



Drug and Alcohol Abuse Prevention Program Policies

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Drug and Alcohol Policies

Policy

South Coast College is committed to achieving a safe, healthy, productive work environment for all employees and students, free from effects of illegal drugs and employee/student alcohol consumption. It is the policy of South Coast College to prohibit illegal drug usage, possession, sale and distribution on or in the South Coast College property, or while performing South Coast College business, and to prohibit alcohol/drug usage which may affect a person's job performance. Having an illegal drug in the body while on or in South Coast College property and /or being under the influence of alcohol/drugs while on duty or performing South Coast College business are prohibited. South Coast College conducts a biannual review of its drug and alcohol policies and procedures for effectiveness and makes any changes deemed necessary.

South Coast College provides assistance to our employees and students in getting help. However, it is the responsibility of each employee or student to seek assistance before alcohol and drug problems lead to a violation of school policy. Once a violation of this policy occurs, subsequently seeking assistance or voluntarily entering a rehabilitation program will not necessarily lessen any disciplinary action and may be disregarded in any disciplinary decision.

Violation of this policy or any other policy of South Coast College relating to alcohol or drugs may result in disciplinary action, up to and including suspension pending termination. Because of the importance to all employees and students of enforcement of the College's drug and alcohol policies, disciplinary action involving these policies may be implemented with or without warning to the disciplined employee or student.

Students receiving Title IV funds who are convicted of a criminal drug offense during the period of enrollment for which the funds were awarded will lose eligibility for all Title IV funds. In such cases the student will be given written information on how they can regain eligibility.

Procedure

South Coast College provides an employee/student assistance program for persons with drug or alcohol problems which provides:

1. Assistance in the form of referral for any employee or student who feels he or she has developed an addiction to, dependency upon, or is suffering from the use of alcohol or drugs.
2. Leave of absence in accordance with school policy, on the same basis and with the same restrictions and limits as other disabilities.
3. Reinstatement to the same or similar job, when practical, upon successful completion of a rehabilitation program.



It is the responsibility of all managers to make employees and students aware of the assistance program and to assure that no person who requests diagnosis and treatment will have his or her job tenure or promotional opportunities jeopardized by this request. Any employee or student suffering from drug or alcohol usage or dependency who rejects treatment when requested by the school or who leaves the treatment program prior to being properly discharged is subject to disciplinary action up to and including suspension pending termination. The recurrence of a drug or alcohol dependency may also result in disciplinary action.

The employee assistance program's job is to assist employees and students in finding methods or resolving problems that affect their job performance. Most people are not aware of the resources which are available to them. Sometimes they are so overburdened by their problems they have difficulty reaching out for help. The counselor can assist employees and students in obtaining the needed help in a humane and confidential manner.

The earliest possible identification and treatment of the problem best serves the interest of both the employee/student and the College. The decision to undertake treatment is the responsibility of the employee or the student. The overall objective is to retain valuable employees and students by providing assistance when the problem becomes evident rather than waiting until the employee or student is no longer employable.

Various health risks are associated with the misuse of illegal drugs, legal drugs and/or alcohol. These health risks should be discussed with a qualified health professional, such as a primary care physician. There are also online sites which describe risks for specific types of substance abuse. We recommend the Federal Drug Administration web site at www.fda.gov/drugs. Other reputable sites include The Mayo Clinic at www.mayoclinic.com and Web MD at www.webmd.com. Once on these websites, search health risks associated with drug and alcohol abuse.

When the problem is chemical abuse, the employee or student is given information on the different programs available. The employee assistance program offers to do a free individualized evaluation to determine what kind of help the person needs. From this evaluation, the appropriate treatment program (inpatient versus out-patient) is determined.

Drug dependency is a medically recognized illness with physical, physiological, emotional, and social implications. Treatment must focus on educating individuals to their disease, as well as assist and support them in developing the necessary skills to manage their lives in a more productive manner.

