



LIFE CHIROPRACTIC COLLEGE WEST

ALCOHOL AND OTHER DRUG USE POLICY

Drug Free Schools and Campuses Act:

The DFSC Act of 1989 requires that as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. This policy provides protocols and processes to ensure Life West compliance with the Act.

It is the goal of Life West to maintain a drug-free workplace and campus. The unlawful manufacture, distribution, possession, and/or use of controlled substances or the unlawful possession, use, or distribution of alcohol is prohibited on the Life West campus, in the workplace or as part of any of the college's activities. This includes the unlawful use of controlled substances or alcohol in the workplace even if it does not result in impaired job performance or unacceptable conduct.

The unlawful presence of any controlled substance or alcohol in the workplace and campus itself is prohibited. Violations will result in disciplinary action up to, and including, termination of employment for faculty and staff or expulsion of students. A disciplinary action may also include the completion of an appropriate rehabilitation program. Violations may also be referred to the appropriate law enforcement authorities for prosecution.

Student Code of Conduct - Drugs

The following acts may subject students to disciplinary action: illegal use, possession, or distribution of drugs; the use or possession of equipment, products, or materials that are used or intended for use in manufacturing, growing, using, or distributing any drug or controlled substance; possessing, concealing, storing, carrying, or using any drug paraphernalia as defined in California Health and Safety Code §11364.5, including, but not limited to, objects intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine,

hashish, or hashish oil into the human body. A reported violation of this section will result in the confiscation and immediate disposal of drugs and drug paraphernalia by college administrators.

Drug-Free Workplace Policy

The following policy applies to all college employees: unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is prohibited in the workplace. Employees who violate this prohibition are subject to corrective or disciplinary action as deemed appropriate, up to and including termination.

As an on-going condition of employment, employees are required to abide by this prohibition, and to notify Human Resources of any criminal drug statute conviction they receive for a violation occurring in the workplace. Notification must be provided in writing no later than five days after such a conviction. The college will notify the appropriate governmental agency within ten days of learning of the conviction.

If an employee receives such a conviction, the college will take appropriate disciplinary action against the employee, up to and including termination, or require the employee to participate satisfactorily in an approved drug-abuse assistance or treatment program. Human Resources makes available information about drug counseling and treatment. It is the responsibility of all college faculty, staff, and students to comply with this policy and to inform visitors of this policy.

Alcoholic Beverage Policy

The Alcoholic Beverage Policy is set in the context of the legal requirements governing the sale, consumption, and distribution of alcoholic beverages and in the context of community expectations for, not only upholding the laws but also sharing responsibility for the safety and welfare of other members of the college community. The college considers intoxication, disorderliness, or offensive behavior deriving from the use of alcoholic beverages to be unacceptable.

The service and consumption of alcoholic beverages on the campus and at campus sponsored events off campus will be done in compliance with applicable municipal, state, and federal laws and regulations, and in accordance with college policies and procedures. All persons on the campus or at any college sponsored event off campus where alcoholic beverages are being served or consumed are expected to abide by and respect all such laws, regulations, policies, and procedures.

Alcoholic beverages at events held on campus will be supplied and sold only by a designated, licensed agent of the college. No other individual person or private party will supply or sell alcoholic beverages at on-campus events or hold the license for the sale of alcoholic beverages on campus. The sponsorship of events by alcoholic beverage companies or distributors is limited

to cash donations, donated products (other than those that directly promote or advertise alcoholic beverages) in support of fundraising or other special events as approved by the appropriate vice president.

If a unit or sub-unit of LCCW or recognized student organization holds a function off-campus where alcohol is to be served, the following rules and regulations must be observed:

- There will be no functions where alcoholic beverages are the main focal point of the event. Any advertising for the function will not include specific references to the fact that alcoholic beverages will be provided.
- Any activity that contributes to alcohol overindulgence or abuse is strictly prohibited.
- At a student function, before anyone receives and consumes alcoholic beverages, a driver's license or other official identification that lists the age of that individual must be checked by a person designated by the student organization hosting the event to ensure that the individual is of legal drinking age. At all other functions, the sponsoring organization will take reasonable measures to ensure that all local and state laws regarding the consumption of alcohol are followed.
- At any function where alcohol is served, non-alcoholic beverages must be continuously available in equal or greater quantity. Food must also be available.
- No visibly intoxicated person shall be served alcohol at any function.
- If alcohol is to be served at a student organized function or by a student organization, the Manager of Student Life must be notified in writing in advance of such an event and that alcohol will be served at such event.
- If a function lasts two hours or more, the serving of alcoholic beverages must stop at least 45 minutes before the scheduled end of the activity.
- It is strongly encouraged that any organization that allows alcohol at its activities provides alternative transportation to any individual in attendance who has overindulged in alcohol.

