



**Drug-Free Schools and Colleges [EDGAR Part 86]**  
**University of Tennessee at**  
**Chattanooga: Biennial Review**  
**2020-2022**

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**Academic Years:**  
**2020-2021 &**  
**2021-2022**

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## **I. Introduction/Overview**

In compliance with the Department of Education's *Drug-Free Schools and Communities Act* (DFSCA), as articulated in the *Education Department General Administrative Regulations* (EDGAR Part 86.100), the University of Tennessee at Chattanooga (UTC) will provide a biennial review of the university's prevention efforts, disciplinary sanctions, and procedures for distributing the annual alcohol and drug notification to students and employees. The UTC Biennial Review will include data related to alcohol and drug incidents and arrests and recommendations for revising university prevention, education, and disciplinary efforts.

## **II. Biennial Review Process**

The UTC Biennial Review is conducted by the Director for the Center for Wellbeing. The UTC Biennial Review will utilize information provided by the UTC Office of the Dean of Students, UTC Counseling Center, UTC Police Department, UTC Residence Life, and UTC Human Resources. University Representatives involved in providing information for the 2020-2022 UTC Biennial Review were:

Megan McKnight, Center for Wellbeing  
Brett Fuchs, Office of the Dean of Students

The 2020-2022 UTC Biennial Review is available online at [utc.edu/aod](http://utc.edu/aod) and can be found on the website for the Center for Wellbeing.

A hard copy is also maintained on file at the UTC Center for Wellbeing. It can be provided to the United States Department of Education, as requested. A copy of the review is maintained by UTC for a minimum of three years.

## **III. University Alcohol and Other Drug Policies**

As an academic community, UTC is committed to providing an environment in which learning and education can flourish. The possession or use of illegal drugs, or the misuse of substances which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

### **Code of Conduct January 2020-August 2020:**

#### **Section 4 Standard of Conduct**

(19) Alcohol-Related Misconduct: Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, on University-controlled property or in connection with a University-affiliated activity, unless expressly permitted by University rules or policy.

(20) Violation of Federal, State, or Local Alcohol Laws: Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, if prohibited by federal, state, or local law.

(21) Providing Alcohol to Minors: Providing alcohol to a person younger than twenty-one (21) years of age, unless permitted by law.

(22) Drug-Related Misconduct: Using, manufacturing, possessing, distributing, selling, or dispensing drugs or drug paraphernalia, or being under the influence of drugs, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription is not issued to the student using or in possession of the prescription drug; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

## **SECTION 16. AMNESTY FOR GOOD SAMARITANS AND IMPAIRED STUDENTS**

(1) The University holds paramount the health, safety, and welfare of students. Accordingly, all students are expected to alert appropriate officials in the event of a health, safety, or welfare emergency, including, without limitation, a situation involving the abuse of alcohol or drugs.

(2) Expectations. When a student knows or reasonably should know that another student is in need of emergency medical attention, the student is expected to: (i) contact appropriate persons (including, but not limited to, University faculty or staff members, law enforcement officials, etc.) to report the incident and request assistance, including providing his or her name and contact information and the name and contact information of the impaired student; and (ii) demonstrate cooperation and care by remaining with the impaired student and providing reasonable assistance during and after the incident. A student who complies with the expectations described in this Section 16 is referred to as a "Good Samaritan." A student in need of emergency medical attention is referred to as an "impaired student" under this Section 16.

(3) Amnesty for Good Samaritans. Unless a Good Samaritan has engaged in repeated or serious violations of the Code (including, but not limited to, physical or sexual assault, property destruction, disorderly behavior, theft, multiple alcohol or drug violations), a Good Samaritan will not be subject to formal University disciplinary action for any Code violation(s) discovered by the University as a result of the Good Samaritan's report. While no formal University disciplinary action may be taken, a Good Samaritan may be required to meet with the Office of Student Conduct to discuss the Good Samaritan's Code violation(s) and adhere to appropriate remedial and/or educational recommendations.

(4) Amnesty for Impaired Student. Unless an impaired student has engaged in repeated or serious violations of the Code (including, but not limited to, physical or sexual assault, property destruction, disorderly behavior, theft, multiple alcohol or drug violations), an impaired student will not be subject to formal University disciplinary action for any Code violation(s) discovered by the University as a result of the Good Samaritan's report. While no formal University disciplinary action may be taken, the impaired student may be required to meet with the Office of Student Conduct to discuss the impaired student's Code violation(s), participate in educational activities, and/or establish that he or she has addressed the issues that contributed to the Code violation(s).

(5) Application to Student Organizations. Student organizations, through their officers and members, are also expected to take responsible action in emergency situations in accordance with the expectations under Section 16(2) of this Chapter. A student organization may receive amnesty for any Code violation(s) discovered by the University as a result of the Good Samaritan reports of its officers and/or members, but if not granted amnesty, the responsible actions of its officers and/or members will be considered a mitigating factor when determining disciplinary sanctions, if any, for any Code violation(s)

for which the student organization is found responsible. Conversely, the failure of a student organization's officers and/or members to take responsible action in emergency situations in accordance with the expectations under Section 16(2) of this Chapter may be considered an aggravating factor when determining disciplinary sanctions, if any, for any Code violation(s) for which the student organization is found responsible.

## **Code of Conduct August 2020 to current:**

### **Section 4 Standard of Conduct**

(5) **Misconduct Not Excused by Intoxication or Impairment.** The intoxication or impairment of a student by alcohol, drugs, or other substances will not diminish or excuse any conduct in violation of the Code that the student commits while intoxicated or impaired, except as provided under Section 16 of this Chapter.

(19) **Alcohol-Related Misconduct:** Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, on University-controlled property or in connection with a University-affiliated activity, unless expressly permitted by University rules or policy.

(20) **Violation of Federal, State, or Local Alcohol Laws:** Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, if prohibited by federal, state, or local law.

(21) **Providing Alcohol to Minors:** Providing alcohol to a person younger than twenty-one (21) years of age, unless permitted by law.

(22) **Drug-Related Misconduct:** Using, manufacturing, possessing, distributing, selling, or dispensing drugs or drug paraphernalia, or being under the influence of drugs, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription is not issued to the student using or in possession of the prescription drug; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

## **SECTION 11. DISCIPLINARY SANCTIONS**

(1) Disciplinary sanctions are primarily intended to: (i) educate Respondents about appropriate behavior; (ii) encourage Respondents to take responsibility for Code violation(s); (iii) encourage and promote the personal and professional development of Respondents; (iv) discourage other students from violating the Code; and/or (v) protect members of the University community.

(2) The disciplinary sanctions imposed on a Respondent should be appropriate for the particular case based on the gravity of the Code violation, including, without limitation, how the violation affected or reasonably could have affected other members of the University community. Consideration also may be given to other aggravating or mitigating factors, including, without limitation: (i) the Respondent's student conduct record; (ii) whether the Respondent committed the violation while acting in self-defense; (iii) the Respondent's responsiveness to the student conduct process; and (iv) the Respondent's academic classification.

(3) The following disciplinary sanctions may be imposed on a student (excluding student organizations) found to have violated the Code:

(a) **Disciplinary Reprimand.** A disciplinary reprimand is a written warning that informs a Respondent that the Respondent is violating or has violated the Code and must cease and desist from engaging in the misconduct and/or prevent the misconduct from occurring again. A disciplinary reprimand will also inform the Respondent that any further violations of the Code may result in the imposition of more severe sanctions.

(b) **Loss or Restriction of Privileges.** The University may impose a loss and/or restriction of privileges on a Respondent. Privileges that may be lost and/or restricted include, without limitation, the following: (i) scholarships; (ii) stipends; (iii) participation in co-curricular and/or extracurricular activities; and (iv) use and/or access to certain University-controlled property. A loss and/or restriction of privileges may be imposed for a definite or indefinite period of time.

(c) **Community Service.** A Respondent may be required to perform unpaid service for a designated University department, program, or service and/or a University-affiliated or unaffiliated not-for-profit or volunteer organization.

(d) **Educational Sanction.** A Respondent may be required to complete an educational assignment or program. Educational assignments and programs are designed to educate the Respondent about why certain conduct is inappropriate. Examples of educational assignments include, without limitation: (i) writing a reflection and/or research paper on a designated topic; (ii) completing a research project on a designated topic; (iii) giving a presentation on a designated topic; and (iv) issuing a formal apology in writing and/or in person. An educational program may include, without limitation, attending and satisfactorily completing an in-person or distance learning course, training, or workshop on alcohol or drug use, civility, ethics, or other topics deemed appropriate by the Office of Student Conduct. The Respondent will be responsible for all costs associated with the educational assignment or program.

(e) **Fee or Fine.** The University may impose a monetary fee or fine for any cost incurred by the University as a result of the Respondent's conduct and may require that the Respondent pay the fee or fine by a designated due date.

(f) **Restitution.** The University may require a Respondent to make restitution to another person or organization or the University for destruction, damage, or loss of property caused by the Respondent, or for unreimbursed medical expenses resulting from physical injury of another person caused by the Respondent. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss caused by the Respondent.

(g) **Reassignment or Removal from University Housing.** The University may reassign a Respondent to a different University housing facility or remove and prohibit a Respondent from residing in any University housing facility for a definite or indefinite period of time.

(h) **Disciplinary Probation.** A Respondent may be placed on disciplinary probation for serious or moderate Code violations or in the case of multiple or repeated minor Code violations. A Respondent may be placed on disciplinary probation for a definite or indefinite period of time, during which time the Respondent may continue to be enrolled at the University. While the Respondent is on disciplinary probation, conditions may be placed on the Respondent's continued enrollment at the University, and

University departments, programs, and/or services may limit or prohibit participation in certain activities. If a Respondent commits any further Code violations while on disciplinary probation, the Respondent may be subject to more severe sanctions up to and including permanent dismissal.

(i) Suspension. Suspension is an official separation from the University for a specific period of time and/or until certain conditions are met. A Respondent may be suspended from the University for serious Code violations, in the case of multiple or repeated moderate or minor Code violations, and/or for any Code violations while on disciplinary probation. While on suspension, a Respondent (i) loses all rights and privileges at the University; (ii) may not represent the University in any manner; and (iii) is ineligible to apply for readmission to the University during the suspension period and/or until certain conditions are met. If a Respondent is suspended, the Respondent is prohibited, without the prior approval of the Vice Chancellor for Student Affairs (or his or her designee), from entering upon all University-controlled property, including University residence halls, from the date that the suspension period begins until such date that the Respondent is readmitted to the University (even if the suspension period ends prior to the date of the Respondent's readmission). Entering upon University-controlled property without prior approval from the Vice Chancellor for Student Affairs (or his or her designee) may result in criminal trespass charges against the Respondent under the criminal laws of the State of Tennessee. Respondents permitted to return to the University following a period of suspension will be automatically placed on disciplinary probation for a designated period of time following their return. A Respondent who commits any Code violations while on suspension may be subject to suspension for an additional period of time or barred from readmission and/or re-enrollment at the University.

(j) Permanent Dismissal. Permanent dismissal is an official and permanent separation from the University. A Respondent may be permanently dismissed from the University when the Respondent's commission of one (1) or more Code violations is deemed so serious as to warrant total and permanent disassociation from the University or when, through repeated violations of the Code and/or violations of the Code while on disciplinary probation or suspension, the Respondent exhibits blatant disregard for (i) the health, safety, and welfare of himself or herself or other members of the University community or (ii) the University's right to establish rules of conduct. A Respondent who is permanently dismissed from the University: (i) loses all rights and privileges at the University; (ii) may not represent the University in any manner; (iii) is indefinitely prohibited, without prior approval of the Vice Chancellor for Student Affairs (or his or her designee) from entering upon all University controlled property, including University residence halls; and (iv) is permanently barred from re-enrolling at the University. Entering upon University-controlled property without prior approval from the Vice Chancellor for Student Affairs (or his or her designee) may result in criminal trespass charges against the Respondent under the criminal laws of the State of Tennessee.

(k) Revocation of Admission. The University may revoke a Respondent's admission to the University after the Respondent's admission to the University but prior to Respondent's enrollment at the University, if the Respondent (i) provides false or incomplete information on Respondent's application for admission; or (ii) violates federal, state, or local law or the Code prior to enrollment. A Respondent whose admission has been revoked: (i) loses all rights and privileges at the University; (ii) may not represent the University in any manner; and (iii) is indefinitely prohibited from entering upon all University-controlled property, including residence halls, without prior approval of the Vice Chancellor for Student Affairs (or his or her designee). Entering upon University- controlled property without prior approval from the Vice Chancellor for Student Affairs may result in criminal trespass charges against the Respondent under the criminal laws of the State of Tennessee.

(l) Withholding of Degree. The University may withhold awarding a degree to a Respondent who has violated any University rule or policy. The University may withhold a degree for a definite period of time and/or until the Respondent has completed or served all sanctions or other requirements imposed by the University for releasing its award of the degree.

(m) Revocation of Degree. The University may revoke a degree awarded to a Respondent if the Respondent obtained the degree, in part, through cheating, plagiarism, academic dishonesty, research misconduct, or other serious violation of the Code. The University may also revoke a Respondent's degree if, after the degree was awarded, the University determines that the Respondent committed a serious violation of the Code while a student, but prior to being awarded the degree, that would have warranted permanent dismissal of the Respondent. Before a Respondent's degree may be revoked, the Chancellor must approve the revocation of the degree.

(4) The following disciplinary sanctions may be imposed on a student organization found to have violated the Code:

(a) Disciplinary Reprimand. A disciplinary reprimand is a written warning that informs a Respondent that the Respondent is violating or has violated the Code and must cease and desist from engaging in the misconduct and/or prevent the misconduct from occurring again. A disciplinary reprimand will also inform the Respondent that any further violations of the Code may result in the imposition of more severe sanctions.

(b) Loss or Restriction of Privileges. The University may impose a loss or restriction of privileges on a Respondent. Privileges that may be lost or restricted include, without limitation, the following: (i) participation in extracurricular activities (e.g., intramurals); (ii) housing privileges; (iii) participation in or sponsorship of social activities; and (iv) use and/or access to certain University-controlled property. A loss or restriction of privileges may be imposed for a definite or indefinite period of time.

(c) Fee or Fine. The University may impose a monetary fee or fine for any cost incurred by the University as a result of the Respondent's conduct and may require that the Respondent pay the fee or fine by a designated due date.

(d) Restitution. The University may require a Respondent to make restitution to another person or organization or the University for destruction, damage, or loss of property caused by the Respondent, or for unreimbursed medical expenses resulting from physical injury of another person caused by the Respondent. Restitution may take the form of a monetary payment or appropriate service to repair or otherwise compensate for the destruction, damage, or loss caused by the Respondent.

(e) Community Service. Members of the Respondent may be required to perform unpaid service for a designated University department, program, or service and/or a University-affiliated or unaffiliated not-for-profit or volunteer organization.

(f) Educational Sanction. Members of the Respondent may be required to complete an educational program. Educational programs are designed to educate the Respondent's members about why certain conduct is inappropriate. An educational program may include, without limitation, attending and satisfactorily completing an in-person or distance learning course, training, or workshop on alcohol or drug use, civility, ethics, or other topics as deemed appropriate by the Office of Student Conduct. The Respondent will be responsible for all costs associated with the educational program.

