

PONTIFICAL CATHOLIC UNIVERSITY OF PUERTO RICO
POLICY FOR A UNIVERSITY COMMUNITY
FREE OF ALCOHOL, TOBACCO AND CONTROLLED SUBSTANCES
(Updated September 2021)
(English translation October 2021)

The Pontifical Catholic University of Puerto Rico (PUCPR), in fulfillment of its commitment to promote safe and healthy environments for its students and employees, has developed a public policy for the establishment of a university community free from the manufacture, distribution, possession or use of controlled substances or alcohol abuse. In its mission, PUCPR seeks to provide an integrated, dynamic, academic, and service community, dedicated to the search for truth and the fullest realization of all dimensions of the human being.

This policy also complies with the requirements and amendments of the Drug-Free Schools and Communities Act (DFSC, 1989), as adopted by the Administrative Regulations of the Department of General Education (EDGAR), Section 86.1.

STANDARDS OF CONDUCT

The illegal possession, use, manufacture or distribution of controlled substances and alcohol by employees, students, visitors, and organizations is prohibited both on the premises of the institution and in official activities that take place off campus. Limited use of alcoholic beverages will be allowed in official activities and those activities sponsored by recognized organizations of the institution with prior request and corresponding written authorization from the President. Limited use will be authorized conditionally on compliance with the following requirements: (1) exclusion of advertisements on the availability of the product, (2) wide availability of other products and non-alcoholic beverages, (3) distribution of food in the same activity and (4) control in the distribution of beverages, including the requirement of a photo identification indicating date of birth to verify that alcohol is not distributed to persons under 18 years of age.

Law # 66 of March 2, 2006, prohibits smoking in public and private educational institutions at any level. PUCPR will not allow smoking in classrooms, function rooms, game rooms, libraries, offices, hallways, cafeterias, childcare centers, student residences, the sports complex, areas that contain flammable liquids, vapors or materials, and any other unspecified campus areas. All student organizations recognized by the university, visitors, guests, and tenants are subject to the aforementioned provisions. This prohibition is total and covers all public spaces, whether in public or private establishments.

RISKS ASSOCIATED WITH HEALTH

A controlled substance is understood to be any chemical substance that in any way alters the functioning of the body, mind and nervous system, behavior and/or feelings of people. These are

classified in Codes I to V of section 812 of the Controlled Substances Act (21USC812), whose use, possession or sale carries legal sanctions. The use/abuse of alcohol and controlled substances could result in personal, emotional, physical and/or legal problems. Even in small doses, a controlled substance affects mental functions, such as the ability to learn or remember information. Other associated consequences include respiratory problems, depression, and death. Frequent or prolonged use of alcohol, tobacco or other drugs could result in a physical and/or psychological addiction.

Environmental Tobacco Smoke (H.T.A) is defined as that which emanates from cigarettes, pipes or cigars, as well as smoke that is exhaled from a smoker's lungs. Exposure to such smoke is known as secondary or passive smoking. Passive smoking is a major risk factor for disease and death and is the third most preventable cause of death after active smoking and alcoholism.

The Federal Drug Administration (DEA) classifies cannabis as an illicit drug and does not recognize its medical use (21 U.S.C. §802 and §813). Federal legislation in the Drug Free Schools and Communities Act (DFSCA, 1989) and the Education Department General Administration Regulations, 34 CFR Part 86.100 subpart B require institutions of higher education to certify that they have adopted and implemented a program to prevent illegal possession, use or distribution of illicit drugs and alcohol by students and employees. Under federal law, cannabis prescriptions cannot be honored, which would require violation of institutional standards of zero drug use on campus.

The consumption of medicinal cannabis authorized by local legislation is prohibited on the premises and within the buildings of the Pontifical Catholic University of Puerto Rico, nor is it allowed in activities on or outside of the premises. The university will not process reasonable accommodation requests whose purpose is to obtain permission from PUCPR for the use or consumption of medicinal cannabis.

DISCIPLINARY SANCTIONS

Any violation of this policy by employees and/or students will lead to the application of disciplinary sanctions, which could include suspension and/or expulsion/termination of the contract. The disciplinary sanctions to be imposed will be in accordance with the procedures described in the Student Handbook, the Handbook for Administrative Employees, and the Faculty Handbook.

These penalties may include:

- 1. A labor or disciplinary action according to the severity of the violation and/or the number of occurrences.*
- 2. Serve a probationary period.*
- 3. Suspension*
- 4. Termination of employment.*

5. Any of the first three options in combination with a referral to the Office of Integration and Quality of Life Program or to staff in charge of the area of prevention of Drugs, Alcohol, Tobacco and Violence in the various campuses and extensions of the university.