Adherence to these policies will be the individual and personal responsibility of each member of the student body, staff, faculty, or administration of LCCW.

Alcoholic beverages will not be served or consumed in public areas of the campus except at authorized college events. Public areas include all indoor and outdoor spaces on the campus except individual departmental work areas and offices.

Alcoholic beverages will not be served or consumed at any college sponsored intercollegiate or club sport athletic event or recreational sports activity.

The sponsorship of events by alcoholic beverage companies or distributors is limited to cash donations, donated products (other than those that directly promote or advertise alcoholic beverages) in support of fundraising or other special events as approved by the appropriate vice president.

Select California State Laws on Alcohol

1. It is a misdemeanor to sell, furnish, or give alcoholic beverages to a person under the age of 21.
2. It is an infraction for a person under the age of 21 to purchase or possess alcoholic beverages.
3. It is a crime to sell alcohol without a valid liquor license or permit.
4. It is a crime for any person to drink while driving, to have an open container of alcohol in a moving vehicle, or to drive under the influence of alcohol.
5. It is a misdemeanor to be intoxicated in a public place.
6. Intoxication is presumed at blood levels of 0.08 percent or higher and may be found with blood alcohol levels from 0.05 percent to 0.08 percent.

Student Code of Conduct- Alcohol

The following acts may subject students to disciplinary action: possession, consumption, sale, or action under the influence of alcoholic beverages by persons under the age of 21; furnishing alcoholic beverages to persons under the age of 21; consumption of alcoholic beverages in a public place (all areas other than private offices and scheduled private functions); excessive and inappropriate use of alcoholic beverages. A reported violation of this section will result in the confiscation and immediate disposal of alcoholic beverages and related equipment.

General health risks associated with the use of alcohol and other drugs

Many well-documented risks are associated with alcohol and other drugs, affecting not only the individual user but also his/her family, friends and communities. Alcohol is frequently implicated in cases of sexual misconduct on campus, for example, and the misuse of other drugs is sometimes a factor in other violent behavior. Problems associated with alcohol and other drugs include impaired brain function; poor academic or job performance; relationship difficulties, including sexual dysfunction; a tendency to verbal and physical violence; financial distress; injuries or accidents; violations of the law such as driving under the influence; willfully destroying property; and death.

The following summaries describe some of the additional substance-specific risks associated with the use and misuse of alcohol and other substances.

Alcohol

For men, at-risk drinking is drinking more than four standard doses (or drinks) of alcohol a day and/or more than 14 drinks per week. For women, at-risk drinking is drinking more than three standard doses (or drinks) drinks a day and/or more than seven drinks a week. (One drink is equal to 12 oz beer, 5 oz wine, or 1.5 oz liquor.) While any alcohol use has the potential to contribute to problems (e.g., alcohol use impairs brain function and motor skills even when not legally drunk), studies show that certain “at-risk” drinking patterns are associated with an increased likelihood of negative outcomes.

At-risk drinking can cause poor performance in school or at work, accidents, injuries, arguments, legal problems (including DUI), strained relationships, undesirable or even dangerous sex, and verbal or physical violence, including the perpetration of sexual assault. At-risk drinking also contributes to sleep problems, prolonged intoxication aka hangovers, cancer, liver disease, stroke, depression, anxiety, and Alcohol Use Disorder.

At-risk alcohol consumption is involved in the majority of violent acts on campuses, including sexual assault, vandalism, fights, and accidents involving cars, pedestrians and bicycles.

Although not necessarily obvious in the traditional college age (18-24) population, there is addiction among users.

Cannabis (marijuana, hashish)

THC, the active chemical in marijuana, is stored in the fat cells of the body, and depending on the amount used and duration of time, can stay in the body for anything from a few days to about two months. Marijuana use can impair or distort short-term memory and comprehension, alter the user’s sense of time, and reduce coordination. Use may also result in a compromised immune system and an increased risk of lung cancer.

Cocaine (crack and other stimulants)

The immediate effects of cocaine use include dilated pupils, and increased blood pressure, heart rate, and respiration rate followed by a crash when the drug wears off. Over the longer term, cocaine users often have nasal passage and nasal septum problems. There is a high rate of addiction among users.