(g) Disciplinary Probation. A Respondent may be placed on disciplinary probation for serious or moderate Code violations or in the case of multiple or repeated minor Code violations. A Respondent may be placed on disciplinary probation for a definite or indefinite period of time, during which time the Respondent may continue to operate at the University. While the Respondent is on disciplinary probation, conditions may be placed on the Respondent's continued operation, and University departments, programs, and/or services may limit or prohibit Respondent's participation in certain activities. If a Respondent commits any further Code violations while on disciplinary probation, the Respondent may be subject to more severe sanctions up to and including suspension or revocation of University registration.

(h) Suspension. Suspension is an official separation from the University for a definite period of time and/or until certain conditions are met. A Respondent may be suspended from the University for serious Code violations, in the case of multiple or repeated moderate or minor Code violations, and/or for any Code violations while on disciplinary probation. While on suspension, a Respondent (i) may not operate at the University; (ii) may not represent the University in any manner; (iii) and is ineligible to resume operations at the University during the suspension period and/or until certain conditions are met. The Vice Chancellor for Student Affairs will determine whether the Respondent has fulfilled the required conditions for resuming operations at the University. Respondents permitted to resume operating at the University following a period of suspension will be automatically placed on disciplinary probation for a designated period of time following the suspension term. A Respondent who commits any Code violations while on suspension may be subject to suspension for an additional period of time or revocation of its registration with the University.

(i) Revocation of University Registration. In cases of a serious Code violation by a Respondent or a Respondent's violation of the Code while on disciplinary probation or suspension, the University may revoke the Respondent's registration with the University and cease to recognize the Respondent as a University-sanctioned student organization for a definite or indefinite period of time. If a Respondent's registration is revoked, the Respondent is barred from operating at the University.

(5) More than one (1) of the disciplinary sanctions provided in this Section 11 may be imposed on a Respondent for any single violation of the Code.

(6) Disciplinary sanctions may be applied retroactively to the date of the Code violation(s) committed by the Respondent.

## **SECTION 17. AMNESTY FOR GOOD SAMARITANS AND IMPAIRED STUDENTS**

(1) The University holds paramount the health, safety, and welfare of students. Accordingly, all students are expected to alert appropriate officials in the event of a health, safety, or welfare emergency, including, without limitation, a situation involving the abuse of alcohol or drugs.

(2) Expectations. When a student knows or reasonably should know that another student is in need of emergency medical attention, the student is expected to: (i) contact appropriate persons (including, but not limited to, University faculty or staff members, law enforcement officials, etc.) to report the incident and request assistance, including providing his or her name and contact information and the name and contact information of the impaired student; and (ii) demonstrate cooperation and care by remaining with the impaired student and providing reasonable assistance during and after the incident. A student who

complies with the expectations described in this Section 17 is referred to as a "Good Samaritan." A student in need of emergency medical attention is referred to as an "impaired student" under this Section 17.

(3) Amnesty for Good Samaritans. Unless a Good Samaritan has engaged in repeated or serious violations of the Code (including, but not limited to, physical or sexual assault, property destruction, disorderly behavior, theft, multiple alcohol or drug violations), a Good Samaritan will not be subject to formal University disciplinary action for any Code violation(s) discovered by the University as a result of the Good Samaritan's report. While no formal University disciplinary action may be taken, a Good Samaritan may be required to meet with the Office of Student Conduct to discuss the Good Samaritan's Code violation(s) and adhere to appropriate remedial and/or educational recommendations.

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(5) Application to Student Organizations. Student organizations, through their officers and members, are also expected to take responsible action in emergency situations in accordance with the expectations under Section 17(2) of this Chapter. A student organization may receive amnesty for any Code violation(s) discovered by the University as a result of the Good Samaritan reports of its officers and/or members, but if not granted amnesty, the responsible actions of its officers and/or members will be considered a mitigating factor when determining disciplinary sanctions, if any, for any Code violation(s) for which the student organization is found responsible. Conversely, the failure of a student organization's officers and/or members to take responsible action in emergency situations in accordance with the expectations under Section 17(2) of this Chapter may be considered an aggravating factor when determining disciplinary sanctions, if any, for any Code violation(s) for which the student organization is found responsible.

#### **IV. Alcohol and Other Drug Prevalence Rate, Incidence Rate, and Trend Data**

Included in this report are UTC's 2023 Annual Security & Fire Safety Report and UTC's 2022 Healthy Minds Survey Substance Use Report.

The Healthy Minds Study provides a detailed picture of mental health and related issues in college student populations. Schools typically use their data for some combination of the following purposes: to identify needs and priorities; benchmark against peer institutions; evaluate programs and policies; plan for services and programs; and advocate for resources. During the 2022 survey administration, UTC opted into the additional substance use questions. Here is some of the substance use data acquired. The full Healthy Minds Substance Use Report can be found in Appendix E.

**Q5.2 - How often do you have a drink containing alcohol?**

#	Answer	%	Count
1	Never	31.43%	55
2	Monthly or less	24.57%	43
3	2-4 times a month	30.29%	53
4	2-3 times a week	10.29%	18
5	4 or more times a week	3.43%	6
	Total	100%	175

**Q5.3 - How many drinks containing alcohol do you have on a typical day when you are drinking? (1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)**

#	Answer	%	Count
1	1 or 2	50.42%	60
2	3 or 4	35.29%	42
3	5 or 6	9.24%	11
4	7 to 9	4.20%	5
5	10 or more	0.84%	1
	Total	100%	119

**Q5.4 - How often do you have 4 or more drinks on 1 occasion? (1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)**

#	Answer	%	Count
1	Never	30.93%	30
2	Less than monthly	45.36%	44
3	Monthly	18.56%	18
4	Weekly	4.12%	4
5	Daily or almost daily	1.03%	1
	Total	100%	97

**Q5.7 - How often during the last year have you...**

#	Question	Never		Less than monthly		Monthly		Weekly		Daily or almost daily		Total
1	...found that you were not able to stop drinking once you had started?	90.17%	156	4.62%	8	2.89%	5	2.31%	4	0.00%	0	173
2	...failed to do what was normally expected of you because of drinking?	87.86%	152	9.25%	16	1.73%	3	1.16%	2	0.00%	0	173
3	...needed a drink in the morning to get yourself going after a heavy drinking session?	97.69%	169	0.58%	1	1.16%	2	0.58%	1	0.00%	0	173
4	...had a feeling of guilt or remorse after drinking?	79.65%	137	13.95%	24	4.07%	7	2.33%	4	0.00%	0	172
5	...been unable to remember what happened the night because you had been drinking?	77.91%	134	18.60%	32	0.58%	1	2.91%	5	0.00%	0	172

**Q5.8 - Have you or someone else been injured because of your drinking?**

#	Answer	%	Count
1	No	94.22%	163
2	Yes, but not in the last year	4.05%	7
3	Yes, during the last year	1.73%	3
	Total	100%	173

**Q5.9 - Has a relative, friend, doctor, or other health care worker been concerned about your drinking or suggested you cut down?**

#	Answer	%	Count
1	No	92.53%	161
2	Yes, but not in the last year	4.60%	8
3	Yes, during the last year	2.87%	5
	Total	100%	174

**Q521 - Please answer the following yes or no questions.**

#	Question	No	Yes	Total		
1	Have you ever received counseling or treatment for an alcohol-related problem from a health professional (such as a psychiatrist, psychologist, social worker, or primary care	87.86%	152	12.14%	21	173
2	Are you currently in recovery from alcohol or other drugs?	88.51%	154	11.49%	20	174
3	Have you ever participated in a substance use rehabilitation program, either voluntarily or involuntarily?	86.78%	151	13.22%	23	174
4	Have you ever thought that you might benefit from attending a support group and/or 12-step program related to alcohol or other drugs?	87.36%	152	12.64%	22	174

**Q5.11 - Over the past 30 days, have you used any of the following drugs?(Select all that apply)**

#	Answer	%	Count
1	Marijuana	19.13%	35
2	Cocaine (any form, including crack, powder, or freebase)	1.09%	2
3	Heroin	0.00%	0
4	Methamphetamines (also known as speed, crystal meth, Tina T, or ice)	0.00%	0
5	Other stimulants (such as Ritalin, Adderall) without a prescription or more than prescribed	2.73%	5
6	MDMA (also known as Ecstasy or Molly)	0.00%	0
7	Other drugs without a prescription (please specify)	0.00%	0
8	No, none of these	72.68%	133
9	Opioid pain relievers (such as Vicodin, OxyContin, Percocet, Demerol, Dilaudid, codeine, hydrocodone, methadone, morphine) without a prescription or more than prescribed	1.09%	2

10	Benzodiazepines (such as Valium, Ativan, Klonopin, Xanax, Rohypnal/Roofies) without a prescription or more than prescribed	1.09%	2
11	Ketamine (also known as K, or Special K)	0.55%	1
12	LSD (also known as acid)	0.00%	0
13	Psilocybin (also known as magic mushrooms, boomers, or shrooms)	1.64%	3
14	Kratom	0.00%	0
15	Athletic performance enhancers (anything that violates policies set by your school or any athletic governing body)	0.00%	0
	Total	100%	183

Data presented in the UTC 2023 Annual Security & Annual Fire Safety Report pertain to the arrests, citations, and incidents reported on-campus for UTC. The following tables represent the arrests and disciplinary referrals during 2020, 2021, & 2022:

Charge	Year	On Campus	Non-Campus	Public Property	Total	Residential Facility
<b>Arrest: Liquor Law Violation</b>	2020	4	0	0	4	2
<b>Arrest: Liquor Law Violation</b>	2021	0	0	2	2	0
<b>Arrest: Liquor Law Violation</b>	2022	2	0	0	2	2
<b>Arrest: Drug Law Violation</b>	2020	7	0	8*	15	5
<b>Arrest Drug-related Violation</b>	2021	4	0	5	9	3
<b>Arrest Drug-related Violation</b>	2022	3	0	3	6	1
<b>Disciplinary Referrals: Liquor Law</b>	2020	404	3	3	410	402
<b>Disciplinary Referrals: Liquor Law</b>	2021	441	3	0	444	437
<b>Disciplinary Referrals: Liquor Law</b>	2022	328	10	0	338	305
<b>Disciplinary Referral: Drug-Related Violations</b>	2020	162	0	10	172	147

<b>Disciplinary Referral: Drug-Related Violations</b>	2021	103	0	1	104	94
<b>Disciplinary Referral: Drug-Related Violations</b>	2022	49	0	0	49	48

<b>DUI</b>	2020	4
<b>DUI</b>	2021	3
<b>DUI</b>	2022	0
<b>Intoxicated Person</b>	2020	1
<b>Intoxicated Person</b>	2021	0
<b>Intoxicated Person</b>	2022	0
<b>Drug/Narcotics Violations Total</b>	2020	129
<b>Drug/Narcotics Violations Total</b>	2021	28
<b>Drug/Narcotics Violations Total</b>	2022	23

The Office of the Dean of Students provided the data on the number of violations and outcomes of responsibility found for alcohol and drug related offenses from 2020-2022 provided in the table below related to sanctions for violations.

	<b>(19) Alcohol-Related Misconduct</b>		<b>(20) Violation of Federal, State, or Local Alcohol Laws</b>		<b>(21) Providing Alcohol to Minors</b>		<b>(22) Drug-Related Misconduct</b>	
	<b>2020-2021</b>	<b>2021-2022</b>	<b>2020-2021</b>	<b>2021-2022</b>	<b>2020-2021</b>	<b>2021-2022</b>	<b>2020-2021</b>	<b>2021-2022</b>
Responsible	323	254	312	238	2	0	92	37
Not Responsible	168	144	161	142	6	19	63	31
No Action	46	44	44	44	1	3	33	8
Medical Amnesty	1	7	0	7	0	0	1	1

	(19) Alcohol-Related Misconduct		(20) Violation of Federal, State, or Local Alcohol Laws		(21) Providing Alcohol to Minors		(22) Drug-Related Misconduct	
	2020-2021	2021-2022	2020-2021	2021-2022	2020-2021	2021-2022	2020-2021	2021-2022
Disciplinary Reprimand	259	224	245	215	8	14	35	20
Disciplinary Probation	81	25	88	23	1	2	85	30
Suspension	1	1	2	0	0	0	2	5
Permanent Dismissal	0	0	0	0	0	0	0	1
Alcohol Education Screening (Level 1)	233	170	225	170	8	10	N/A	N/A
Alcohol Education Screening (Level 2)	23	15	29	14	0	1	N/A	N/A
Cannabis Education Screening	N/A	N/A	N/A	N/A	N/A	N/A	71	22
Substance Abuse Screening	N/A	N/A	N/A	N/A	N/A	N/A	7	6
Accomplishments Plan	10	5	11	4	0	0	8	1
Community Service	1	1	1	1	0	0	1	1
Letter of Apology	2	6	3	9	0	0	0	1
Follow Up Meetings	1	1	0	0	0	0	5	1
Loss of Privilege - General	2	1	2	1	0	0	0	0
Loss of Privilege - Housing	5	0	5	0	5	0	5	0
Loss of Privilege - Housing Guests	40	5	40	5	0	0	9	1
Reflection Paper	90	60	89	57	3	14	8	11
Research Paper	0	0	2	0	0	0	1	0
Fee/Fine	2	1	2	1	0	0	1	1
Restitution	0	0	0	0	0	0	1	1

#### **V. Annual Policy and Policy Notification Process: Employees**

As provided below, the University of Tennessee (UT) provides faculty and staff with an email notification of the UT Policy on a Drug- and Alcohol-free Campus and Workplace. This notification is sent to all active employee email addresses within the UT system.

This email was sent on 2/4/2020, 1/21/2021, & 2/22/2022.



## Policy on a Drug-Free Campus and Workplace

The University of Tennessee is committed to maintaining a safe and healthy environment for all faculty, staff and students. This message should serve as an annual reminder of this commitment.

In compliance with applicable state and federal laws, [Human Resources Policy 720](#) prohibits the unlawful use, manufacture, possession, distribution or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on University property or during University activities. This policy includes terms for disciplinary action and is available for review at the link above.

Questions about the policy should be directed to Human Resources at [systemhr@tennessee.edu](mailto:systemhr@tennessee.edu). The University's [Employee Assistance Program](#) is another resource and is available toll-free at (855) 437-3486.

[The University of Tennessee](#) | [Human Resources](#)  
826B Andy Holt Tower | Knoxville, TN 37996  
Phone: 865.974.8170 | Fax: 865.974.9780

### **VI. Annual Policy and Policy Notification Process: Students**

UTC students are offered a copy of the Student Handbook by email each semester. They can all receive a copy from the Dean of Students office during regular business hours or find the handbook online at <https://www.utc.edu/student-conduct/codes.php>.

In addition to the Student Handbook, students are made aware of alcohol and drug policies during summer orientation, residence life meetings, AlcoholEdu course, and other activities throughout the year.

UTC provides all students with an email notification including all required components of the Annual Notification requirements.

### **VI. Alcohol and Other Drug Policy, Sanctions and Related Data**

Sanctions for Alcohol and Other Drugs are imposed by the University under the authority of the Student Code of Conduct (Tenn. Comp. R. & Regs. 1720-02-05). In addition, as permitted by the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) and required by Tennessee state law (T.C.A. 49-7-146), the University is required to notify the parents or guardians of a student, who is under the age of 21 at the time of the incident, when that student is found responsible for alcohol and drug-related violations of the Student Code of Conduct.

