

Definitions

The following terms are defined for the purposes of this policy and are important for purposes of expressing the University's policy on a drug-free workplace:

- A. Controlled Substance means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15, and as defined in the Texas Controlled Substances Act (Texas Health & Safety Code, 481.001 et seq).
- B. Contract means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a specific instance that the use of a type of procurement contract is appropriate.
- C. Conviction means finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- D. Criminal drug statute means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.
- E. Employee means an individual receiving a salary, wages, other compensation and/or stipend support from the University.
- F. Federal agency or agency means any United States executive department, military department, government corporation, government controlled corporation, or any other establishment in the executive branch or any independent regulatory agency.
- G. Grant means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement grant programs, whether or not exempted from coverage under the grants management government wide regulation ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations; or any veterans' benefits to individuals; i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.
- H. Grantee means a legal entity which applies for or receives a grant or contract directly from a federal agency.
- I. Illicit drug use means the use, manufacture, sale, distribution, dispensation, or possession of illegal drugs and the abuse of other drugs and alcohol.
- J. Student means any person who (a) is currently enrolled at the University; (b) is accepted for admission or readmission to the University; (c) has been enrolled at the University in a prior semester or summer term and is eligible to continue enrollment in the semester or summer term that immediately follows; (d) is attending an additional program sponsored by the University while that person is on campus; or (e) has engaged in prohibited conduct at a time when he/she met the criteria of (a), (b), (c), or (d).
- K. University sponsored activities mean any activity on or off University premises that is directly initiated, supported, or supervised by the University.
- L. Workplace means the physical boundaries of the University and facilities owned or controlled by the University.