California's Medical Marijuana Program

Students, faculty, and staff who qualify under California's Proposition 215 to use marijuana for medical reasons are not permitted the use, storage, or possession of marijuana or paraphernalia on College property or at a College-sponsored event. Students who violate this policy are subject to discipline.



Definitions for the purpose of this policy:

“Drug” as defined by the Federal Food, Drug, and Cosmetic Act and also includes the drugs specified under “illegal drug” below.

“Having an illegal drug in the body” means the presence in a detectable amount of any illegal drug (or chemical substance of residue from which the presence of any illegal drug may be reasonably inferred) in the body of an employee.

“Illegal drug” means any drug (1) that is not legally obtained in California, or (2) that is being used in a manner different from that lawfully prescribed, or (3) that can be legally obtainable but has not been legally obtained. “Illegal drug” includes the following drugs unless used in accordance with a valid prescription:

Heroin	Hallucinogens	Codeine
Morphine	Amphetamines	Cocaine
Dilaudid	Barbiturates	Marijuana
Tranquilizers	Sedatives	MDMA (Ecstasy)
PCP		

“Legal drug” means prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they have been prescribed or manufactured. Alcohol is also considered a legal drug, except in cases of underage drinking.

“Management” means supervisors, managers, directors and officers of South Coast College.

“Under the influence” means that an employee or student is affected in an observable manner by the presence of alcohol, or alcohol and other substances, in any detectable amount in the body” The symptoms of influence need not involve misbehavior or obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance.



South Coast College supports and endorses the Federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act amendments of 1989.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or abuse of alcohol by an employee or student on South Coast College's property or as part of any South Coast College activity is prohibited. Any student or employee of South Coast College found to be abusing alcohol or using, possessing, manufacturing, or distributing controlled substances in violation of the law on South Coast College property or at South Coast College events shall be subject to disciplinary action. For employees, the school will take appropriate personnel action for such infractions, up to and including termination. Students who violate this policy will be subject to sanctions that include suspension and dismissal from South Coast College. For purposes of this policy, "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence or both, by any judicial body charged with the responsibility of the federal or state criminal drug statutes.

Health Risks

Abuse of alcohol and use of drugs is harmful to one's physical, mental, and social well-being. With excessive drug use, life becomes centered on drugs to the exclusion of health, work, school, family, and general well-being. Accidents and injuries are more likely to occur if alcohol and drugs are used. Alcohol and drug users can lose resistance to disease and destroy one's health. Increasing tolerance developed by the user complicates the effects of drug use. This tolerance may be psychological, physiological, or both and may lead to greater danger of overdose. Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships, and families. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure himself or herself or others and may subject the person to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

The following summarizes the effects and dangers of the major categories of drugs:

Amphetamines: Physical dependency, heart problems, infections, malnutrition, and death may result from continued high doses of amphetamines.

Narcotics: Chronic use of narcotics can cause lung damage, convulsions, respiratory paralysis, and death.

Depressants: These drugs, such as tranquilizers and alcohol, can produce slowed reactions, slowed heart rate, damage to liver and heart, respiratory arrest, convulsions, and accidental overdoses.

Hallucinogens: These drugs may cause psychosis, convulsions, coma, and psychological dependency.

Counseling, Treatment, or Rehabilitation Programs

As indicated previously, the administration of South Coast College maintains a list of hospital and community agencies available to assist employees and students seeking alcohol and drug counseling and treatment. The names of some of these programs are provided at the end of this document. Employees and students who have a substance-dependency problem are strongly encouraged to obtain counseling and treatment. Anyone seeking additional information about health problems and treatment related to alcohol and drug problems can contact the Campus President or Human Resources. Requests for assistance will be held in complete confidentiality and will be provided on a need-to-know basis only.

Sanctions

A student who violates any provision of this policy shall be subject to appropriate disciplinary action, up to and including suspension and/or administrative withdrawal from South Coast College. Students may reapply for admission, through review, at a later date.