The University responds to violations of all violations of the Student Code of Conduct on a case-by-case basis. The below-listed chart is a general guide to the University's response:

Policy Violation	Typical Sanctions (1st Offense)	Typical Sanctions (2nd Offense)	Typical Sanctions (3rd Offense)
<b>Alcohol-Related Misconduct:</b> Consuming, possessing, or being under the influence of alcohol on University-controlled property or in connection with a University-affiliated activity.	1. Disciplinary Reprimand 2. Alcohol Education Screening (Level 1) 3. Other Educational or Administrative Sanctions	1. Disciplinary Probation (One Semester to One Academic Year) 2. Alcohol Education Screening (Level 2) 3. Other Educational or Administrative Sanctions	1. Disciplinary Probation (Remainder of Enrollment) or Suspension (One Semester to One Academic Year) 2. Substance Abuse Screening. 3. Other Educational or Administrative Sanctions
<b>Alcohol-Related Misconduct:</b> Manufacturing, distributing, dispensing, or selling alcohol or alcohol paraphernalia on University-controlled property or in connection with a University-affiliated activity.	1. Disciplinary Probation (One Semester to One Academic Year) 2. Alcohol Education Screening (Level 2) 3. Other Educational or Administrative Sanctions	1. Disciplinary Probation (Remainder of Enrollment) or Suspension (One Semester to One Academic Year) 2. Substance Abuse Screening. 3. Other Educational or Administrative Sanctions	1. Suspension (One Academic Year to Four Academic Years) or Permanent Dismissal. 2. Alcohol abuse counseling prior to re-enrollment (if applicable).
<b>Drug-Related Misconduct (Cannabis):</b> Using, possessing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law.	1. Disciplinary Probation (One Semester to One Academic Year) 2. Cannabis Education Screening 3. Other Educational or Administrative Sanctions	1. Disciplinary Probation (Remainder of Enrollment) or Suspension (One Semester to One Academic Year) 2. Substance Abuse Screening. 3. Other Educational or Administrative Sanctions	1. Suspension (One Academic Year to Four Academic Years) or Permanent Dismissal. 2. Drug abuse counseling prior to re-enrollment (if applicable).
<b>Drug-Related Misconduct (Cannabis):</b> Manufacturing, distributing, selling, or dispensing drugs or drug paraphernalia, if prohibited by federal, state, or local law.	1. Suspension (One Academic Year to Four Academic Years) 2. Substance Abuse Screening. 3. Other Educational or Administrative Sanctions	1. Suspension (One Academic Year to Four Academic Years) or Permanent Dismissal. 2. Drug abuse counseling prior to re-enrollment (if applicable).	1. Permanent Dismissal.
<b>Drug-Related Misconduct (Other Drugs):</b> Using, possessing, or being under the influence of drugs or drug paraphernalia, if prohibited by federal, state, or local law; or using or possessing a prescription drug if the prescription is not issued to the student using or in possession of the prescription drug; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.	1. Disciplinary Probation (One Academic Year to Remainder of Enrollment) or Suspension (One Semester to One Academic Year) 2. Substance Abuse Screening 3. Other Educational or Administrative Sanctions	1. Suspension (One Academic Year to Four Academic Years) or Permanent Dismissal. 2. Drug abuse counseling prior to re-enrollment (if applicable).	1. Permanent Dismissal.
<b>Drug-Related Misconduct (Other Drugs):</b> Manufacturing, distributing, selling, or dispensing drugs or drug paraphernalia, if prohibited by federal, state, or local law.	1. Suspension (One Academic Year to Four Academic Years) or Permanent Dismissal. 2. Drug abuse counseling prior to re-enrollment (if applicable).	1. Permanent Dismissal.	

#### Fee Schedule for University-provided Alcohol and Other Drug Sanctions:

1. Alcohol Education Screening (Level 1): \$50.00 (one session)
2. Alcohol Education Screening (Level 2): \$100.00 (two sessions)
3. Cannabis Education Screening: \$100.00 (two sessions)
4. Substance Abuse Screening: \$100.00 (one session)

#### VII. Alcohol and Other Drug Prevention and Education Programming, Interventions, and Data

An inventory of UTC prevention and education interventions includes a wide variety of interventions and services for individual students at the universal, selective, and indicated levels. Programming strategies include online assessments (eCheckup), educational programming, social norms campaigns, motivational interviewing sessions, and recovery programs. Campus alcohol and other drug policies are designed to limit availability of alcohol and drugs through environmental management. Campus public safety officers, as well as other UTC representatives, also coordinate with local law enforcement and the Hamilton County Alcohol and Drug Prevention Coalition to advocate and enforce alcohol and drug policies in the surrounding community.

## **2020-2021 Prevention Activities**

- AlcoholEdu & Sexual Assault Implementation: Implied mandate for all incoming freshman, transfer, and graduate to complete web based alcohol and drug awareness courses.
- Social Norms Campaign: Used UTC Healthy Minds data from Spring 2019 to correct false beliefs, shape student choices, and provide accurate information about campus norms. Messages included data on the percentage of students who do not use cannabis. This campaign included posters & yard signs.
- eCheckup-to-Go online assessments available for alcohol and cannabis use
- UTC Step UP Bystander Intervention Trainings - trained 456 students.
- Motivational Interviewing Sessions utilizing BASICS/CASICS materials for alcohol & cannabis sanctions
  - 406 total motivational interviewing sessions were completed
  - 259 sessions were alcohol sanctions and 147 sessions were cannabis sanctions
- Substance Use Prevention Programs:
  - Alcohol & Other Drugs Educational Scavenger Hunt via GooseChase App
  - Halloween & Consent (education on substance use and consent)
  - Alcohol Education Trivia
  - Impaired Driving Education Workshop

## **2021-2022 Prevention Activities**

- AlcoholEdu & Sexual Assault Implementation: Implied mandate for all incoming freshman, transfer, and graduate to complete web based alcohol and drug awareness courses.
- Social Norms Campaign: Used UTC Healthy Minds data from Spring 2019 to correct false beliefs, shape student choices, and provide accurate information about campus norms. Messages included data on the percentage of students who do not use cannabis. This campaign included posters, yard signs, & water bottles.
- eCheckup-to-Go online assessments available for alcohol and cannabis use
- UTC Step UP Bystander Intervention Trainings - trained 62 students
- Motivational Interviewing Sessions utilizing BASICS/CASICS materials for alcohol & cannabis sanctions
  - 210 total motivational interviewing sessions were completed
  - 135 sessions were alcohol sanctions and 65 sessions were cannabis sanctions
- Substance Use Screenings with Director of Center for Wellbeing – 10 sessions
- Mocs Recovery Program
  - Launched the Mocs Recovery Program in January 2022
  - Outreach events to raise awareness
  - 15 All Recovery Meetings
  - 6 Drop-In Recovery Coffee & Game Hours
  - Traveled with students in recovery to the Southeast Collegiate Recovery Retreat
  - Traveled with students in recovery to the Association of Recovery in Higher Education Conference
- Opioid Overdose & Narcan Training- trained 101 people
- Recovery Ally Training – trained 80 people
- Participate in National Rx Take Back Days twice annually
- Substance Use Prevention Programs:

- Alcohol & Other Drug Interactions Education on social media
- Halloween & Alcohol Safety Event
- Halloween & Consent (education on substance use and consent)
- UT Collegiate Recovery Academy
- Addiction Training with Public Health students
- Screening of *The Anonymous People* and discussion
- Alcohol & Other Drug Education for sorority
- BYODD: Bring Your Own Designated Driver – impaired driving education
- Alcohol & Drugs Fact Week Trivia

### **IX. Progress on Prior Recommendations**

The following recommendations were made in the 2018-2020 review. The progress made on each goal during the 2020-2022 academic years are noted below.

1. Increase promotion of the UTC Be Well model for wellness.
  - The Be Well Initiative was placed on hold during the beginning of the COVID-19 pandemic. Campus partners began meeting again to plan for the initiative's launch during Spring 2022. The official launch was Fall 2022.
2. Provide students with increased information related to the medical amnesty policy and how to utilize the policy.
  - Education on medical amnesty has increased. It has been embedded within all substance use trainings. We have also ramped up substance use education programs, so this information is more frequently in front of our students.
3. Increase student engagement in peer prevention and health promotion.
  - The Center for Wellbeing added two full-time professional positions in 2021 & 2022 which allowed for the expansion of interns placed with the department. The increase in interns greatly expanded the number of alcohol and other drug prevention programs and trainings conducted by peers. The Mocs Recovery groups launched in Spring 2022 were also facilitated primarily by peers.
4. Continue to coordinate with administrators implementing policies in compliance with the Violence Against Women Act (VAWA), including the Campus Sexual Violence Elimination Act (Campus SaVE), as it relates to alcohol and other drug issues.
  - The Assistant Director for Education & Prevention/Director of the Center for Wellbeing continued to work with the TIX Coordinator to educate about TIX policies on-campus and conduct programs addressing the intersections of sexual assault and substance use. These specific programs are detailed in the prevention activities overview.
5. The next review will be due in December of 2023 and will review the 2020-2021 & 2021-2022 academic years.
  - The 2020-2022 Biennial Review has been completed and will be available on UTC's website for public view.
6. Develop protocol to distribute information required to maintain compliance with the Department of Education's *Drug-Free Schools and Communities Act* (DFSCA), as articulated in the *Education Department General Administrative Regulations* (EDGAR Part 86.100).
  - Due to staffing changes and staff shortages, a standardized protocol process is still being worked out in partnership with multiple campus offices.

### **X. Recommendations for Next Biennium**

Based on a review of the current alcohol and other drug prevention programs and available student data, the following are recommendations for UTC during the 2022-2024 academic years:

1. Increase the regularity of opioid overdose & Narcan trainings provided on campus and work with individual groups and departments to schedule trainings.
2. Increase availability of on-demand Narcan on campus, particularly in residence halls and popular student gathering spaces like the Library and University Center.
3. Further promote and grow the offerings of the Mocs Recovery Program to provide recovery-focused groups and community-building for students, faculty, & staff.
4. Grow infrastructure and support for the Motivational Interviewing Clinic and the student interns who provide sanctioned sessions to students.
5. Continue educating students about the medical amnesty policy, particularly how to provides protections for responding to opioid overdoses.
6. Integrate substance use questions into the National College Health Assessment conducted in Spring 2024 to gain updated data.

## **XI. UTC Annual Notification**

### **Education Department General Administrative Regulations (EDGAR)**

#### **Edgar 86: Federal Drug-Free Schools and Campuses Regulations**

##### **University of Tennessee at Chattanooga Notification:**

As a requirement of these regulations, The University of Tennessee at Chattanooga (UTC) is to disseminate and ensure receipt of the below policy/information to all students, staff, and faculty on an annual basis. This process is formally conducted by the Center for Wellbeing, Dean of Students Office, UTC Police Department, and Human Resources.

##### ***University of Tennessee at Chattanooga Policies***

As an academic community, UTC is committed to providing an environment in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

- A. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
- B. Distribution, possession, or use of illegal drugs or controlled substances.
- C. Possession of firearms or other dangerous weapons.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Conduct Code. The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws. A separate policy addresses violations by University staff.

The University strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code or staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. UTC Counseling Center 423-425-4438, Magellan Behavioral Health 855-437-3486, and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. The Center for Wellbeing provides educational and awareness programming, information, and assistance.

### **UTC Annual Notification Email (faculty, staff, students):**

UTC's compliance with provisions of the Department of Education's Drug-Free Schools and Communities Act (DFSCA) is achieved through a comprehensive alcohol and other drug prevention program, which includes policy enforcement, education programs, counseling supports and referral to treatment services.

UTC will provide a biennial review of the university's prevention efforts, disciplinary sanctions, and procedures for distributing the annual alcohol and drug notification to students and employees. The UTC Biennial Review will include data related to alcohol and drug incidents and arrests and recommendations for revising university prevention, education, and disciplinary efforts.

The UTC Biennial Review is conducted by the UTC Center for Wellbeing. The UTC Biennial Review will utilize information provided by the UTC Dean of Students Office, UTC Counseling Center, UTC General Counsel, UTC Police Department, UTC Residence Life, and UTC Athletic Department. As mandated by DFSCA, UTC's Annual Notification is distributed to all students, staff and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. A copy of the Biennial Review report can be found at: University of Tennessee at Chattanooga: Biennial Review 2018-2020

### **STANDARDS OF CONDUCT FOR STUDENTS**

As an academic community, UTC is committed to providing an environment in which learning, and education can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

- 1) Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
- 2) Distribution, possession, or use of illegal drugs or controlled substances.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off campus), is prohibited by the UTC Student Code of Conduct. The Student Code of Conduct outlines that all students are prohibited from engaging in the following:

(19) Alcohol-Related Misconduct: Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, on University-controlled property or in connection with a University-affiliated activity, unless expressly permitted by University rules or policy.

(20) Violation of Federal, State, or Local Alcohol Laws: Consuming, manufacturing, possessing, distributing, dispensing, or selling alcohol or alcohol paraphernalia, or being under the influence of alcohol, if prohibited by federal, state, or local law.

(21) Providing Alcohol to Minors: Providing alcohol to a person younger than twenty-one (21) years of age, unless permitted by law.

(22) Drug-Related Misconduct: Using, manufacturing, possessing, distributing, selling, or dispensing drugs or drug paraphernalia, or being under the influence of drugs, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription is not issued to the student using or in possession of the prescription drug; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued.

The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws.

## **CODE OF CONDUCT FOR EMPLOYEES**

### **HR 0720-DRUG FREE CAMPUS AND WORKPLACE POLICY**

It is the policy of the University of Tennessee to maintain a safe and healthful environment for its students and employees. Therefore, university policy HR0720, prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs ("controlled substances" as defined in the Controlled Substances Act, 21 U.S.C. 812) and alcohol on university property or during university activities. Violation of this policy is grounds for disciplinary action--up to and including immediate discharge for an employee and permanent dismissal of a student. Federal and state laws provide additional penalties for such unlawful activities, including fines and imprisonment (21 U.S.C. 841 et seq.; T.C.A. 39-6-401 et seq.). Local ordinances also provide various penalties for drug- and alcohol-related offenses. The university is bound to take all appropriate actions against violators, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved drug use or alcohol abuse assistance or rehabilitation program.

A complete copy of HR0720-Drug Free Campus and Workplace can be found at <https://policy.tennessee.edu/procedure/hr0720-h-drug-free-campus-workplace/>

## **PARENT/GUARDIAN NOTIFICATION**

On June 19, 2008, Tennessee Governor Bredesen signed a law requiring Tennessee public colleges and universities notify the parents or legal guardians of students under twenty-one years of age that have violated the alcohol or drug policies of the institution (T.C.A. 49-7-146). This state law is pursuant to an exception in the Family Educational Rights and Privacy Act (FERPA) that allows, but does not require, colleges and universities to notify parents of this information.

Given the seriousness of alcohol and drug issues, as well as the potentially negative impact that these issues can have on college students and campus communities, we hope that parents will address these concerns with their students to help students make better choices in the future. While we recognize that students are adults and need to assume responsibility for their actions, we also acknowledge that parents and guardians play a critical role in their personal development.

The University of Tennessee at Chattanooga sends parent/guardian notifications at the conclusion of the student conduct process via mailed letter. Please note that the University is unable to discuss further information about the student's conduct record without written consent from the student.

