

Chapter: Rules for State-Operated Programs and Facilities	Effective Date: 2/15/16 Page: 1 of 1 Replaces: GAP.380.9715, 9/6/12
Subchapter: Security and Control	
Rule: Testing for Alcohol and Other Drugs	
ACA: N/A	
Statutes: N/A	

RULE

(a) **Purpose.**

This rule establishes a testing program designed to detect and deter the unauthorized or illegal use of alcohol or other drugs by youth committed to the Texas Juvenile Justice Department (TJJD).

(b) **Applicability.**

This rule applies to all youth:

- (1) assigned to residential facilities operated by TJJD; and
- (2) assigned to parole supervision under the jurisdiction of TJJD.

(c) **Definitions.**

- (1) **For-Cause Testing**--testing that is conducted due to evidence that reasonably suggests a youth or group of youth is using alcohol or drugs.
- (2) **Random Testing**--testing of youth identified through a random selection process without regard to any indicators of past or current use of drugs or alcohol.
- (3) **Routine Testing**--testing that is conducted:
 - (A) at regular intervals for youth who have a documented history of drug or alcohol use; or
 - (B) after a youth's participation in events or situations that include access to or contact with the public or otherwise present an increased risk for drug/alcohol use.

(d) **General Provisions.**

- (1) Any youth may be tested for drug and/or alcohol use at any time.
- (2) Testing may be conducted for cause or on a random or routine basis.
- (3) Testing may be conducted:
 - (A) as part of a substance abuse treatment program;
 - (B) as part of an investigation regarding the presence of illegal drugs in a facility; and
 - (C) to assist in the daily management of youth in the rehabilitative process.
- (4) During orientation to TJJD, each youth is given notice that:
 - (A) he/she is subject to random, routine, and for-cause alcohol and drug testing; and
 - (B) the following are rule violations that will result in appropriate consequences as stated in [§380.9503](#) and [§380.9504](#) of this title:
 - (i) a positive result on an alcohol or drug test;
 - (ii) refusal to submit to an alcohol or drug test;
 - (iii) failure to provide a urine specimen; and
 - (iv) tampering with a urine sample.
- (5) Tests for alcohol or other drugs are conducted, scored, and interpreted according to the instrument manufacturer's instructions.