A student suspected of the possession, sale, manufacture, use, or distribution of a controlled substance, may be suspended from the student's program of study and may become ineligible for continued



participation in the Higher Education Act (HEA), Title IV Student Assistance Programs. If convicted, the student's relationship with South Coast College will be terminated, and the student may lose the ability to participate in the HEA, Title IV Student Assistance Programs.

In addition, any student or employee who violates the standards of conduct as set forth in this policy may be subject to referral for prosecution.

Legal Sanctions

Students and employees are reminded that unlawful possession, distribution, or use of illicit drugs or alcohol may subject individuals to criminal prosecution. South Coast College will refer violations of prescribed conduct to appropriate authorities for prosecution.

Federal and state sanctions for illegal possession of controlled substances range from up to four years' imprisonment and up to \$20,000 in fines for each offense. Under federal laws, possession of drugs such as heroin or cocaine may result in sanctions of not less than five years and up to life imprisonment for a first offense involving 100 grams or more. Offenses involving lesser amounts, 10-99 grams, may result in sanctions up to and including 20 years' imprisonment and a fine of up to \$4 million.

Under California law, possession of marijuana is a misdemeanor, punishable by not more than one year in county jail or in state prison for a period of not less than one year or more than 10 years. Under California law, a person may still be deemed to be in possession of a controlled substance even if the controlled substance has been consumed. Delivery or sale of marijuana to a minor is punishable by up to five years in state prison. Possession or distribution of any controlled substance, such as heroin or cocaine, shall be punished by imprisonment in the state prison for two, three, or four years.

The state of California may impose a wide range of sanctions for alcohol related offenses. For example, a person under the age of 21 who presents or offers false identification for the purpose of obtaining alcohol is guilty of a misdemeanor and may be fined at least \$250 or be required to perform community service. The driver's license of any person found to have .08 blood alcohol while driving a motor vehicle may be suspended or revoked.

The term "controlled substance" as used in this policy means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. 812, and as further defined by regulation 21 C.F.R. 1208.01 et seq. The term does not include the use of a controlled substance pursuant to a valid prescription or other use authorized by law.



Federal, State, and Local Laws and Sanctions Regarding Alcohol

It is South Coast College's belief that all disciplinary sanctions should assist in education and provide the opportunity for personal growth. The following is a summary of federal, state, and local laws regarding drugs and alcohol.

Laws regarding the use of alcohol

South Coast College has established an alcohol use policy based on the tenet that those serving and drinking alcohol will do so legally and responsibly, with concern for others around them, and with an understanding of the social, personal and legal issues involved.

It is the responsibility of persons or groups that use, possess, distribute, or produce alcohol to be familiar with and abide by all laws regarding the sale and use of alcoholic beverages. The following is a summary of the more important laws that directly relate to the College's Alcohol and Substance Abuse Policy:

1. The purchase, possession, or consumption of any alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited (Business and Professional Code, 25658 and 25662).
2. It is a misdemeanor for anyone to sell, furnish, or give or cause to sell, furnish, or give any alcoholic beverage to a minor (Business and Professional Code 25658(a)).
3. It is prohibited to advertise alcoholic beverages in such a way as to encourage minor to drink (Business and Professional Code 25664).
4. It is a misdemeanor for a minor to have 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 (Business and Professional Code 25662(a)).
5. Any minor who purchases any alcoholic beverage, or any minor who consumes any alcoholic beverage, or any minor who consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor and shall be punished by a fine of not less than \$100.00, no part of which shall be suspended (Business and Professional Code 25658(b)).
6. Minors attempting to purchase alcoholic beverages will be fined \$250.00 or required to perform 24-32 hours of community service for the first offense and \$500.00 for a second or subsequent offense. Violators may also be required to perform 36-48 hours of community service for a second offense (Business and Professional Code 25658.5).
7. No minor shall knowingly drive any motor vehicle carrying any alcoholic beverage, unless the minor is accompanied by the parent or legal guardian (California Vehicle Code 23224(a)).
8. Peace officers who lawfully enter premises may confiscate alcoholic beverages which are in plain view and possessed by or provided to minors at social gatherings. Alcoholic beverages in open containers that are confiscated may be destroyed while those in unopened containers shall be impounded for no more than seven (7) working days after which they too may be destroyed. Unopened containers may be

released within the sever (7) days to the owner or resident of the property provided they are 21 years of age (Business and Professional Code 25662(b)).

