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## Drug-Free School Policy

Brigham Young University encourages an academic environment that promotes the health, safety, and welfare of all university members. As a condition of enrollment or employment, the university requires that all students and personnel abide by the [Church Educational System Honor Code](#) (Honor Code), which includes a personal commitment to abstain, both on and off campus, from alcoholic beverages, tobacco, tea, coffee, vaping, and substance abuse. The possession, use, or distribution of illegal drugs or alcohol is prohibited.

The Drug-Free Schools and Communities Act Amendments of 1989 provides that, as a condition of receiving federal funds under any federal program, a higher education institution must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of drugs and alcohol by students and personnel.<sup>1</sup> To comply with this law and further its commitment to support society's effort to eliminate drug and alcohol abuse, the university has adopted this Drug-Free School Policy to supplement the Honor Code.

This Drug-Free School Policy should not be confused with the university's [Drug-Free Workplace Policy](#), which is designed to comply with the Drug-Free Workplace Act of 1988 and which governs the workplace environment of university personnel engaged in research sponsored by the federal government.

### Drug Prevention Program

The university has adopted and implemented a drug prevention program for its students and university personnel. This program includes annual distribution in writing to each student—regardless of the length of the student's program of study—and to all personnel the following information: (1) the standard of conduct expected of students and personnel in relation to the possession, use, or distribution of drugs and alcohol; (2) the standard of conduct related to the misuse of prescription drugs, alcohol, and tobacco; (3) a description of the applicable legal sanctions under state and federal law that may arise from the unlawful possession or distribution of drugs; (4) a description of the health risks associated with the use of illegal drugs; (5) a description of the university's substance abuse counseling and treatment resources available to students and personnel; and (6) a clear statement of the disciplinary sanctions that may be imposed upon students and personnel for violations of the university's Drug-Free School Policy.

### Disciplinary Sanctions for Drug Violations

Personnel or students found to be knowingly possessing, using, or distributing illegal drugs, alcohol, or tobacco are subject to university disciplinary action and, if applicable, to legal

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<sup>1</sup> See 20 U.S.C. § 1011i; 34 C.F.R. § 86.1.



sanctions pursuant to federal, state, or local law. A student or employee who violates this policy or the related prohibitions on alcohol, tobacco, vaping, and substance abuse in the Honor Code will be subject to applicable disciplinary sanctions up to and including dismissal from the university or termination of employment.

The university will determine the appropriate sanction(s) on a case-by-case basis and may consider all of the circumstances involved, including, but not limited to, the following factors: (1) whether the violation constitutes a first offense; (2) the scope and duration of the individual's alcohol or tobacco use, vaping, or substance abuse; (3) whether the individual has requested assistance to obtain substance abuse treatment; and (4) any other efforts the individual has undertaken to correct the misconduct, such as counseling with an ecclesiastical leader. In applicable cases, discipline may involve referral to local law enforcement for criminal prosecution.

Individuals involved in the unintentional misuse of prescription drugs are not subject to the sanctions stated in this policy, but rather are encouraged to seek assistance from the university's services detailed below.

### **Available Drug Counseling and Treatment**

The university supports student and personnel participation in programs to prevent alcohol and tobacco use, vaping, use of illegal drugs, and abuse of prescription drugs.

Substance Abuse Prevention Services (SAPS), a service housed in Counseling and Psychological Services (CAPS), has been established to provide students with confidential assistance for drug and alcohol abuse problems. Students in need of these services, or who are concerned about another student, can visit 1500 WSC, call 801-422-1942, or email [saps@byu.edu](mailto:saps@byu.edu) for assistance. Students who reach out will be contacted by a trained counselor who can help connect them with training programs, health information, preliminary evaluations, and counseling for possible referral to an outside medical provider. CAPS counselors are experienced professionals who offer support for students in an atmosphere of understanding and confidentiality. Student meetings with CAPS counselors are confidential unless there is a threat of harm to self or others, a student reveals abuse of a child or vulnerable adult, or in the case of legal subpoenas. All programs offer individual assessment and referral to both on- and off-campus resources. Several independent off-campus entities also offer counseling services that are not affiliated with the university or its sponsor, The Church of Jesus Christ of Latter-day Saints.

The [Employee Assistance Program](#) (EAP), offered through Deseret Mutual Benefit Administrators, provides personnel with confidential assistance related to substance abuse, mental health, goal achievement, and more. Personnel can seek assistance from EAP by calling 1-844-280-9629 or visiting <https://myeaphelper.mybeaconwellbeing.com/>.



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The general university prevention program of information dissemination, consultation, and referral is available as follows:

- The university educates students and personnel about the detrimental effects of illegal drugs, misuse of prescription drugs, alcohol, and tobacco through the university's Clery Act annual security report (Security Report) publication and distribution. Additional educational training may consist of university-sponsored workshops, seminars, informational materials, and lectures as determined appropriate by the SAPS director and approved by university administration.
- A description of the health risks associated with any particular drug (e.g., physical and psychological addiction; physical, psychological, and spiritual deterioration; disease; and death) may be obtained from the university's [Security Report](#), which can be requested in hard-copy form from BYU Police.
- The university recognizes that potential legal sanctions may accompany an individual's use of drugs. The applicable legal sanctions under federal, state, or local law may include significant fines and imprisonment. A summary of applicable legal sanctions from the unlawful use of drugs may be obtained from the university's [Security Report](#), which can be requested in hard-copy form from BYU Police.
- Students and personnel involved in intentional alcohol or tobacco use, vaping, or substance abuse may seek a consultative interview through SAPS for possible referral to an outside medical provider. All discussions will be handled in a confidential manner to the extent permitted by law.

Personnel and students should cooperatively help one another to solve alcohol, tobacco, vaping, and substance abuse problems. Persons aware of those with substance abuse problems enrolled at or employed by the university are encouraged to act responsibly by consulting with SAPS, Faculty Relations, Employee Relations, the Honor Code Office, or BYU Police. Remaining silent or waiting until a situation has escalated is unwise and often dangerous.

### **Biennial Drug-Free School Program Review**

The university has appointed a standing Drug Free Compliance Committee, which meets at least once every two years or more often as needed. The committee reviews the university's substance abuse prevention program to determine its effectiveness, implement changes to the program as needed, and confirm that appropriate disciplinary sanctions are consistently enforced against students and personnel who violate this policy.



**APPROVED:** 24 May 2021

**PRIOR VERSION:** 6 Jan 2014

**APPLICABILITY:** This policy applies to all members of the campus community.

**POLICY OWNER:** Student Life Vice President

**RESPONSIBLE OFFICE:** Dean of Students Office

**RELATED POLICIES:**

- [Church Educational System Honor Code](#)
- [Disruptive Student Conduct Policy](#)
- [Disruptive Student Conduct Procedures](#)
- [Drug-Free Workplace Policy](#)
- [Honor Code Investigation and Administrative Review Process](#)
- [Volunteer Policy](#)