### **UTC'S EVENT ALCOHOL SERVICE AND USE POLICY**

In compliance with all state and local laws, regulations, rules and ordinances, allows lawful and responsible alcohol consumption at UTC sponsored events, subject to the restrictions of this policy. This policy has been adopted to provide guidance to UTC employees and units (e.g., departments, colleges, divisions, etc.) and non-UTC persons and entities on the authorized possession, use, and purchase of alcoholic beverages at UTC-sponsored events. This policy applies to all employees and constituent units of UTC, and to any non-UTC persons or entities holding events at any facilities owned, leased, or controlled by UTC. This policy is intended to be consistent with all state and local laws, rules, and regulations. In the event of a conflict between this policy and any state or local law, rule, or regulation, the state or local law, rule, or regulation will prevail. This policy is also intended to be consistent with all University of Tennessee System and Board of Trustee policies. In the event of a conflict between this policy and any University of Tennessee System or Board of Trustee policy, the University of Tennessee System or Board of Trustee policy will prevail. To review the policy in its entirety visit <https://new.utc.edu/academicaffairs/university-policies-and-procedures/administration-and-operations/eventalcohol-service-and-use-policy>

### **AVAILABILITY OF SUBSTANCE ABUSE COUNSELING RESOURCES**

The University strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problems before such behavior results in an arrest and/or disciplinary referral, which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code or staff expectations and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs.

Students can contact the UTC Counseling Center at 423-425-4438 during regular business hours. For counseling and crisis services after hours, contact UTC CARE Line at 423-425-CARE/2273.

The Mocs Recovery Program provides a recovery-minded community in which UTC Students in all phases of recovery, can pursue their personal, professional, and academic goals for the purpose of enhancing personal wellness and contributions to the global community. CRP staff collaborate with UTC professionals to support a continuum of care model (prevention, treatment, and recovery) for substance use disorders. Information on this program can be found here:

<https://www.utc.edu/enrollment-management-and-student-affairs/center-forwellbeing/collegiate-recovery-program>

Faculty and staff can contact the Employee Assistance Program (EAP) at 1-855- HERE4TN (1-855-437-3486), 24 hours a day, seven days a week. The EAP can help with issues such as family and relationships; child and elder care; anxiety and depression; workplace conflicts; dealing with addiction; suicide prevention; grief and loss; legal and financial issues; work/life balance. Individuals receive up

to 5 (five) free counseling sessions per episode at no cost to the participant; however, sessions must be pre-authorized by calling phoning 1-855-HERE4TN (1855-437-3486).

### **HEALTH RISKS**

The following information on health risks is from What Works: Schools Without Drugs, U. S. Department of Education (2012). The drugs students are taking today are more potent, more dangerous, and more addictive than ever. Adolescents are particularly vulnerable to the effects of drugs. Drugs threaten normal development in a number of ways:

- Drugs can interfere with memory, sensation, and perception. They distort experiences and cause a loss of self-control that can lead users to harm themselves and others.
- Drugs interfere with the brain's ability to take in, sort, and synthesize information. As a result, sensory information runs together, providing new sensations while blocking normal ability to understand the information received.
- Drugs can have an insidious effect on perception; for example, cocaine and amphetamines often give users a false sense of functioning at their best while on the drug. Drug suppliers have responded to the increasing demand for drugs by developing new strains, producing reprocessed, purified drugs, and using underground laboratories to create more powerful forms of illegal drugs. Consequently, users are exposed to heightened or unknown levels of risk.
- The marijuana produced today is from five to 20 times stronger than that available as recently as 10 years ago. Regular use by adolescents has been associated with an "a motivational syndrome," characterized by apathy and loss of goals. Research has shown that severe psychological damage, including paranoia and psychosis, can occur when marijuana contains 2 percent THC, its major psychoactive ingredient. Since the early 1980s, most marijuana has contained from 4 to 6 percent THC—two to three times the amount capable of causing serious damage.
- Crack is a purified and highly addictive form of cocaine.
- Phencyclidine (PCP), first developed as an animal tranquilizer, has unpredictable and often violent effects. Often children do not even know that they are using this drug when PCP-laced parsley in cigarette form is passed off as marijuana, or when PCP in crystal form is sold as lysergic acid (LSD).
- Some of the new "designer" drugs, slight chemical variations of existing illegal drugs, have been known to cause permanent brain damage with a single dose.

Substance	Nicknames / Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence

Substance	Nicknames / Slang Terms	Short Term Effects	Long Term Effects
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite increased blood pressure and heart rate, contracted blood vessels, nausea, hyperstimulation anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, Georgia homeboy,	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity, increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, Abombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence

<b>Substance</b>	<b>Nicknames / Slang Terms</b>	<b>Short Term Effects</b>	<b>Long Term Effects</b>
<b>MDMA</b>	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions death, physical dependence, psychological dependence
<b>Marijuana/Cannabis</b>	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some
<b>Mescaline</b>	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
<b>Morphine/Opiates</b>	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, "heavy" feeling in arms and legs	constipation, loss of appetite collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence
<b>PCP</b>	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
<b>Psilocybin</b>	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,

Substance	Nicknames / Slang Terms	Short Term Effects	Long Term Effects
Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence

## **FEDERAL DRUG LAWS**

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

**Denial of Federal Aid (20 USC 1091)** Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

**Forfeiture of Personal Property and Real Estate (21 USC 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued, and property is seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 USC 841)** Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list from the DEA Resource Guide: 2020 Edition: <https://www.dea.gov/sites/default/files/2021-12/Trafficking%20Penalties.pdf> Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

## FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 15 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Not less than 25 years. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount			
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount			
		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

## FEDERAL TRAFFICKING PENALTIES—MARIJUANA—

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants;  1 to 49 marijuana plants;	Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

## **STATE OF TENNESSEE LAW AND SANCTIONS**

**Gradations of Criminal Offenses** Like all jurisdictions (federal and state), Tennessee distinguishes among offenses based on their seriousness. These offenses range from minor misdemeanors to capital crimes. The table below shows the gradations of criminal offenses under Tennessee law. See T.C.A. § 40-35-111, “Authorized terms of imprisonment and fines for felonies and misdemeanors.”

<b>Level of Offense</b>	<b>Punishment(s)</b>
Capital Crime	Death; Life Imprisonment
Class A felony	Not less than fifteen (15) nor more than sixty (60) years. In addition, the jury may assess a fine not to exceed fifty thousand dollars (\$50,000), unless otherwise provided by statute
Class B felony	Not less than eight (8) nor more than thirty (30) years. In addition, the jury may assess a fine not to exceed twenty-five thousand dollars (\$25,000), unless otherwise provided by statute
Class C felony	Not less than three (3) years nor more than fifteen (15) years. In addition, the jury may assess a fine not to exceed ten thousand dollars (\$10,000), unless otherwise provided by statute
Class D felony	Not less than two (2) years nor more than twelve (12) years. In addition, the jury may assess a fine not to exceed five thousand dollars (\$5,000), unless otherwise provided by statute
Class E felony	Not less than one (1) year nor more than six (6) years. In addition, the jury may assess a fine not to exceed three thousand dollars (\$3,000), unless otherwise provided by statute
Class A misdemeanor	Not greater than eleven (11) months, twenty-nine (29) days or a fine not to exceed two thousand five hundred dollars (\$2,500), or both, unless otherwise provided by statute
Class B misdemeanor	Not greater than six (6) months or a fine not to exceed five hundred dollars (\$500), or both, unless otherwise provided by statute
Class C misdemeanor	Not greater than thirty (30) days or a fine not to exceed fifty dollars (\$50.00), or both, unless otherwise provided by statute

### **Tennessee Sanctions Under 21 Alcohol Offenses**

<https://www.nashvilletnlaw.com/criminal-defense/dui-defense/under-21-alcohol-relatedcriminal-offenses/>

OFFENSE	PENALTY
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. <u>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.</u>
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 <u>shall</u> be sentenced to 100 hours of community service work. The court <u>in its discretion</u> 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. <u>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.</u> <u>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.</u>
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 <u>in a public place.</u>	Exact same penalty as stated in 57-3-412 (c). see above.

OFFENSE	PENALTY
(B) Exhibiting a fake id saying you are 21.	
Tenn. Code Ann. § 57-5-301(d)(1)(A) Unlawful for minor to purchase or attempt to purchase any "such beverage." (presumed beer).	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.	Class A misdemeanor that shall also be punished pursuant to 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.	Statute provides exact same punishment as in 57-3-412(c).
Tenn. Code Ann. § 57-5-301(e) unlawful for someone under 21 to have beer in their possession.	Class A misdemeanor. <u>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.</u>

## Tennessee Sanctions Driving Under the Influence T.C.A § 55-10-401

(<https://www.tn.gov/safety/publicsafety/duioutline.html>)

### Implied Consent - Refusal to Submit to Blood Alcohol (BAC) [55-10-406]

- Revocation of Driver's License for 1 year - 1st offense
- Revocation of Driver's License for 2 years - 2nd offense
- Revocation of Driver's License for 2 years if crash resulted in bodily injury (Most Aggravated Drunk Driving Law)
- Revocation of Driver's License for 5 years if crash resulted in a death (Most Aggravated Drunk Driving Law)

### 1st Time DUI Offender - .08 (BAC) [55-10-401] [55-10-403]

- 48 hours up to 11 months, 29 days for offenders in violation of 55-10-401
- .20 BAC or greater minimum jail time 7 consecutive days
- License revocation for 1 year - Restricted License available
- You will be ordered to participate in an alcohol and drug treatment program
- Pay restitution to any person suffering physical injury or personal loss
- \$350-\$1,500 fine With towing, bail, attorney, high risk insurance, court costs, school, and reinstatement fees, your first offense average costs could add up to \$4,900
- Ignition Interlock Device installed at your expense. Minimum first year costs could exceed \$1,000.00
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense
- Drug and Alcohol Treatment may be required at the judge's discretion

## **2nd Time DUI Offender**

- 45 days to 11 months, 29 days in jail
- \$600-\$3,500 mandatory fine
- License revocation for 2 years/Restricted License available
- Subject to vehicle seizure/forfeiture
- You will be ordered to attend an alcohol and drug treatment program
- Ignition Interlock Device at your expense
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense
- Pay restitution to any person suffering personal injury or loss

## **3rd Time DUI Offender**

- 120 days to 11 months, 29 days in jail
- \$1,100 to \$10,000 mandatory fines
- License revocation for 6-10 years/Restricted license available
- Subject to vehicle seizure/forfeiture
- Alcohol and drug treatment program
- Ignition Interlock Device installed at your expense
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense

## **4th and Subsequent DUI Offender**

- Class E Felony
- 1 Year (365) days of jail time with a minimum of 150 consecutive days served
- \$3,000 to \$15,000 mandatory fine
- License revocation for 8 years/Restricted license available
- Subject to vehicle seizure/forfeiture
- Alcohol and drug treatment program
- Ignition Interlock Device installed at your expense
- If two (2) convictions of DUI in 5 years, Ignition Interlock Device required for 6 months after reinstatement at your expense

## **Vehicular Assault - Serious injury to another person by a DUI driver**

- Class D Felony [39-13-106]
- License revocation from 1 to 5 years according to number of prior offenses
- Jail time 2 to 12 years according to range [40-35-112]
- Plus fines and court costs
- No restricted driver license is available

## **Child Endangerment - DUI with passenger under 18 years old**

- Class D felony if child suffers serious injury [55-10-403] [40-35-112]
- 2 to 12 years jail time

- Class B Felony if child death involved
  - 8 to 30 years jail time
  - License revocation
- Note: Sentence length depends on a number of factors, including the person's criminal history

### **Vehicular Homicide**

- Class B Felony [39-13-213] [40-35-112]
- Fatal crash caused by DUI with .08 BAC or more
- License revocation for 3-10 years/NO restricted license available

### **Aggravated Vehicular Assault While Driving Intoxicated**

- Class A Felony [39-13-218] [40-35-112]
- If any of the following conditions are present: Two or more prior (a) DUI conviction, (b) Vehicular assault convictions or, (c) any combination
- One prior Vehicular Homicide
- A BAC of .20 or greater at the time of the vehicular homicide has (1) one prior DUI or Vehicular Assault offense

### **Fees to reinstate a driver license after alcohol-related offenses**

#### **Implied Consent Refusal to Submit to Blood Alcohol T.C.A. 55-10-406**

- \$100 reinstatement fee
- \$50 fee if filing of financial responsibility (SR-22) is required
- \$75 fee for failure to surrender driver license may be required
- Required to apply for valid license & pay appropriate driver license fee

#### **Drug Free Youth Act Offenses (Ages 13 – 17) (T.C.A. 55-10-701) & Underage Possession of Alcohol (Age 18 -21) (T.C.A. 57-5-301)**

- \$20 reinstatement fee
- \$75 fee for failure to surrender driver license may be required
- Required to apply for valid license & pay appropriate driver license fee

#### **All other DUI Type Offenses**

- \$100 reinstatement fee
- \$3 certification fee if violation occurred in Tennessee
- \$50 fee if filing of financial responsibility (SR-22) is required
- \$75 fee for failure to surrender driver license may be required
- Required to apply for valid license & pay appropriate driver license fee

### **Penalties for drug and alcohol-related offenses committed by minors**

### **Drug Free Youth Act Offenses (Ages 13 – 17) T.C.A. 55-10-701**

- License suspension for 1 year or until person reaches age 17, whichever longer for 1st offense & may apply to court for early withdrawal of suspension after serving 90 days
- License suspension of 2 years or until person reaches age 18, whichever longer for 2nd offense & may apply to court for early withdrawal of suspension after serving 1 year
- Restricted license can be issued on 1st offense at court discretion, however, on 2nd offense must serve one year of suspension before eligible for restricted

### **Possession of Alcohol (Age 18 -21) T.C.A. 57-5-301**

- License suspension for 1 year or until person reaches age 17, whichever longer for 1st offense & may apply to court for early withdrawal of suspension after serving 90 days
- License suspension of 2 years or until person reaches age 18, whichever longer for 2nd offense & may apply to court for early withdrawal of suspension after serving 1 year
- Restricted license can be issued on 1st offense at court discretion, however, on 2nd offense must serve one year of suspension before eligible for restricted

### **Driving While Impaired (Age 16 – 20) T.C.A. 55-10-415**

- License Revocation for 1 year / No provision for restricted license
- \$250 fine
- Court may impose public service work

### **TENNESSEE STATUTORY SANCTIONS FOR ILLEGAL DRUGS MANUFACTURE OR DELIVERY**

It is a crime in Tennessee for a person to knowingly manufacture a controlled substance; deliver a controlled substance; sell a controlled substance; or possess a controlled substance with intent to manufacture, deliver or sell such controlled substance. T.C.A. § 39-17-417. Controlled substances are classified according to their potential for abuse, utility in medical treatment, and potential for

dependency. The Tennessee Drug Control Act of 1989, T.C.A. § 39-17-401 et seq., establishes the following schedule of controlled substances:

**Schedule I** High potential for abuse; no accepted medical use in treatment or lacks accepted safety for use in treatment under medical supervision. This includes certain opiates (e.g., heroin); hallucinogens (e.g., LSD) depressants (e.g., methaqualone) and stimulants (e.g., MDMA).

**Schedule II** High potential for abuse; has currently accepted medical use in treatment, or currently accepted medical use with severe restrictions; abuse of the substance may lead to severe psychic or physical dependence Examples: cocaine, morphine, amphetamines, amobarbital.

