencies that can provide support include:

- Celebrate Recovery (423.488.5018)
- Focus HealthCare (423.308.2560)
- Johnson Mental Health Center (423.634.8884)
- Council for Alcohol and Drug Abuse Services, Inc. (CADAS) (423.756.7644)
- Helen Ross McNabb Center (423.266.6751)
- Valley Psychiatric Hospital (423.499.2300)

Policy Review

This policy is subject to an annual review to determine its effectiveness, to implement changes that may be needed, to ensure that sanctions are consistently enforced, and to comply with new state and federal regulations.