Hallucinogens (LSD, mescaline, psilocybin)

Hallucinogens cause illusions and distortions of time and perception. The user may experience episodes of panic, confusion, suspicion, anxiety and loss of control.

Flashbacks can occur even after use has stopped. PCP or phencyclidine has been shown to produce violent behaviors which can lead to injuries to the user or a bystander.

Heroin (other opiates)

Heroin causes the body to experience diminished pain. If injected, it can result in blood vessel damage (and possibly the transmission of infections such as hepatitis and HIV if needles are shared). There is a high rate of addiction among users.

Tobacco (cigarettes, chew, and other products)

Tobacco use has been proven not only to be addictive, but to have serious, well-documented health consequences. While many people, particularly students, look to smoking as a way of reducing stress, it should be remembered that there is no comparison between the stress of facing emphysema or lung cancer and the stress of preparing for mid-terms. There is a high rate of addiction among users.

Resources for Students

Students and Employees are encouraged to seek immediate help through any of the following resources.

Alameda County Behavioral Care Access Hotline

(800) 491-9099

www.acgov.org

Offers referrals to substance abuse services in Alameda County.

Al-Anon and Alateen in Northern California

<http://ncwsa.org/community/san-francisco/>

Alcoholics Anonymous

<https://eastbayaa.org/>

East Bay Intergroup, Inc. An official Alcoholics Anonymous website.

CommPre

A program of Horizon Services

(510) 885-8741

Offers prevention strategies to reduce alcohol and medication misuse among older adults.

www.Drug-Rehab.org

(888) 268-3714

A non-profit drug and alcohol rehab referral and placement service.

East Bay Community Recovery Project

www.ebcprp.org

Provides substance abuse, mental health and other health services in Hayward and Oakland to women and children. Helps underserved people of Alameda County with a focus on those dealing with substance abuse and psychiatric disorders.

Horizon Services, Inc.

(510) 582-2100

www.horizonservices.org

A safe, effective and affordable environment for drug and alcohol recovery, offering residential and non-residential programs. Offers a variety of programs and services throughout San Mateo, Santa Clara and Alameda Counties; including youth programs.

Humanistic Alternatives to Addiction Research and Treatment

20094 Mission Blvd.

Hayward 94541

(510) 727-9755

www.haarthayward.org

info@haarthayward.org

Offers both short/long-term treatments for problematic opioid use with methadone and suboxone, medical monitoring, counseling, psychotherapy.

MPI Chemical Dependency Treatment Services

Summit Medical Center

3012 Summit St.

Providence Pavillion (South), 5th Floor

Oakland 94609

(510) 652-7000

A local organization that can be contacted 24/7; their mission is to provide affordable, high quality chemical dependency treatments including detoxification, inpatient and residential rehabilitation, day treatments and morning/evening intensive outpatient programs.

New Bridge Foundation

2323 Hearst Avenue

Berkeley, CA 94709

Addiction treatment programs

[\(866\) 772-8491](tel:8667728491)

<https://www.newbridgefoundation.org/>

Recovery Programs and Treatment Centers

www.recoverycorps.org

An online resource for help w/drug and alcohol recovery and treatment programs. A very user-friendly site which allows you to search for resources in your area and provides names, addresses, phone numbers and descriptions of a variety of facilities.

Terra Firma Diversion/Educational Services

30086 Mission Blvd.

Hayward 94544

(510) 675-9362

<http://www.terrafirmadiv.com/aboutus.htm>

M-F 9:30am to 7pm

Saturdays 9am to 4pm

Offers a variety of resources and educational tools including a 20-week drug/alcohol counseling program for individuals who wish to abstain from drugs/alcohol and create a supportive environment for recovery.

Women On The Way Recovery Center

20424 Haviland Ave.

Hayward 94541

(510) 276-3661

www.wotwrc.org

A non-profit residential drug/alcohol recovery program; safe haven for abused, battered, addicted and betrayed women to become educated and empowered to take control of their lives.

State and federal criminal sanctions

The following is a brief summary of the state and federal criminal sanctions that may be imposed upon someone who violates the alcohol and other drug policy at LCCW or elsewhere in the state of California.

