

Coast Community College District
BOARD POLICY
Chapter 3
General Institution

BP 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*
BP/AP 5500 Student Code of Conduct

It is the intention of the District to provide an environment that maximizes academic achievement and personal growth. The District recognizes that alcohol and other drug use or abuse pose a significant threat to the health, safety, and well-being of users and the people around them. Substance abuse also interferes with academic, co-curricular, and extracurricular interests and can lead to health, personal, social, economic, and legal problems.

Alcohol and drug abuse, addiction, and dependency, are behavioral/medical problems. Because the District's primary intent is to be helpful, not punitive, programs have been developed to deter alcohol and other drug abuse. First, education is provided about alcohol and other drug-related hazards and associated problems. Second, a program of assistance and referral is available to aid individuals who are experiencing alcohol and other drug-related problems. And, third, disciplinary procedures are applied to uphold the District policy regarding alcohol and other drug use.

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 abuse or unlawful possession, use, and distribution of alcohol and illicit drugs by all students and employees on college premises or as part of any of its activities.

The DAAPP must include:

- (1) Standards of conduct that clearly prohibit, at a minimum, the abuse and unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees on its property or as part of any of its activities;

- (2) A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- (3) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- (4) A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- (5) A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct noted herein.

This Policy is intended to comply with the minimum requirements of the DFSCA for all Colleges in the District.

The following encompasses the DAAPP, which is applicable to all students and employees of Coastline Community College, Golden West College, Orange Coast College and District Office.

1. Standards of conduct

The District shall be free from all unlawful drugs and from the unlawful possession, use, or distribution of alcohol and illicit drugs by students, employees, contractors, and visitors.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited on District property; during District-sponsored field trips, activities, or workshops; and in any facility or vehicle operated by the District.

The possession, sale, or furnishing of alcohol on campus is governed by California state law and this Policy. The possession, sale, consumption or furnishing of alcohol on District property or at District events is controlled by the California Department of Alcohol and Beverage Control ("ABC").

However, the enforcement of alcohol laws on College premises is the primary responsibility of the local law enforcement agency where the College is located. Each College within the District and the District Office have been designated "drug free," and only under certain circumstances is the consumption of alcohol permitted.

It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a

place open to the public is illegal. It is also a violation of this Policy for anyone to consume or possess alcohol at any District facility without prior District approval.

Organizations or groups violating alcohol or drug policies or laws may be subject to sanctions by the District.

In addition to this Policy, *AP 5500 Student Code of Conduct* (which applies to all District students) clearly prohibits the unlawful possession, use, and distribution of alcohol or illicit drugs on District property or as part of any District or College activity.

2. Legal sanctions

The *Controlled Substance Act*, 21 U.S.C. §§ 801 *et seq*, prescribes federal penalties and sanctions for illegal trafficking and possession of a controlled substance. A summary of this information is available online at: http://www.dea.gov/druginfo/ftp_chart1.pdf.

Federal law has set 21 as the minimum age to purchase or possess any alcoholic beverages. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the ABC. State laws pertaining to the possession, use, and distribution of alcohol and illicit drugs include the California Uniform Controlled Substances Act.

The following are some criminal penalties for unlawful possession of controlled substances:

- Under California state law, possession of any amount of certain controlled substances is punishable by up to one year of incarceration in a county jail, pursuant to Sections 11054 and 11350 of the *Health & Safety Code*. Unlawful possession of marijuana or cannabis is punishable based upon the amount involved and the age of the person, ranging up to a fine of \$500 and six months of incarceration in a county jail, pursuant to Section 11357 of the *Health & Safety Code*.
- Under federal law, possession of a “controlled substance” is punishable of up to three years imprisonment, pursuant to 21 U.S.C. §§ 802 and 844(a).

The following are criminal penalties for unlawful distribution of controlled substances:

- Under California law, the sale of, or purchase with the intent to sell, certain controlled substances is punishable by up to four years of incarceration, pursuant to Section 11351 of the *Health & Safety Code*. The sale of, or purchase with the intent to sell, marijuana, except as otherwise provided by law, is punishable by a term of imprisonment in

a county jail of up to three years, pursuant to Section 11359 of the *Health & Safety Code* and Section 1170(h) of the *Penal Code*.

- Under federal law, the penalties for unlawful distribution of controlled substances is complex, and is summarized in the following link: <https://www.fas.org/sqp/crs/misc/RL30722.pdf>.

3. Health risks associated with the use of illicit drugs or the abuse of alcohol:

- Health problems include hangovers, blackouts, general fatigue, impaired learning, dependency, disability, and death.
- Personal problems include diminished self-esteem, depression, alienation from reality, and suicide.
- Social problems include loss of friends, academic standing, co- and extracurricular opportunities, alienation from and abuse of family members, and chronic conflict with authority.
- Economic problems include loss of job, financial aid eligibility, homes, savings, and other assets.
- Legal problems include loss of driver's license, limitations on career choices, fines, and jail sentences.
- Alcohol and drug abuse, addiction, and dependency are behavioral/medical problems.

4. Counseling, treatment, or rehabilitation or re-entry programs

The District offers a wide variety of educational opportunities to its students, employees, and the community which address alcohol and other drug-related issues. Information about formal courses is available in the college catalogs, class schedules, and through the Colleges' counseling centers. Additional educational opportunities include awareness activities, conferences, workshops, films/videos, and lectures, some of which are offered in conjunction with other colleges and community agencies. These activities are publicized at each College and the District Office.

Students can seek help through the Student Health Center or the Student Assistance Program. Student health professionals provide assistance for students with alcohol or drug problems including crisis intervention, education, and/or referral. The student assistance program has trained faculty and staff

who volunteer their time to advise students and make referrals. Students may be referred to groups or agencies such as the following:

- Alcoholics Anonymous
- Narcotics Anonymous
- Co-Dependents Anonymous
- Other appropriate self-help groups
- Alcohol counselor on campus County regional mental health team
- Private treatment agencies

Employees of the District will be referred to or have the ability to take part in drug and alcohol counseling, treatment, and rehabilitation programs which include:

- Alcoholics Anonymous
- Narcotics Anonymous
- Co-Dependents Anonymous
- Other appropriate self-help groups
- Private treatment agencies
- Treatment and counseling options available through the District's Employee Assistance Program (EAP) that is designed as a confidential assistance and support program for employees in crisis.
- Inpatient and outpatient counseling and treatment programs currently offered through the employee's medical provider
- Paid leave or unpaid leave to attend inpatient and outpatient drug or alcohol treatment programs.

5. Disciplinary Sanctions

Any employee who violates the standards of conduct enumerated in this Policy will be subject to appropriate disciplinary action, in accordance with applicable collective bargaining agreements and applicable Board Policies, which may include termination of employment, or, consistent with local, state, or federal law, referral for prosecution.

Any student who violates the standards of conduct enumerated in this policy will be subject to appropriate disciplinary action as described in AP 5500 Student Code of Conduct.

Consistent with local, state, and federal law, any student or employee who violates this policy may also be referred for satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

The Chancellor shall assure that the District distributes annually to each student and employee the information required by the DFSCA and complies with other requirements of the DFSCA.

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