A student who is convicted of any offense under applicable state or federal laws for the possession or sale of controlled substances will not be eligible to receive any type of scholarship, loan, or employment assistance (Work-Study Program) during the period that begins with the date of conviction and ends after the interval indicated below:

Eligible Period	Possession of controlled substances	Sale of controlled substances
First Offense	1 year	2 years
Second Offense	2 years	Indefinite
Third Offense	Indefinite	Indefinite

PROVISIONS OF THE LAW (PENALTIES)

People who violate current legal provisions will be subject to the state or federal legal sanctions that apply to their case. Some of the related costs or penalties include fines, loss of driver's license, jail, and/or community service. Some of the laws that could be applied, without pretending that this list is exhaustive, are the following:

1. ELA laws classify the possession, use or distribution of substances as a felony and impose penalties ranging from one year in jail and a \$ 5,000 fine up to 50 years in jail and a \$50,000.00 fine, or a combination of both penalties at the discretion of the court. The Commonwealth government, by executive order, will give low priority to cases in which an individual is found to be in possession of six (6) grams or less of marijuana. These cases will either be treated or fined.
2. The variation in the severity of the sentence will depend on the classification of the controlled substance. The lower the ranking (I), the greater the penalty.
3. Previous convictions could result in more severe penalties.
4. The Criminal Code of P.R. prohibits the sale or distribution of alcoholic beverages to minors under 18 years of age. Penalties include jail, fine, or both, at the discretion of the Court.
5. The Vehicles and Traffic Law of P.R. prohibits driving motor vehicles while intoxicated. The legal blood alcohol level for ages 18-20 is .02 percent and ages 21 and older is .08 percent. For underage drivers, the public policy of zero tolerances is promoted.
6. The Autonomous Municipality of Ponce, through Ordinance Number 66 of 1991, prohibited the use of alcoholic beverages on public roads and places of public recreation, authorizing the Municipal and State Police to intervene with violators and issue a summons. **Other municipal**

ordinances could be applicable according to the geographic location of the PUCPR campuses.

NOTICE TO PARENTS: STUDENTS UNDER 21 YEARS OF AGE.

A new amendment to the Drug-Free Schools and Communities Act allows higher education institutions to notify parents of underage students who violate the aforementioned institutional policy and/or any applicable laws. Notification will be made through the office of the vice president of student affairs.

Parents or guardians of students under 21 years of age who violate the norms of this policy will be notified any time a violation occurs. Students who have violated the regulations on the use of alcohol and drugs are subject to disciplinary sanctions, as indicated in the Policy for a University Community free of Alcohol, Tobacco and Controlled Substances.

The objective of parental notification is to enlist the support of parents in promoting appropriate behavior of their children within the university community and reduce the risks and negative impact of alcohol and/or other substance abuse.

RECOMMENDATIONS

Persons who violate this policy will be referred for voluntary participation in a counseling/rehabilitation program. Referrals will also be made to government and/or private institutions, as the case requires. The referral will be coordinated through the Integration and Quality of Life Program. If the person involved does not attend or does not accept the services offered as an alternative, they may participate in an external public or private program, with a commitment to present evidence of progress and completion of treatment to the corresponding institutional agency (Vice Presidency of Affairs Students (VPAE), Vice Presidency of Academic Affairs (VPAA) or Office of Human Resources). If the person belongs to another campus, the referral will be made to the nearest corresponding agency and the person must present evidence to the VPAE or to the Rector of their Campus.

HELP PROGRAMS

As part of its institutional commitment, PUCPR has established the Integration and Quality of Life Program (PICV) (1990), an institutional program for the prevention of the use/abuse of alcohol, tobacco, and substances. In this program, evaluation, counseling, and referral services are offered confidentially to anyone who requests or is referred. In addition, the Integration and Quality of Life Program (PICV) develops proactive and educational activities to promote a university environment free of alcohol, tobacco, and drugs. **All services will be handled in strict confidence.**

The Integration and Quality of Life Program is located at the Manuel González Pató Student Center, Office 205, on the Ponce Campus. Services coordinated from this office serve as a link to other services offered by the Institution and the community. The contact telephone number is (787) 841-2000, Ext. 1406. The contact email is picv@pucpr.edu.

Each PUCPR Campus will identify the office or agency under which the implementation and compliance with this policy will be coordinated.

NOTE:

You can obtain a copy of the *Policy for a University Community Free of Alcohol, Tobacco and Controlled Substances* on our website [http:// www.pucpr.edu](http://www.pucpr.edu).