- A violation of California law for the unlawful sale of alcohol may include imprisonment in the county jail for six months, plus fines and penalties.
- A violation of California law for the use of alcohol by obviously intoxicated individuals will vary with the particular circumstances but may include imprisonment in the county jail and substantial fines and penalties. Additionally, minors who are arrested for violations concerning the use of alcohol run the risk of having their driving privileges suspended or revoked until they are 18.

- A violation of California law for the possession, use and/or sale of narcotics, marijuana and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years, plus fines up to \$100,000 for each count (see marijuana policy below)
- A violation of federal law for the possession, use and/or sale of narcotics, marijuana and/or other illicit drugs may include imprisonment in the federal penitentiary for one to fifteen years plus substantial financial penalties (see Federal Trafficking Penalties table below).
- A violation of the law involving an individual being under the influence of a combination of alcohol and other drugs (itself potentially deadly), may result in an increase in criminal sanctions and penalties.

Federal Trafficking Penalties - Drugs

The following table summarizes federal criminal laws and sanctions for drug offenses.

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense:	5 kgs or more mixture	First Offense:
Cocaine Base (Schedule II)	5-49 gms mixture	Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual	50 gms or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life.
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture	Second Offense:	100 gms or more mixture	Fine of not more than \$4 million if an individual, \$10 million if not an individual.
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture	Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	10 gms or more mixture	Second Offense:
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	

PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	2 or More Prior Offenses: Life imprisonment
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PENALTIES

Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual		
Flunitrazepam (Schedule IV)	1 gm or more			
Other Schedule III drugs	Any amount	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	30 to 999 mgs	Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual		
All other Schedule IV drugs	Any amount	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 30 mgs	Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Federal Trafficking Penalties – Marijuana

DRUG	QUANTITY	1 st OFFENSE	2 nd OFFENSE
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Marijuana	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years, not more than life If death or serious injury, not less than 20 years, not more than life Fine not more than \$4 million if an individual, \$10 million if other than an individual	Not less than 20 years, not more than life If death or serious injury, mandatory life Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	Not less than 5 years, not more than 40 years If death or serious injury, not less than 20 years, not more than life Fine not more than \$2 million if an individual, \$5 million if other than an individual	Not less than 10 years, not more than life If death or serious injury, mandatory life Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	Not more than 20 years If death or serious injury, not less than 20 years, not more than life Fine \$1 million if an individual, \$5 million if other than an individual	Not more than 30 years If death or serious injury, mandatory life Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture	Not more than 5 years Fine not more than \$250,000, \$1 million other	Not more than 10 years Fine \$500,000 if an individual, \$2 million if
Hashish	10 kg or less	than individual	other than individual
Hashish Oil	1 kg or less		

Source: <http://www.usdoj.gov/dea/agency/penalties.htm>

Students who fail to follow this policy are in violation of the Student Conduct Code and are subject to disciplinary action.

Marijuana Policy

On November 8, 2016, voters in California passed Proposition 64, thereby allowing persons who are 21 and older to possess, transport, and buy up to 28.5 grams of marijuana and use it for recreational purposes. The Bureau of Marijuana Control is the state agency responsible for regulating and licensing marijuana sales.

It continues to be illegal to smoke marijuana in public and at locations where tobacco use is outlawed, such as restaurants, and within 1000 feet of a school, daycare or youth center when children are present. It is also illegal for motorists to be under the influence of marijuana while driving.

Despite the change in state law regarding marijuana, Life West's policy remains unchanged: use and possession of marijuana on campus or in association with any college-sponsored or affiliated activity or program is prohibited. The policy complies with the federal Drug-Free Schools and Communities Act. Under this federal law, as a condition of receiving federal funds, an institution of higher education such as Life West must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on campus and as part of its activities and programs. At the federal level, this law includes any amount of marijuana.

California Proposition 215, passed in 1996, allows for the use of marijuana for medical purposes. Students who qualify under Proposition 215 to use marijuana for medical purposes are not permitted to possess, store, provide, or use the marijuana on college-owned or controlled property (including, but not limited to, academic buildings, athletic facilities, and parking lots), or during a college sanctioned activity, regardless of the location.

Propositions 215 and 64 create a conflict between state and federal laws. When state and federal laws are in conflict, federal law takes precedence. If Life West does not comply with federal law and regulations on marijuana possession and use on campus and in college programs and activities, it risks losing federal funds for student financial aid and other important programs and services. Therefore the college must continue to abide by federal laws and regulations and college policy barring the use and possession of any amount of marijuana on campus or in association with any college sponsored or affiliated activity or program.

Revised July 30, 2019