

Coast Community College District
BOARD POLICY
Chapter 3
General Institution

AP 3550 Drug Free Environment and Drug and Alcohol Abuse Prevention Program

References:

Drug Free Schools and Communities Act, 20 U.S. Code § 1011i;
34 Code of Federal Regulations §§ 86.1 et seq.
Drug Free Workplace Act of 1988, 41 U.S. Code Section 702
California Uniform Controlled Substance Act, Health & Safety Code §§ 11000 *et seq*
Controlled Substance Act, 21 U.S.C. §§ 801 et seq
California Business and Professions Code Section 25658
BP/AP 5500 Student Code of Conduct

The Drug-Free Schools and Communities Act of 1989 (“DFSCA”) requires that all Colleges in the District adopt and implement a Drug and Alcohol Abuse Prevention Program (“DAAPP”) to prevent the unlawful possession, use, or distribution of alcohol and illicit drugs by all students and employees on District or College property or as part of any of its activities. The District has adopted *BP 3550* to meet the minimum requirements of DFSCA for all Colleges in the District.

As noted in BP 3550, the Chancellor shall assure that the District distributes annually to each District student and employee the information required by the DFSCA (i.e., the DAAPP Disclosure).

The *Controlled Substances Act* (“CSA”) places all substances which were in some manner regulated under existing federal law into one of five schedules. This placement is based upon the substance’s medical use, potential for abuse, and safety or dependence liability. A description of each schedule is included below:

Schedule I

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.
- Examples of Schedule I substances include heroin, gamma hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana, and methaqualone.

Schedule II

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.
- Examples of Schedule II substances include morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine.

Schedule III

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.
- Anabolic steroids, codeine and hydrocodone products with aspirin or Tylenol®, and some barbiturates are examples of Schedule III substances.

Schedule IV

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.
- Examples of drugs included in Schedule IV are alprazolam, clonazepam, and diazepam.

Schedule V

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.
- Cough medicines with codeine are examples of Schedule V drugs.

Students and employees are strongly encouraged to review the U.S. Department of Justice's "Drugs of Abuse" publication for more detailed information regarding the health risks associated with alcohol and illicit drug use and abuse. The full publication is available online at:

According to California Business and Professions Code Section 25662, any person under 21 years of age who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor and shall be punished by a fine of \$250 or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed or is not attending school. A second or subsequent violation shall be punishable as a misdemeanor and the person shall be fined not more than \$500, or required to perform not less than 36 hours or more than 48 hours of community service during hours when the person is not employed or is not attending school, or a combination of fine and community service as the court deems just.

California Business and Professions Code Section 25658 makes it a misdemeanor for any person to sell, furnish, give, or cause to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age. Any person who violates this law shall be punished by a fine of \$250, no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court. A second or subsequent violation, where prosecution of the previous violation was not barred pursuant to Section 25667 or 25668, shall be punished by a fine of not more than \$500, or the person shall be required to perform not less than 36 hours or more than 48 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court.

Annual Distribution of the Drug and Alcohol Abuse Prevention Program

The complete text of the DAAPP, as contained in BP 3550, shall be provided to all District students enrolled in any academic program and all District employees on an annual basis by way of electronic mail since all students and employees in the District are provided with a College electronic mail address.

Distribution to Students

BP 3550 shall be emailed by the Vice Chancellor Educational Services and Technology to all enrolled students during the fourth week of the fall and spring semesters, respectively, and during the second week of the summer term.

A copy of each transmission should be kept on file by the District as proof that the notification was submitted to all enrolled students.

Distribution to Employees

BP 3550 shall be emailed to all employees by no later than September 30 of each calendar year by the Vice Chancellor of Human Resources.

For employees who are hired after the initial electronic distribution of BP 3550, the Vice Chancellor of Human Resources is responsible for tracking new employees and ensuring that the required notification is sent electronically to these employees prior to December 31.

The Vice Chancellor of Human Resources should maintain a copy of each transmission sent to new employees hired after the initial electronic distribution to serve as proof that the notification was distributed to all District employees on an annual basis.

Biennial Review

Every other year, during the fall semester of even-numbered calendar years, each College in the District will conduct a biennial review of the DAAPP to assess its effectiveness and the consistency of sanctions imposed for violations of the District's disciplinary standards and codes of conduct.

The District will form a District-wide committee consisting of representatives from Human Resources, Student Services, College Public Safety, and other units/offices as deemed appropriate by the District Office and each College to conduct a biennial review of the DAAPP.

The DAAPP will draw upon available data sources, which may include, but are not limited to, the following:

- number of drug- and alcohol-related disciplinary sanctions imposed;
- number of drug- and alcohol-related referrals for counseling or treatment;
- number of drug- and alcohol-related incidents recorded in the logs of College public safety or other law enforcement officials; and/or
- student, faculty and employee attitudes and perceptions about the drug and alcohol problem on campus and the District Office (biennial survey).

Each review should determine the program's effectiveness and should ensure that sanctions imposed for violations of the standards of conduct identified in the DAAPP are consistently enforced. The review must also identify any changes to be implemented during the next biennium should any changes be necessary following the review.

Furthermore, each Biennial Review Report will disclose the following statistics, as required by law:

- the number of drug- and alcohol-related violations and fatalities that occur on each College's campus (as defined by the Clery Act) or as part of any of the College's activities that are reported to campus officials; and
- the number and type of sanctions that are imposed by the institution as a result of drug- and alcohol-related violations and fatalities on the institution's campus or as part of any of the institution's activities.

The report should cover the prior two academic years and will result in a written Biennial Review Report. The Report must describe the research methods and data analysis tools that each College used to determine the effectiveness of the DAAPP and will identify the offices or officials that have conducted the Biennial Review.

A copy of the final Biennial Review Report must be signed by the College President and maintained on file with each College.

Ratified April 6, 2016
Ratified November 4, 2020