9. Any person providing an alcoholic beverage to a minor will be contributing to the delinquency of a minor and guilty of a misdemeanor (Penal Code 272).

10. Possession of Alcohol in a Public Place

It is unlawful to be in possession of alcoholic beverages in a public place (Orange Municipal Code 9.16.050). A public place is defined as any location where all members of the public have unrestricted access. This includes, but is not limited to, outside walkways within the College Campus and walkways and balconies within the Residence Halls/Apartments.

11. Intoxicated Person

The use of intoxicating liquor by the average person in such quantity as to produce intoxication causes many commonly known outward manifestations which are “plain” and “easily seen or discovered.” [People of the State of California v. Johnson, 185 P.2d 105 (Cal.App. Sup.Ct. L.A.Cty. 1947), p. 106]., the sale or furnishing of alcoholic beverages to an obviously intoxicated person is a misdemeanor (Business and Professional Code 25602).

12. Operation of a Vehicle

- a. It is unlawful for any person who is under the influence of an alcoholic beverage or any drug or under the combined influence of an alcoholic beverage and any drug, to operate a bicycle (California Vehicle Code 21200.5) or a motor vehicle (California Vehicle Code 23152(a)).
- b. No person shall drink any alcoholic beverage while driving a motor vehicle upon any highway (California Vehicle Code 23220).
- c. No person shall have in his or her possession, on his or her person, while driving a motor vehicle upon any highway, any bottle, can, or other receptacle, containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed (California Vehicle Code 23223).

13. Sale of Alcohol

It is a misdemeanor to sell alcoholic beverages without a license from the State Alcoholic Beverage Control Board (Business and Professional Code 23300 and 23301). Included are forms of indirect sales such as selling tickets which may be exchanged for drinks, tickets of admission which include an alcoholic beverage or “passing the hat” during an event to cover the cost of alcohol.



	State Law	Federal Law
Legal Drinking Age	You must be 21 to drink or work at a bar in California, and you can work in a restaurant that sells alcohol at age 18.	You must be 21 to drink or work at a bar in California, and you can work in a restaurant that sells alcohol at age 18.
BAC Limits	California's maximum legal blood-alcohol content is .08 percent.	BAC maximum is .08. Minors are held to stricter standards under zero tolerance laws, which hold the driver to much lower blood alcohol content levels for criminal and/or license suspension purposes.
Penalties	\$200-\$500 average fine, average jail time of 6 months suspension after the first offense, and an average probation of 5 years.	Varies from state to state.
Regulations	In terms of possession of alcohol by minors, it exempts use by minors while under their parents' supervision.	For minors in possession, first offense is \$250 and/or 24 to 32 hours of community service, and the second offense is up to a \$500 fine and/or 36 to 48 hours of community service.

Criminal Sanctions under California Law for the unlawful possession or distribution of illicit drugs and alcohol include the following:

1. Imprisonment in State prison for possession of specified controlled substances, including opium derivatives and cocaine (Health and Safety Code Section 11350).
2. Imprisonment in State prison for two to four years for possession or sale of specified controlled substances, including opium derivatives and cocaine (Health and Safety Code Section 11351).
3. Imprisonment in State prison for three to five years for possession for sale of cocaine base (Health and Safety Code Section 11351.1).
4. Fine not exceeding \$50,000 for possession for sale of heroin (Health and Safety Code Section 11352.5).
5. Fine of not more than \$100 for possession of less than 28.5 grams of marijuana (one ounce); imprisonment in county jail and/or fine of not more than \$500, or imprisonment in State prison for possession of concentrated cannabis (Health and Safety Code Section 11357).
6. Imprisonment in State prison for possession or sale of marijuana (Health and Safety Code Section 11359).