**Schedule III** Potential for abuse less than the substances listed in Schedules I and II; has currently accepted medical use in treatment; and may lead to moderate or low physical dependence or high psychological dependence. Examples: Phenobarbital and Fenfluramine

Anabolic steroids.

**Schedule IV** Low potential for abuse relative to substances in Schedule III; has currently accepted medical use in treatment; and may lead to limited physical dependence or psychological dependence relative to the substances in Schedule IV; has currently accepted medical use in treatment in the United States; and has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV. Example: A medicine containing not more than two hundred (200) milligrams of codeine per one hundred (100) grams.

**Schedule V** Low potential for abuse relative to the controlled substances listed in

**Schedule VI** Tetrahydrocannabinols Marijuana; hashish; synthetic equivalents

**Schedule VII** Butyl nitrite and any isomer thereof

The following table sets forth the basic levels of offenses involving manufacture, sale, distribution, or possession with intent distribute, the various levels of scheduled controlled substances. However, one must understand that the law provides additional penalties for violations involving large amounts of numerous substances, including heroin, cocaine, LSD, morphine, peyote, barbiturates and amphetamines.

Level of Controlled Substance	Level of Offense
Schedule I	Class B felony
Cocaine (.5 grams or more)	Class B felony and an additional fine of no more than one hundred thousand dollars (\$100,000)
Schedule II, including cocaine (less than .5 grams)	Class C felony
Schedule III	Class D felony
Schedule IV	Class D felony
Schedule V	Class E felony
Schedule VI	Depends on amount; see table below
Schedule VII	Class E Felony

The following table sets forth the levels of offenses involving manufacture, sale, distribution, or possession with intent distribute, of marijuana and hashish (resin containing the active ingredient THC), based on quantities seized:

<b>Marijuana</b>	<b>Hashish</b>	<b>Level of Offense (and additional fine)</b>
Less than ½ ounce	--	Class A misdemeanor
1/2 ounce to 10 lbs.	up to 2 lbs.	Class E felony + \$5,000 fine
10 to 70 lbs.; 10 to 19 plants regardless of weight	2 to 4 lbs.	Class D felony + \$50,000 fine
20 to 99 plants regardless of weight	4 to 8 lbs.	Class C felony + \$100,000 fine
70 to 300 lbs.; 100 to 499 plants regardless of weight	8 to 15 lbs.	Class B felony + \$200,000 fine
More than 300 lbs.; 500 or more plants regardless of weight	15 lbs. or more	Class A felony + \$500,000 fine

### **EDUCATIONAL AND AWARENESS PROGRAMMING**

The UTC Center for Wellbeing provides educational and awareness programming. Once each semester the UTC Center for wellbeing also participates in the National Rx Take Back days. For more detailed information and available support services for those with substance abuse problems, see the University's Alcohol and Other Drug Education webpage at: <https://www.utc.edu/enrollment-management-and-student-affairs/center-for-wellbeing/alcohol-drug-education>

### **AMNESTY FOR GOOD SAMARITANS AND IMPAIRED STUDENTS**

The University holds paramount the health, safety, and welfare of students. Accordingly, all students are expected to alert appropriate officials in the event of a health, safety, or welfare emergency, including, without limitation, a situation involving the abuse of alcohol or drugs.

### **EXPECTATIONS**

When a student knows or reasonably should know that another student is in need of emergency medical attention, the student is expected to: (i) contact appropriate persons (including, but not limited to, University faculty or staff members, law enforcement officials, etc.) to report the incident and request assistance, including providing his or her name and contact information and the name and contact information of the impaired student; and (ii) demonstrate cooperation and care by remaining with the impaired student and providing reasonable assistance during and after the incident. A student who complies with the expectations described in this Section 17 is referred to as a "Good Samaritan." A student in need of emergency medical attention is referred to as an "impaired student" under this Section 17.

### **AMNESTY FOR GOOD SAMARITANS**

Unless a Good Samaritan has engaged in repeated or serious violations of the Code (including, but not limited to, physical or sexual assault, property destruction, disorderly behavior, theft, multiple alcohol or drug violations), a Good Samaritan will not be subject to formal University disciplinary action for any Code violation(s) discovered by the University as a result of the Good Samaritan's report. While no formal University disciplinary action may be taken, a Good

Samaritan may be required to meet with the Office of Student Conduct to discuss the Good Samaritan's Code violation(s) and adhere to appropriate remedial and/or educational recommendations.

### **AMNESTY FOR IMPAIRED STUDENT**

Unless an impaired student has engaged in repeated or serious violations of the Code (including, but not limited to, physical or sexual assault, property destruction, disorderly behavior, theft, multiple alcohol or drug violations), an impaired student will not be subject to formal University disciplinary action for any Code violation(s) discovered by the University as a result of the Good Samaritan's report. While no formal University disciplinary action may be taken, the impaired student may be required to meet with the Office of Student Conduct to discuss the impaired student's Code violation(s), participate in educational activities, and/or establish that he or she has addressed the issues that contributed to the Code violation(s).

### **APPLICATION TO STUDENT ORGANIZATIONS**

Student organizations, through their officers and members, are also expected to take responsible action in emergency situations in accordance with the expectations under Section 17(2) of this Chapter. A student organization may receive amnesty for any Code violation(s) discovered by the University as a result of the Good Samaritan reports of its officers and/or members, but if not granted amnesty, the responsible actions of its officers and/or members will be considered a mitigating factor when determining disciplinary sanctions, if any, for any Code violation(s) for which the student organization is found responsible. Conversely, the failure of a student organization's officers and/or members to take responsible action in emergency situations in accordance with the expectations under Section 17(2) of this Chapter may be considered an aggravating factor when determining disciplinary sanctions, if any, for any Code violation(s) for which the student organization is found responsible.

(Student Code of Conduct, Section 17)

### **PRESCRIPTION DRUG TAKE-BACK BOX**

Prescription drug take-back boxes provide a place where unused prescription drugs can be safely disposed. These permanent boxes prevent prescription and over-the-counter medications from getting into the hands of children and into the waterways. They make sure they are disposed of in a safe, environmentally friendly manner. Medication collection events and programs are part of a nationwide effort to reduce the number of pharmaceutical products being flushed or poured down drains.

UTC has a prescription drug take-back box at the UTC PD. Students and employees can drop items off 24 hours a day, 7 days a week.

### **Items Accepted for the Pharmaceutical Collection Program**

- Prescriptions
- Liquid medications (in leak-proof containers)

- Medicated ointment, lotions, or drops
- Pills in any packaging (glass bottles, plastic containers, plastic bags, etc.)
- Over-the-counter medications Liquid medications (in leak-proof containers)
- Pet medications

### **Items Not Accepted in the Program**

- Blood sugar equipment
- Sharps/needles
- Illegal drugs & narcotics (although police will accept these items if placed in the container)
- Thermometers
- IV bags
- Bloody or infectious waste
- Personal care products (shampoo, lotions, etc.)

## Appendices:

### Appendix A: Student Code of Conduct

Found online at: <https://www.utc.edu/enrollment-management-and-student-affairs/student-conduct/codes>

### Appendix B: Human Resources Policy 720

Found online at: <https://policy.tennessee.edu/policy/hr0720-drug-free-campus-and-workplace/#:~:text=Drug%20Free%20Environment,-It%20is%20the&text=Therefore%2C%20university%20policy%20prohibits%20the,Controlled%20Substances%20Act%2C%2021%20U.S.C.>

### Appendix C: University of Tennessee at Chattanooga Athletics Drug Testing Policy

University of Tennessee at Chattanooga Department of Athletics is committed to promoting the safety, health, and well-being of every UTC student-athlete. The use of illegal or banned drugs by student-athletes will not be tolerated. To meet this commitment, the Department of Athletics has developed and implemented this Drug Testing Policy to supplement the Department of Athletics' efforts to educate student-athletes about the effects of substance abuse on their safety, health, and well-being.

This policy seeks to deter and detect the use of illegal and banned drugs to:

1. Ensure that UTC's sports programs adhere to the basic principles of fair play and sportsmanship.
2. Protect the health and safety of UTC's student-athletes, their teammates, and their competitors.
3. Provide appropriate assistance, treatment, and support to student-athletes who have been found to have used illegal or banned drugs; and
4. Reflect UTC's high expectations for its student-athletes as representatives and ambassadors of UTC.

#### DEFINITIONS

"Banned Drug"- as used in this policy, the term "banned drug" means a drug banned by the National Collegiate Athletics Association ("NCAA") (e.g., within a banned-drug class or a substance chemically related to a banned drug class, as defined by the NCAA). The current list of drugs banned by the NCAA is located at the end of this policy.

"Illegal Drug" - as used in this policy, the term "illegal drug" means:

- 1) a drug, the use or possession of which is illegal under federal, Tennessee, or local law; or
- 2) a prescription drug not prescribed to a student-athlete by a physician; or
- 3) a prescription drug prescribed to a student-athlete by a physician but not used in the manner or for a purpose prescribed by the physician.

"Positive Finding" - as used in this policy, the term "positive finding" means:

- 1) a test conducted and confirmed under this policy or the NCAA's drug testing program demonstrating evidence of an illegal or banned drug, where no medical exception has been granted for such use ("positive test");

- 2) a student-athlete's failure to appear for testing within 30 minutes of their designated testing time
- 3) a student-athlete's evading notification of a drug test.
- 4) a student-athlete's refusal to submit to, failure to cooperate with, failure to provide a specimen according to protocol, or failure to provide an adequate specimen.
- 5) a student-athlete's manipulation of or tampering with a test sample or otherwise attempting to sabotage the collection process or to materially affect the test results in a test under this policy or the NCAA's drug testing program; or
- 6) a student-athlete has been found guilty or pleads guilty or no contest to a legal, administrative, or student-disciplinary offense regarding the use, abuse, possession, manufacture, or distribution of a banned or illegal drug

## **SCOPE**

### Relationship to NCAA Testing

The NCAA administers its own drug testing program under a separate protocol. As a member of the NCAA, UTC participates in the NCAA's drug testing program, and student-athletes are required to participate in the NCAA's drug testing program and comply with all NCAA disciplinary actions. Testing under this policy is independent of NCAA testing, but a positive NCAA drug test will trigger concurrent disciplinary action under this policy.

Cut and paste the following address for a description of the NCAA's drug testing program:

<https://www.ncaa.org/sports/2016/7/20/ncaa-drug-testing-program.aspx>

### Relationship to the UTC Standards of Conduct for all students

UTC's Standards of Conduct for all students prohibit, among other things, the possession or use of illegal drugs, the unauthorized possession or misuse of prescription drugs, and the possession of drug paraphernalia. Like all other students at UTC, student-athletes remain subject to these prohibitions and related sanctions. To avoid inequitable treatment of student-athletes in relation to other students, however, a positive drug test under NCAA testing or this policy shall not provide the basis for or be considered in connection with disciplinary action for violations of the UTC Standards of Conduct.

## **ADMINISTRATION**

This policy will be administered by the UTC Substance Abuse Committee, which is comprised of:

- 1) Director of Athletics
- 2) Head Team Physician
- 3) Assistant Athletic Director for Sports Medicine
- 4) Assistant Director of Sports Medicine
- 5) Executive Associate Athletic Director/Senior Woman Administrator
- 6) Director for Compliance
- 7) A representative from Chancellor's Office
- 8) A representative from Student Development/UTC Counseling Center

This policy is subject to modification by the Director of Athletics following consultation with the Substance Abuse Committee. Such modifications will be effective following written notice to student-athletes and shall not be applied retroactively.

This policy establishes the minimum consequences for student-athletes concerning disciplinary action for a positive drug test. The Head Coach of each respective sport has the discretion to adopt a more

stringent policy concerning the consequences of a positive drug test ---including possible dismissal from the team. These policies must be communicated in writing to the sport's student-athletes and shall not be applied retroactively.

## **UTC DRUG TESTING PROCEDURES**

### *Consent*

All student-athletes must sign two personal consent forms for drug testing as a part of their pre-participation physical. Student-athletes may refuse to sign the consent forms; however, signing the consent forms is a condition of participating in athletics at UTC.

One consent form indicates the understanding of this policy and is an agreement to be screened for banned and illegal drugs. The second consent form indicates the understanding of the NCAA drug testing policy and is also an agreement to be screened for banned and illegal drugs designated by the NCAA.

Student-athletes who test positive for banned substances and undergo assessment, evaluation, education, and/or counseling sessions must sign a consent form whereby the Team Physician and Assistant Athletic Director for Sports Medicine are given progress reports related to attendance and participation in treatment protocols.

### **Notification**

A student-athlete will be notified of his/her drug test via cell phone, text message, or person-to-person. A student-athlete must confirm the notification of drug testing either verbally or in writing (such as a text message response). The athletic trainer in charge of notifying the student-athlete will give the student-athlete specific instructions for reporting to the drug testing site, which include:

- Date, time, and location of drug testing
- Bring a photo ID to the collection site.
- To not go to the bathroom prior to the test.
- That they will be held at the collection site until they need to use the restroom, or they have class. They will be expected to report back to the collection site after their class.
- If they are more than 30 minutes late to the collection site, they will be expected to produce a sample immediately upon arrival. Failure to do so will be treated as a positive finding under this policy

### **Approval for Alternative Testing**

The Assistant Athletic Director for Sports Medicine may excuse a student-athlete from a drug test conducted under this policy and arrange alternative testing of the student-athlete in each of the following circumstances: (a) the student-athlete has notified his/her athletic trainer of an academic obligation or athletic competition that conflicts with the scheduled test and the athletic trainer has verified the conflict; and (b) the Assistant Athletic Director for Sports Medicine, in his or her discretion, determines that the student-athlete has presented a compelling justification for rescheduling the test. In addition, the Assistant Athletic Director for Sports Medicine may excuse a sick or injured student-athlete from the designated test site even if the student-athlete has not completed the test. In such a case, the Assistant Athletic Director for Sports Medicine, or his/her designee, before releasing the student-athlete from the site, must document appropriate arrangements for alternative testing of the student-athlete.

### **Specimen Collection Protocol**

UTC has contracted with a certified commercial laboratory to perform the screening of student-athletes. The laboratory's protocol will be followed for collection purposes. The student-athlete will always be accompanied by the collector.

## **Results**

A positive test for marijuana is designated as  $>$  or  $=$  150 ng/ml on the original test. The results of all drug tests will be delivered to the Assistant Athletic Director for Sports Medicine, for both NCAA and Institutional Testing. In the event of a positive test, the Assistant Athletic Director for Sports Medicine will notify the Athletic Director and the head coach of the appropriate sport. A meeting will be scheduled with the head coach, student-athlete, Assistant Athletic Director for Sports Medicine, Sports Administrator, and Athletics Director. At this meeting, the Assistant Athletic Director for Sports Medicine will explain the disciplinary action that is being taken and the procedures to follow. Student-athletes with previous positive findings may be subject to more frequent drug testing throughout the year as deemed appropriate by the Substance Abuse Committee.

EXCEPTION: Student-athletes who are enrolled in outpatient or inpatient counseling and rehabilitation program will not be subject to more frequent drug testing while successfully participating in counseling. However, once the program is complete, he/she may be subject to more frequent testing at UTC. The duration of the program will be determined by the substance abuse counselor but exclusion from testing shall not exceed sixty (60) days

## **DISCIPLINARY ACTION**

### First Positive Finding

1. Parental notification of a positive finding by your head coach at his/her earliest opportunity
2. Meeting with Assistant Athletic Director for Sports Medicine, Athletics Director, Sports Administrator, and Head Coach.
3. Full Assessment, evaluation, and education with UTC Center for Wellbeing.
4. Athletes will use the following link to schedule an appointment for substance abuse education (motivational interviewing) that will be over two sessions 7-14 days apart.  
<https://utcemsa.as.me/schedule.php>
5. Treatment as deemed necessary by UTC Center for Wellbeing. The Chattanooga Sports Medicine Drug Testing Coordinator will follow up with the Center for Wellbeing to ensure compliance.
6. Additional disciplinary action as specified by Head Coach.
7. Loss of Student Assistance Fund (SAF) and Student-Athlete Opportunity Fund (SAOF)
8. Possible loss of athletic summer school aid
9. Possible termination from the team

### Second Positive Finding

1. Parental notification of a positive finding by your head coach at his/her earliest opportunity
2. Meeting with Assistant Athletic Director for Sports Medicine, Athletics Director, Sports Administrator, and Head Coach.
3. Full Assessment, evaluation, and education with UTC Center for Wellbeing.
4. Athletes will use the following link to schedule an appointment for substance abuse education (motivational interviewing) that will be over two sessions 7-14 days apart.  
<https://utcemsa.as.me/schedule.php>
5. Treatment as deemed necessary by UTC Center for Wellbeing. The Chattanooga Sports Medicine Drug Testing Coordinator will follow up with the Center for Wellbeing to ensure compliance
6. Treatment as deemed necessary by UTC Center for Wellbeing.

7. Additional disciplinary action as specified by the head coach.
8. Loss of Student Assistance Fund (SAF) and Student-Athlete Opportunity Fund (SAOF)
9. Possible loss of athletic summer school aid
10. Possible termination from the team
11. The follow-up treatment plan was developed (possible in-patient or out-patient program).

### Third Positive Finding

1. Cancellation of eligibility to participate in the athletic program.
2. Any athletic grant-in-aid will not be renewed and will automatically be revoked, in accordance with NCAA and conference guidelines.
3. Parent(s), guardian, and/or spouse notified in writing by the Athletics Director.

All offenses are cumulative throughout the student-athlete eligibility. However, student-athletes will have an opportunity one time during their intercollegiate athletic career to remove the one level of consequences from a positive finding for marijuana only if he or she maintains a consecutive twelve-month period of having no further positive findings.

### **APPEALS**

A student-athlete may appeal a positive finding, or a disciplinary action initiated because of a positive finding, to the Director of Athletics. A written appeal must be submitted to the Director of Athletics within one (1) week of notification of the finding or action being appealed. The appeal must contain an explanation of why the positive finding or disciplinary action should not be enacted with supporting information or documentation. The appeal will be considered by the Substance Abuse Committee and the Faculty Athletic Representative who will submit a majority recommendation to the Director of Athletics. The final decision regarding the appeal will be made by the Director of Athletics.

If an intercollegiate athletic competition is scheduled prior to the Substance Abuse Committee's ability to consider the appeal, the student-athlete may be suspended (determined by the Director of Athletics from that competition in accordance with the designated level of disciplinary action outlined in this Policy and Procedure. The student-athlete may request an expedited meeting of the Substance Abuse Committee to consider the appeal and the Substance Abuse Committee will reasonably attempt to meet this request. However, the Substance Abuse Committee and/or the Director of Athletics are not obligated to render a decision prior to the next scheduled meeting of the Substance Abuse Committee.

### **SAFE HARBOR PROGRAM**

The Safe Harbor Program allows a student-athlete to refer him/herself once for voluntary evaluation and counseling one time during the student-athlete career without having the Department of Athletics consider it a positive finding. A student-athlete is not eligible for the Safe Harbor Program after he/she has been informed of an impending drug test or after having received notification of a positive finding. A student-athlete also is not eligible for the Safe Harbor Program if he/she has previously received a positive finding.

The Assistant Athletic Director for Sports Medicine will arrange for the student-athlete to receive a drug test as soon as practicable following the student's request to enter the Safe Harbor Program ("Initial Safe Harbor Drug Test") and work with the student-athlete to prepare a treatment plan which may include confidential banned/illegal drug testing. If the Initial Safe Harbor Drug Test is positive for banned/illegal drugs, that positive test will not result in any administrative sanction unless, as described below, the student-athlete tests positive in a subsequent retest or the student-athlete fails to comply with

the prescribed treatment plan. (The Assistant Athletic Director for Sports Medicine may suspend the student-athlete from play or practice if medically justified.) A student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period, not to exceed sixty (60) days, as determined by the Assistant Athletic Director for Sports Medicine. A student-athlete will not be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or Conference post-season competition.

If student-athlete tests positive for any banned or illegal drug after the Initial Safe Harbor Drug Test or fails to comply with the Safe Harbor treatment plan, the Assistant Athletic Director for Sports Medicine will remove the student-athlete from the Safe Harbor program, and the Initial Safe Harbor Drug Test, if positive, will be treated as a positive finding and a subsequent positive will be treated as an additional positive finding – all subject to the disciplinary actions set forth herein.

Student-athletes in the Safe Harbor Program may be selected for drug testing by the NCAA. If a screening results in a positive test, the student-athlete will be subject to the disciplinary policies and procedures set forth by the NCAA, and the positive test will be treated by UTC as described above. Note: There is no Safe Harbor Program established by the NCAA.

### **SELECTION OF STUDENT-ATHLETES FOR TESTING**

The Department of Athletics' drug testing program consists of random and unannounced drug tests year-round conducted in accordance with this policy. The substances that may be tested for during drug testing are subject to updates at any time. Unless otherwise notified, testing will be done in the Visitor's Locker Room located on the first floor of McKenzie Arena. Individuals will be subject to undergo drug testing:

- At random.
- For reasonable suspicion (i.e., "for cause");
- Along with the entire athletic team; and/or
- For periodic monitoring or aftercare.

#### Testing based on random selection

- A select number of student-athletes determined by the Athletic Training Drug Testing Coordinator may be selected at random for drug testing. Every student-athlete has an equal chance of being chosen, regardless of whether they have been previously tested. In addition, entire teams or randomly selected student-athletes on specific teams may be selected for screening.
- The selection list will be delivered to the Assistant Athletic Director for Sports Medicine.
- Notification to the selected student-athletes will be done through the certified commercial laboratory system. There will be a follow-up by the respective athletic trainer but not prior to the notification time. The information will include the location, date, time, and above-mentioned instructions.

#### Testing in response to individualized reasonable suspicion

A student-athlete may be subject to drug testing at any time when the Assistant Athletic Director for Sports Medicine determines that there is reasonable suspicion to believe that the student-athlete is using banned or illegal drugs. Reasonable suspicion may be based on information presented to the Assistant Athletic Director for Sports Medicine, including, but not limited to, the following:

- Observed possession or use of substances that reasonably appear to be banned or illegal drugs.
- An arrest or a criminal offense or charge of a violation of UTC's Standards of Conduct related to the possession, use, manufacture, or distribution of a banned or illegal drug.

- Observed abnormal appearance, conduct, performance, or behavior reasonably interpretable as being caused by using banned or illegal drugs. Among the indicators that may be used in evaluating a student-athletes appearance, conduct, performance, or behavior are class attendance; significant GPA changes; athletic practice attendance; increased injury rate or illness; physical appearance changes; academic/athletic motivational level changes; changes in emotional condition or mood.

#### Testing for an entire athletic team

There may be times when an entire team is tested for banned or illegal drugs. This may include but is not limited to the following reasons:

- Prior to pre-season or post-season competition.
- Suspected widespread use of/or association with illegal or banned drugs by team members.

#### Testing individuals who previously received a positive finding

Student-athletes who previously received positive findings may be subject to tests during each random, reasonable suspicion and entire athletic team test.

### **COUNSELING/TREATMENT**

As indicated in the disciplinary actions, student-athletes who have a positive drug test or who are involved in a reportable offense involving alcohol, banned, or illegal substances will be required to attend an assessment, evaluation, and education session with the UTC Center for Wellbeing. In the case of a second offense, studentathletes will be required to attend mandatory assessment, evaluation, education, and/or counseling with the UTC Center for Wellbeing or an outpatient treatment program in which expenses incurred will be billed to their respective team. Noncompliance with treatment protocols may result in an additional positive test result and/or further disciplinary action.

Student-athletes are required by UTC Athletics to request the counseling center send a notification that they attended an evaluation session to the Assistant Athletic Director for Sports Medicine or Chattanooga Sports Medicine Drug Testing Coordinator. Student-athletes will be required to comply with all recommendations made by the counselor during the evaluation. Failure to do so may result in termination from the team and loss of financial aid.

### **FINANCIAL RESPONSIBILITY**

Once a student-athlete has tested positive for a banned or illegal drug, he or she will be required to be evaluated by a counselor to determine the extent of their substance abuse problem. The student-athlete will be referred for the appropriate follow-up counseling or treatment, which could include evaluation, short and long-term counseling, and in-patient comprehensive care to help manage their addiction. Financial responsibilities must be determined prior to any form of therapeutic services. The student-athlete and/or their parent(s) or guardian may be financially responsible for the services indicated by the evaluation team.

### **EDUCATION**

Each UTC athletics department student-athlete, coach, and staff member will be made aware of this policy at the beginning and throughout the academic year in conjunction with required compliance meetings. In addition, special mandatory meetings may be held at the discretion of the Director of Athletics, the Assistant Athletic Director for Sports Medicine, or a Head Coach.

### **PRESCRIBED MEDICATIONS**

The UTC Sports Medicine Staff must have a record of a student-athlete being prescribed medication by a team physician. If another physician prescribed the student-athlete medication, the individual must ensure that the prescribing physician supplies medical documentation for the use of that prescription. Medications being taken must be on file with the Sports Medicine Department.

### **CONFIDENTIALITY**

The athletics department must make reasonable efforts to maintain the confidentiality of information and records associated with this policy, including drug test results, disciplinary actions, and/or any counseling and treatment services that a student-athlete may receive. Unless otherwise required by law, drug test results and related records may be disclosed to the Assistant Athletic Director for Sports Medicine, the Assistant Athletic Director for Compliance, the Sports Administrator, and the Head Coach.

### **BANNED DRUGS**

The following are banned by the NCAA for the 2023 - 2024 academic year

1. Stimulants.
2. Anabolic agents.
3. Alcohol and beta blockers (banned for rifle only).
4. Diuretics and masking agents.
5. Narcotics.
6. Cannabinoids.
7. Peptide hormones, growth factors, related substances, and mimetics.
8. Hormone and metabolic modulators (anti-estrogens).
9. Beta-2 agonists.

**Note:** Any substance chemically/pharmacologically related to all classes listed above and with no current approval by any governmental regulatory health authority for human therapeutic use (e.g., drugs under preclinical or clinical development or discontinued, designer drugs, substances approved only for veterinary use) is also banned. The institution and the student-athlete shall be held accountable for all drugs within the banned drug class regardless of whether they have been specifically identified. Examples of substances under each class can be found at [www.ncaa.org/drugtesting](http://www.ncaa.org/drugtesting). There is no complete list of banned substances.

### Substances and Methods Subject to Restrictions:

- Blood and gene doping.
- Local anesthetics (permitted under some conditions).
- Manipulation of urine samples.
- Beta-2 agonists (permitted only by inhalation with prescription).
- Tampering of urine samples.

### NCAA Nutritional/Dietary Supplements:

Warning: Before consuming any nutritional/dietary supplement product, review the product and its label with Chattanooga Sports Medicine staff.

- Nutritional/Dietary supplements, including vitamins and minerals, are not well-regulated and may cause a positive drug test.
- Student-athletes have tested positive and lost their eligibility using nutritional/dietary supplements.

- Many nutritional/dietary supplements are contaminated with banned substances not listed on the label.
- Any product containing a nutritional/dietary supplement ingredient is taken at your own risk.

**It is the student-athlete’s responsibility to check with the appropriate or designated athletics staff before using any substance.** While there is no complete list of banned substances, you may go to the following website for examples of substances in each of the NCAA Banned Class <https://www.ncaa.org/sports/2015/6/10/ncaa-banned-substances.aspx>.

An additional resource is Drug-Free Sport found at <https://www.drugfreesport.com/education/axis/>

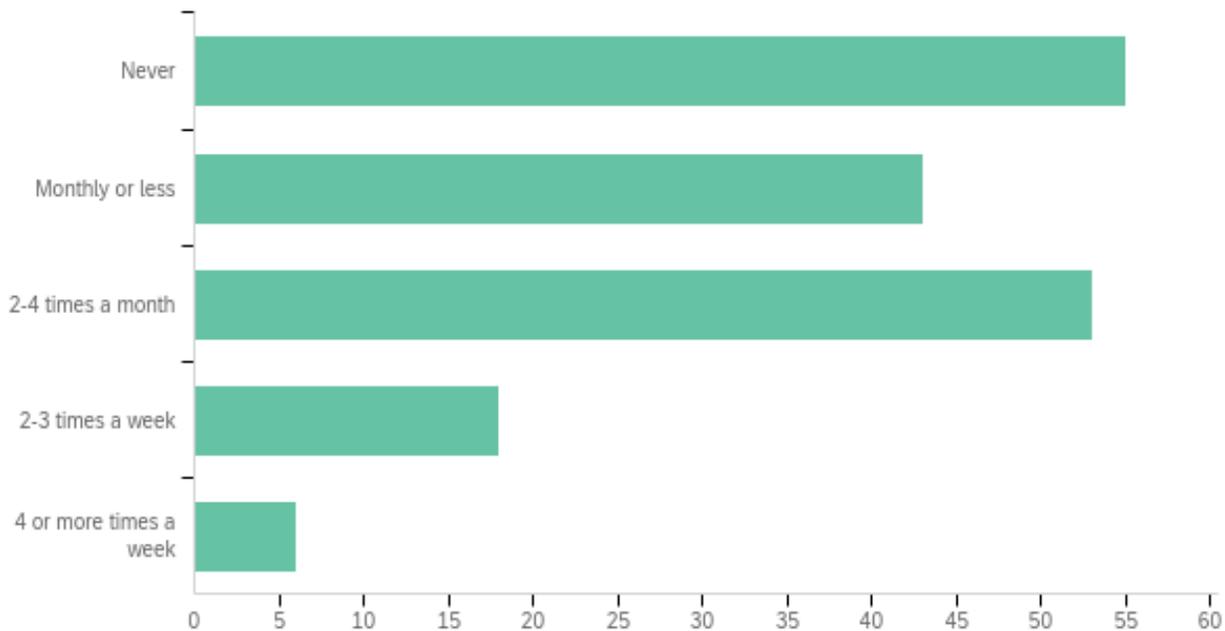
### Appendix D: UTC Annual Security & Annual Fire Safety Report

Found online at: <https://www.utc.edu/finance-and-administration/emergency-services/police/clery-act>