	State Law	Federal Law
Cocaine (50-4999 grams)	Possession can be prosecuted as a misdemeanor or felony with up to 3 years in prison. Penalties for possession for sale is 2, 3, or 4 years in the state prison. Possession for sale will often serve from 1 year in county jail or 18-month sentence in the state prison. Various enhancements do exist in the California Code which may result in very long prison terms, such as being in possession for sale, or selling multiple kilogram quantities of the drug.	Not less than 5 years and not more than 40 years. If death or serious injury, not less and 20 years or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.
Cannabis (1 to 49 plants; less than 50 kg)	Possession of one ounce or less can result in a fine of \$100 (plus fees). Possession of more than an ounce can result in a fine of \$500 (plus fees) and 6 months in jail.	Not more than 5 years; Fine not more than \$250,000, \$1 million other than individual
Heroin/Opiates	Possession can now be prosecuted as a misdemeanor or felony with up to 3 years in prison. Penalties for possession for sale is 2, 3, or 4 years in the state prison. Those convicted of possession for sale or sale/trafficking will often serve from 1 year in county jail, or 18-month sentence in state prison based upon the quantities and extent of their drug dealing if it is their first offense.	A first conviction for possession can result in up to one year in jail as well as a fine (minimum of \$100). Additional convictions will result in mandatory jail time as well as increased minimum fines.



Distribution

A copy of the South Coast College Drug and Alcohol Prevention Abuse Program Policies will be distributed annually in writing to each employee and to each student who is taking one or more classes for any type of academic credit except for continuing education units, regardless of the length of the student's program of study.

EDGAR Part 86, Sec. § 86.100(a). Such notification will occur as follows:

Students: Upon initial enrollment at South Coast College and at registration thereafter

Employees: At hiring and annually thereafter

A copy of the South Coast College Drug and Alcohol Abuse Prevention Program Policies is maintained in the Office of the President and on the South Coast College website:

<http://southcoastcollege.edu/images/pdf/da.pdf>

Biennial Review

South Coast College conducts biennial review of the effectiveness of the South Coast College Drug and Alcohol Abuse Prevention Program Policies. The committee that prepares the biennial review consists of at least one representative from the faculty, staff, and student body (optional) but may consist of more members. The purpose of the review is to evaluate the effectiveness of the program. The effectiveness of the program, consistency of sanctions, and violations of standards and codes will be assessed.

A report with any findings will be made to the President and will be made available upon request along with the data and methods supporting its conclusions.



List of Community Services Available

A Better Tomorrow

1320 West Pearl
Anaheim, CA 92801
(888) 224-6303

Provides a multitude of programs for treating chemical addictions and mental health issues

Alcoholics Anonymous

2191 North Orange Olive Road
Orange, CA 92865
(714) 637-9860

Provides group counseling, therapy for alcohol dependency

Catholic Charities

1800 East McFadden Ave.
Santa Ana, CA 92705
(714) 347-9600

Provides marriage, family, child, and individual counseling

Chapman Clean House

1412 East Chapman Ave.
Orange, CA 92866
(866)288-9779

Substance Abuse Treatment, Intervention Services, Intervention & Transport Service, Inpatient Care, Family Program, Dual Diagnosis Program and insurance accepted

Children & Family Services

800 N. Eckhoff St.
Orange, CA 92868
(714) 704-8000

Provides in-home counseling for families

Mental Health Association of Orange

12755 Brookhurst St.
Garden Grove, CA 92840
(714) 638-8277

Residential Treatment Center for women only, self-pay facility.

Salvation Army

1515 W. North Street
Anaheim, CA 92801
(714) 491-1450

Social & Human Services