### Appendix E: UTC Healthy Minds Substance Use Survey Data for Spring 2022

# University of Tennessee Chattanooga Substance Report

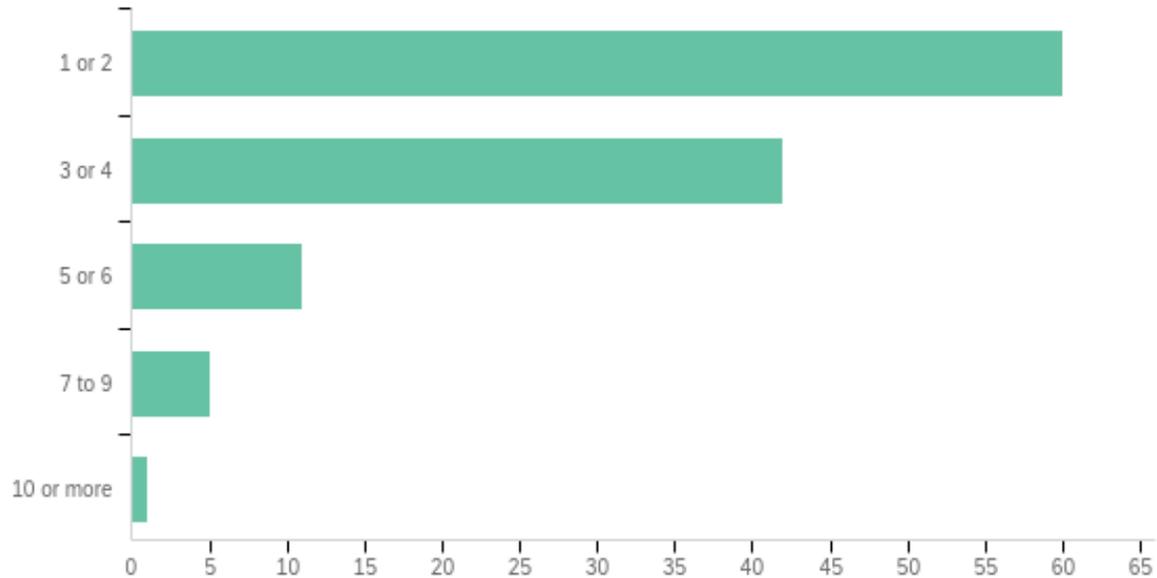
## Q5.2 - How often do you have a drink containing alcohol?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	How often do you have a drink containing alcohol?	1.00	5.00	2.30	1.12	1.25	175

#	Answer	%	Count
1	Never	31.43%	55
2	Monthly or less	24.57%	43
3	2-4 times a month	30.29%	53
4	2-3 times a week	10.29%	18
5	4 or more times a week	3.43%	6
	Total	100%	175

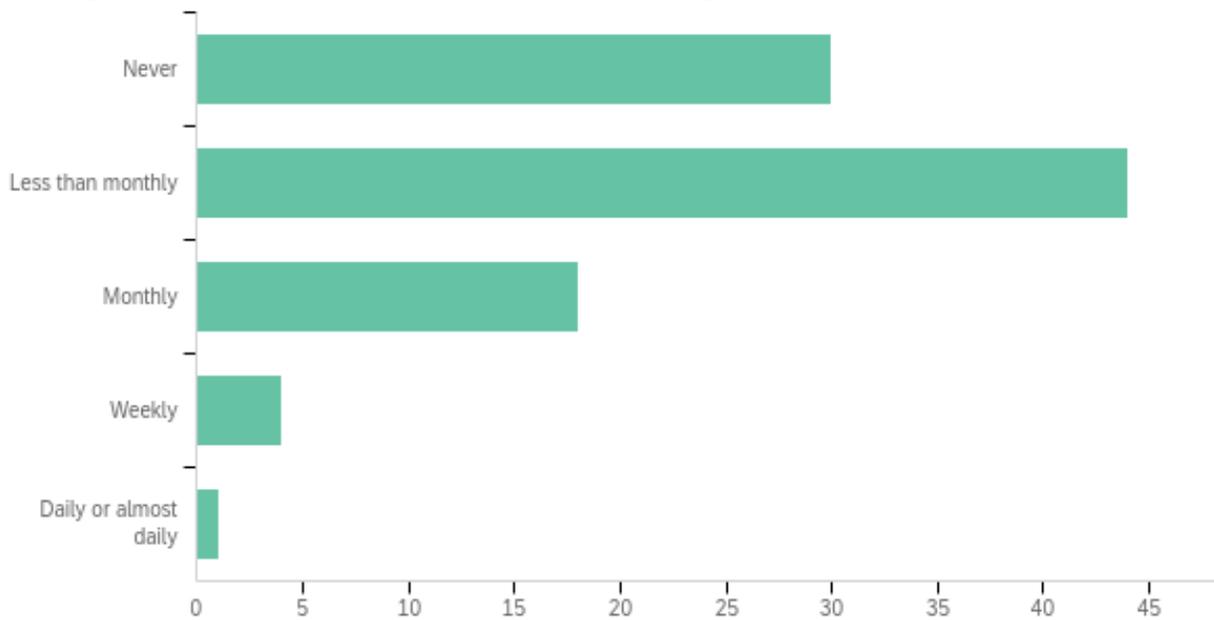
**Q5.3 - How many drinks containing alcohol do you have on a typical day when you are drinking?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)**



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	How many drinks containing alcohol do you have on a typical day when you are drinking?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)	1.00	5.00	1.70	0.87	0.75	119

#	Answer	%	Count
1	1 or 2	50.42%	60
2	3 or 4	35.29%	42
3	5 or 6	9.24%	11
4	7 to 9	4.20%	5
5	10 or more	0.84%	1
	Total	100%	119

**Q5.4 - How often do you have 4 or more drinks on 1 occasion?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)**

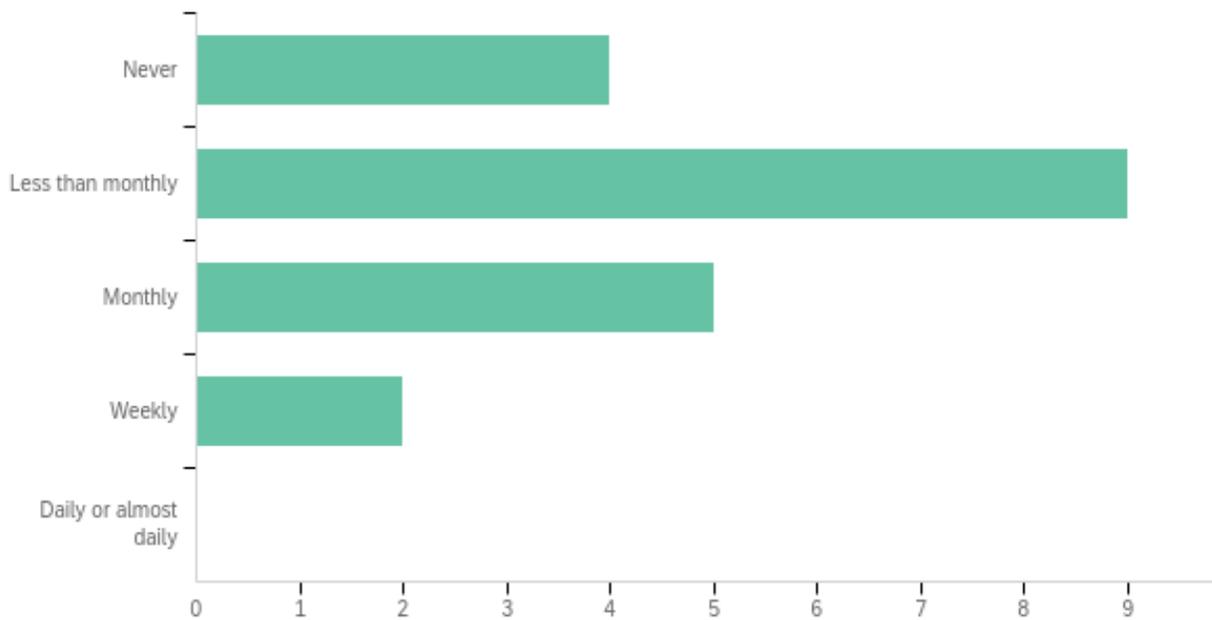


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	How often do you have 4 or more drinks on 1 occasion?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)	1.00	5.00	1.99	0.87	0.75	97

#	Answer	%	Count
1	Never	30.93%	30

2	Less than monthly	45.36%	44
3	Monthly	18.56%	18
4	Weekly	4.12%	4
5	Daily or almost daily	1.03%	1
	Total	100%	97

**Q5.5 - How often do you have 5 or more drinks on 1 occasion?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)**

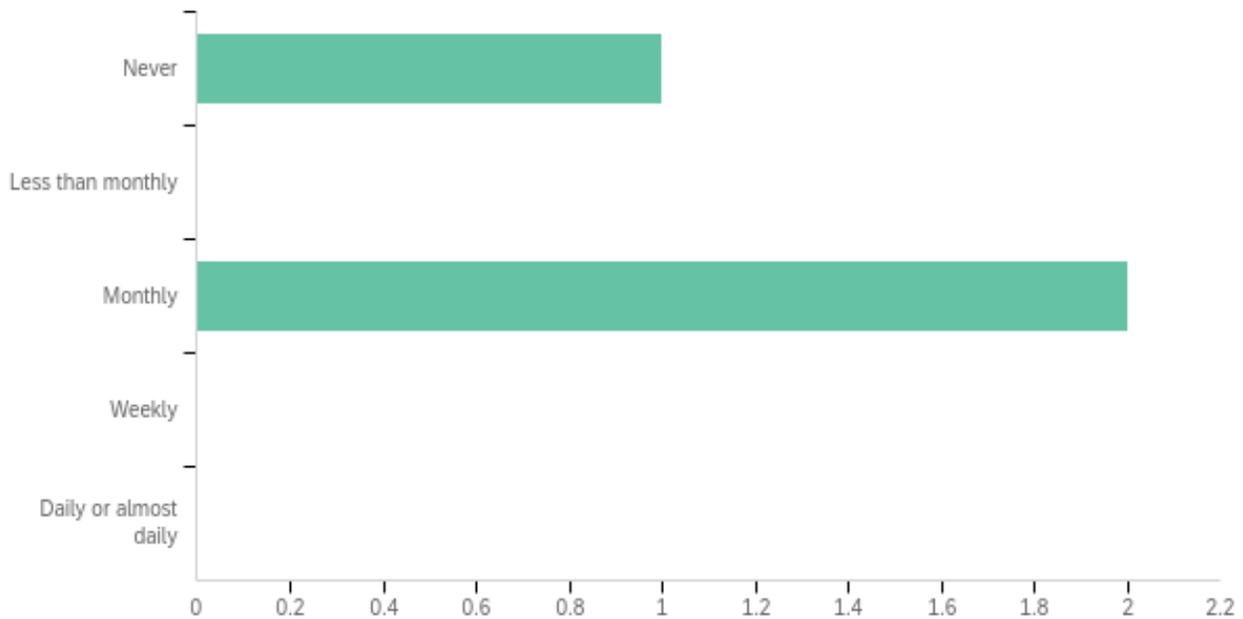


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	How often do you have 5 or more drinks on 1 occasion?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)	1.00	4.00	2.25	0.89	0.79	20

#	Answer	%	Count
1	Never	20.00%	4
2	Less than monthly	45.00%	9
3	Monthly	25.00%	5

4	Weekly	10.00%	2
5	Daily or almost daily	0.00%	0
	Total	100%	20

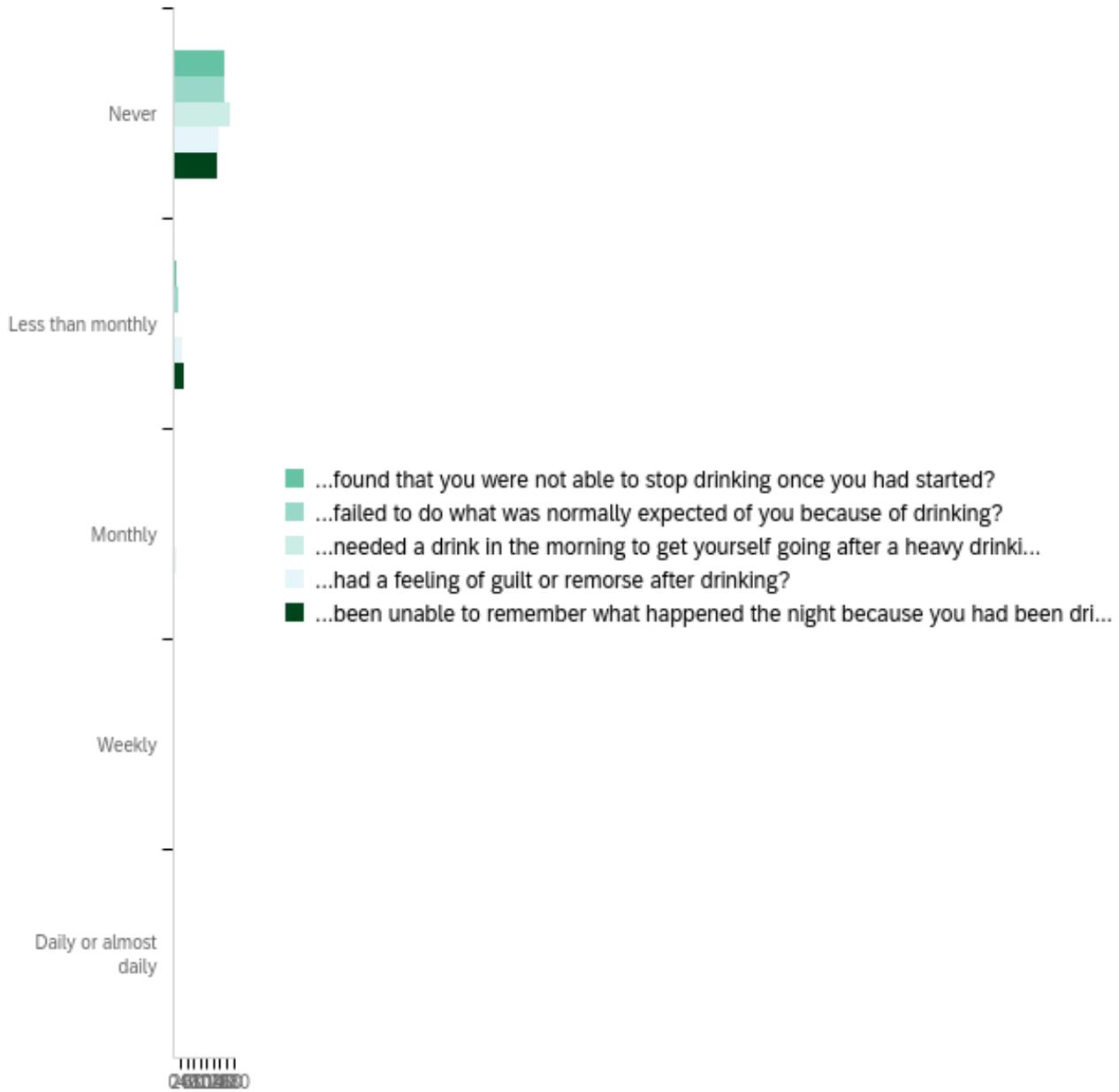
**Q5.6 - How often do you have 4 or 5 or more drinks on 1 occasion?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)**



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	How often do you have 4 or 5 or more drinks on 1 occasion?(1 drink is a can of beer, a glass of wine, a wine cooler, a shot of liquor, or a mixed drink.)	1.00	3.00	2.33	0.94	0.89	3

#	Answer	%	Count
1	Never	33.33%	1
2	Less than monthly	0.00%	0
3	Monthly	66.67%	2
4	Weekly	0.00%	0
5	Daily or almost daily	0.00%	0

**Q5.7 - How often during the last year have you...**

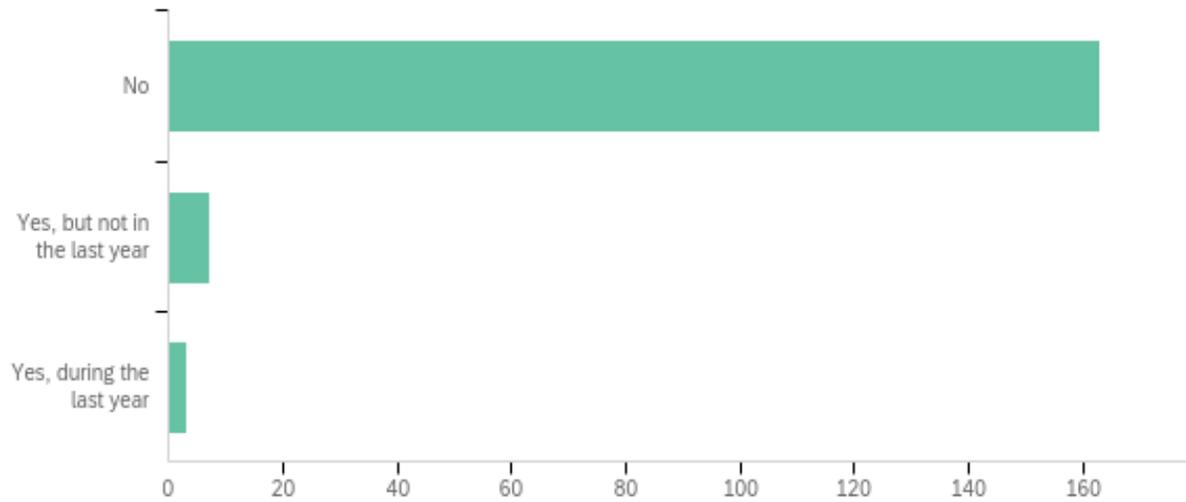


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	...found that you were not able to stop drinking once you had started?	1.00	4.00	1.17	0.58	0.34	173
2	...failed to do what was normally expected of you because of drinking?	1.00	4.00	1.16	0.49	0.24	173

3	...needed a drink in the morning to get yourself going after a heavy drinking session?	1.00	4.00	1.05	0.32	0.10	173
4	...had a feeling of guilt or remorse after drinking?	1.00	4.00	1.29	0.65	0.43	172
5	...been unable to remember what happened the night because you had been drinking?	1.00	4.00	1.28	0.62	0.39	172

#	Question	Never		Less than monthly		Monthly		Weekly		Daily or almost daily		Total
1	...found that you were not able to stop drinking once you had started?	90.17%	156	4.62%	8	2.89%	5	2.31%	4	0.00%	0	173
2	...failed to do what was normally expected of you because of drinking?	87.86%	152	9.25%	16	1.73%	3	1.16%	2	0.00%	0	173
3	...needed a drink in the morning to get yourself going after a heavy drinking session?	97.69%	169	0.58%	1	1.16%	2	0.58%	1	0.00%	0	173
4	...had a feeling of guilt or remorse after drinking?	79.65%	137	13.95%	24	4.07%	7	2.33%	4	0.00%	0	172
5	...been unable to remember what happened the night because you had been drinking?	77.91%	134	18.60%	32	0.58%	1	2.91%	5	0.00%	0	172

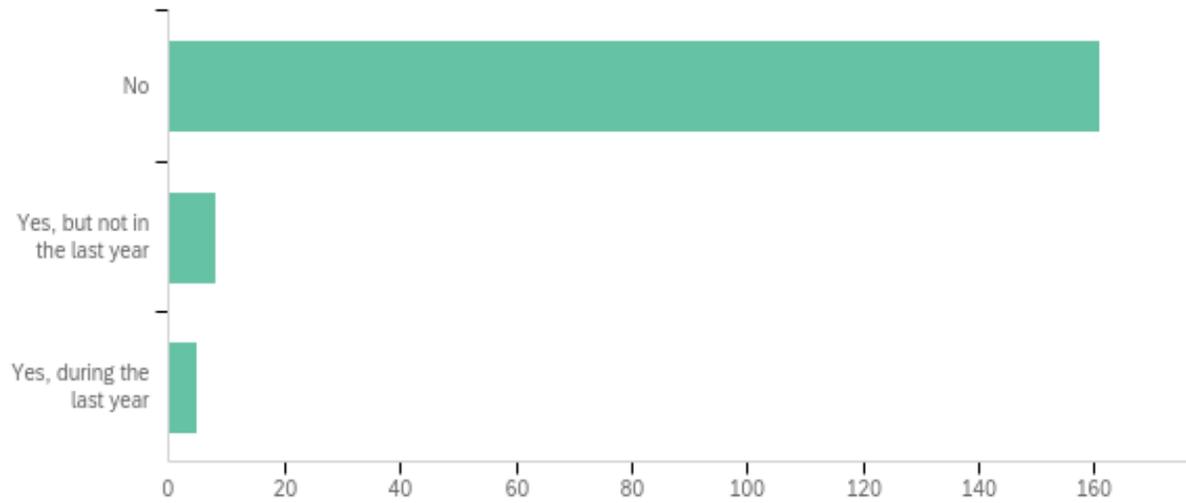
### Q5.8 - Have you or someone else been injured because of your drinking?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Have you or someone else been injured because of your drinking?	1.00	3.00	1.08	0.32	0.10	173

#	Answer	%	Count
1	No	94.22%	163
2	Yes, but not in the last year	4.05%	7
3	Yes, during the last year	1.73%	3
	Total	100%	173

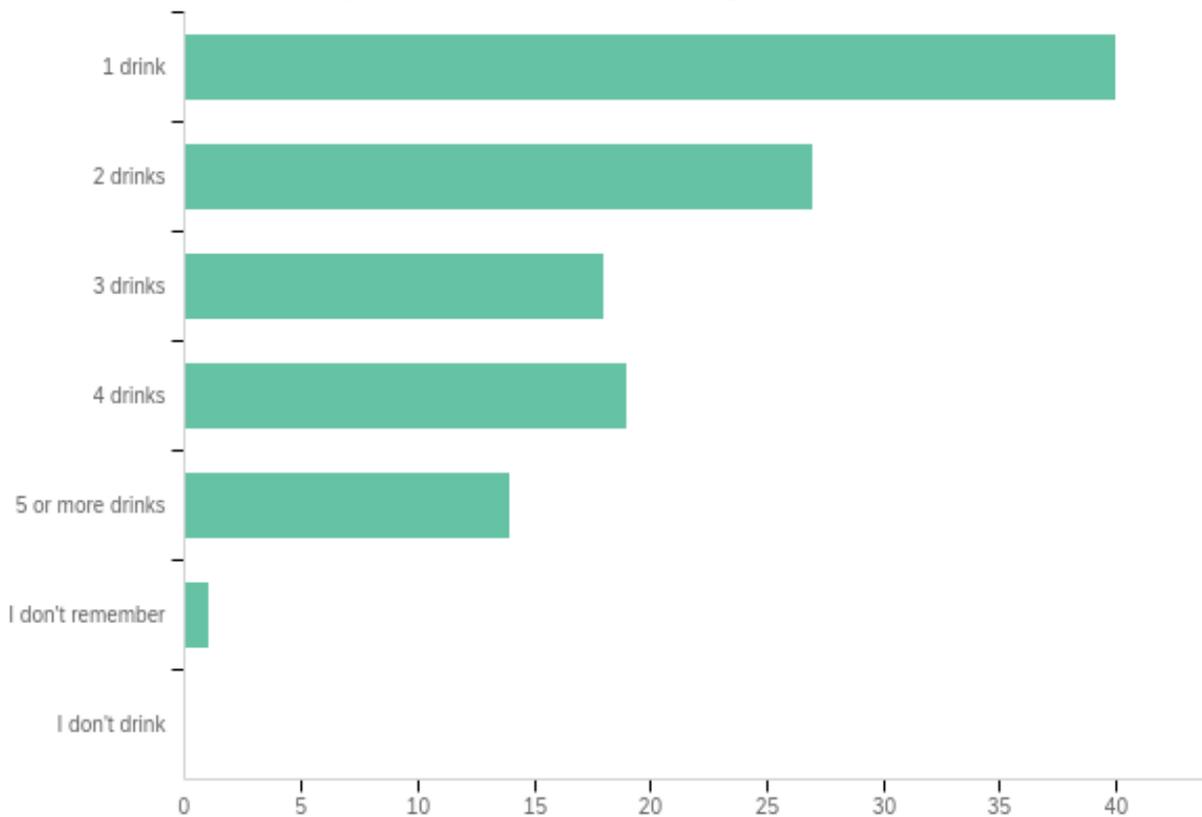
**Q5.9 - Has a relative, friend, doctor, or other health care worker been concerned about your drinking or suggested you cut down?**



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Has a relative, friend, doctor, or other health care worker been concerned about your drinking or suggested you cut down?	1.00	3.00	1.10	0.39	0.15	174

#	Answer	%	Count
1	No	92.53%	161
2	Yes, but not in the last year	4.60%	8
3	Yes, during the last year	2.87%	5
	Total	100%	174

**Q5.19 - On the last occasion you drank alcohol, how much did you consume? (1 drink is a can of beer, a glass of wine, a shot of liquor, or a mixed drink)**



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	On the last occasion you drank alcohol, how much did you consume? (1 drink is a can of beer, a glass of wine, a shot of liquor, or a mixed drink)	1.00	6.00	2.52	1.43	2.05	119

#	Answer	%	Count
1	1 drink	33.61%	40
2	2 drinks	22.69%	27
3	3 drinks	15.13%	18
4	4 drinks	15.97%	19
5	5 or more drinks	11.76%	14
6	I don't remember	0.84%	1

7	I don't drink	0.00%	0
	Total	100%	119

**Q521 - Please answer the following yes or no questions.**



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Have you ever received counseling or treatment for an alcohol-related problem from a health professional (such as a psychiatrist, psychologist, social worker, or primary care	1.00	2.00	1.12	0.33	0.11	173
2	Are you currently in recovery from alcohol or other drugs?	1.00	2.00	1.11	0.32	0.10	174
3	Have you ever participated in a substance use rehabilitation program, either voluntarily or involuntarily?	1.00	2.00	1.13	0.34	0.11	174
4	Have you ever thought that you might benefit from attending a	1.00	2.00	1.13	0.33	0.11	174

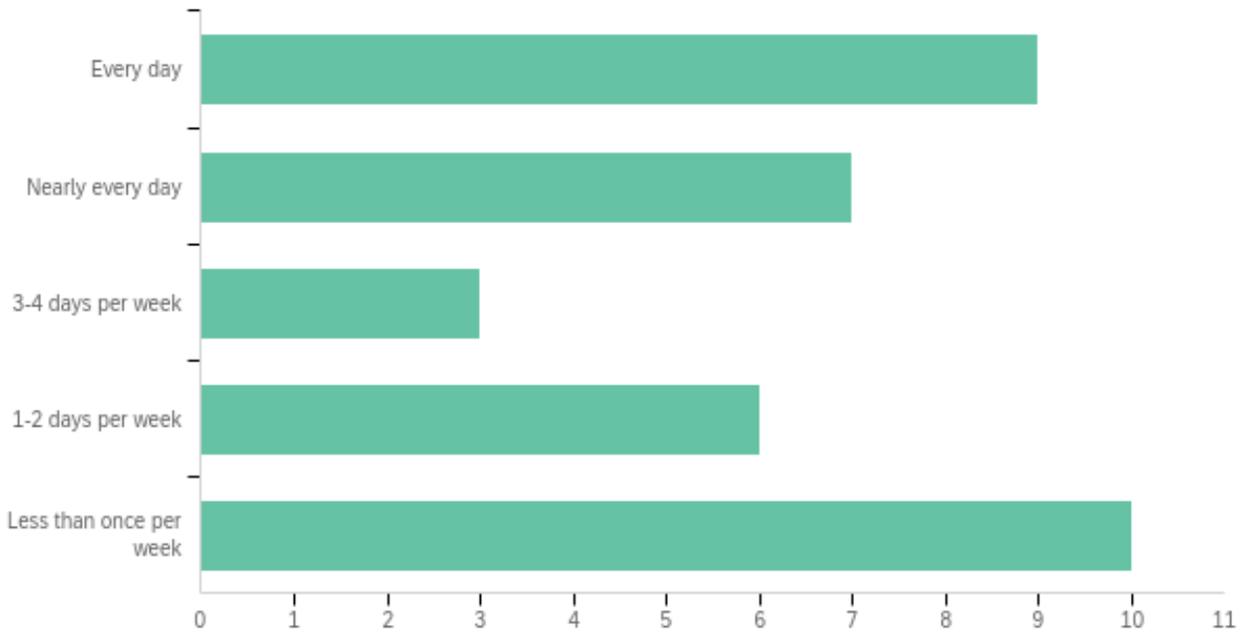
support group and/or 12-step  
program related to alcohol or  
other drugs?

#	Question	No		Yes		Total
1	Have you ever received counseling or treatment for an alcohol-related problem from a health professional (such as a psychiatrist, psychologist, social worker, or primary care	87.86%	152	12.14%	21	173
2	Are you currently in recovery from alcohol or other drugs?	88.51%	154	11.49%	20	174
3	Have you ever participated in a substance use rehabilitation program, either voluntarily or involuntarily?	86.78%	151	13.22%	23	174
4	Have you ever thought that you might benefit from attending a support group and/or 12-step program related to alcohol or other drugs?	87.36%	152	12.64%	22	174

**Q5.11 - Over the past 30 days, have you used any of the following drugs?(Select all that apply)**

#	Answer	%	Count
1	Marijuana	19.13%	35
2	Cocaine (any form, including crack, powder, or freebase)	1.09%	2
3	Heroin	0.00%	0
4	Methamphetamines (also known as speed, crystal meth, Tina T, or ice)	0.00%	0
5	Other stimulants (such as Ritalin, Adderall) without a prescription or more than prescribed	2.73%	5
6	MDMA (also known as Ecstasy or Molly)	0.00%	0
7	Other drugs without a prescription (please specify)	0.00%	0
8	No, none of these	72.68%	133
9	Opioid pain relievers (such as Vicodin, OxyContin, Percocet, Demerol, Dilaudid, codeine, hydrocodone, methadone, morphine) without a prescription or more than prescribed	1.09%	2
10	Benzodiazepines (such as Valium, Ativan, Klonopin, Xanax, Rohypnal/Roofies) without a prescription or more than prescribed	1.09%	2
11	Ketamine (also known as K, or Special K)	0.55%	1
12	LSD (also known as acid)	0.00%	0
13	Psilocybin (also known as magic mushrooms, boomers, or shrooms)	1.64%	3
14	Kratom	0.00%	0
15	Athletic performance enhancers (anything that violates policies set by your school or any athletic governing body)	0.00%	0
	Total	100%	183

**Q5.20 - Over the past 30 days, how often have you used marijuana (either smoking, vaping, edibles or otherwise)?**



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Over the past 30 days, how often have you used marijuana (either smoking, vaping, edibles or otherwise)?	1.00	5.00	3.03	1.59	2.54	35

#	Answer	%	Count
1	Every day	25.71%	9
2	Nearly every day	20.00%	7
3	3-4 days per week	8.57%	3
4	1-2 days per week	17.14%	6
5	Less than once per week	28.57%	10
	Total	100%	35