

DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM

Drug Free Environment and Drug Prevention

Reference: Drug Free Schools and Communities Act, 20 U.S.C. Section 1145g; 34 C.F.R. Section 86.1, et seq.; Drug Free Workplace Act of 1988, 41 U.S.C. Section 702

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

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in all facilities under the control and use of the College District.

Any student or employee who violates this policy will be subject to disciplinary action (consistent with local, state or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion or dismissal.

The Superintendent/President shall assure that the College District distributes annually to each student the information required by the Drug-Free School and Communities Act Amendments of 1989 and complies with other requirements of the Act.

Drug Free Environment and Drug Prevention Program

The College District is committed to providing its employees and students with a drug-free workplace and campus environment. It emphasizes prevention and intervention through education. The goal is to empower students and employees to make informed decisions about substance abuse to allow each to be healthy and productive and maximize each person's potential.

The Superintendent/President shall assure that the College District distributes annually to each student the information required by law and complies with other legal requirements.

The College District prohibits the unlawful possession, use, sale, or distribution of illicit drugs by students and employees on the College District's property or as part of any of the College District's activities, including but not limited to field trips, activities or workshops.

The unlawful manufacture, distribution, sale, dispensing, possession or use of alcohol or any controlled substance is prohibited on College District property, during College Districtsponsored field trips, activities or workshops, and in any facility or vehicle operated by the College District. Under Business & Professional Code Section 25608(a), any person who possesses, consumes, sells, gives, or delivers to any other person, any alcoholic beverage in or on any public building, campus, or any of the College District grounds is guilty of a misdemeanor, except as provided for in District Procedure No. 3560 AP, "Alcoholic Beverages." As a condition of employment, each employee is required to comply with these requirements.

Every person who consumes any alcoholic beverage must be at least 21 years of age. Southwestern Community College District will enforce the prohibition of underage drinking and the prohibition of unlawful drugs.

Consequences for Violations

Violation of this Procedure will result in the College District taking appropriate action and imposing applicable legal sanctions under local, State, or Federal law for unlawful possession or distribution of illicit drugs and alcohol, up to and including termination of employment for employees, expulsion and/or other discipline of students, loss of and ineligibility for financial aid for students, and referral to federal, state, local and/or campus law enforcement for criminal law citation, arrest and/or prosecution of both employees and students, and/or as permitted by law, may require satisfactory participation in programs, including but not limited to an alcohol or drug abuse assistance or rehabilitation program.

Health Risks

The health risks associated with the use of illicit drugs and the abuse of alcohol include:

- Death including by alcohol poisoning or drug overdose
- Risk of addiction and withdrawal symptoms including pain, convulsions and depression,
- Liver, heart, kidney, pancreas, and brain damage and/or loss of brain cells,
- Impaired judgment and resulting safety and health risks including accidents, unwanted pregnancies or sexually transmitted diseases, and aggressive or violent behavior,
- Impaired performance including drowsiness, impaired memory, and impaired concentration,
- Sexual dysfunctions,
- Harm to a fetus, including spontaneous abortion, premature labor, and detached placenta,
- Psychological problems including depression, anxiety, paranoia, panic reactions, psychosis and hallucinations,
- Seizures,
- Strokes, cardiac arrest or cardiovascular problems,
- Lung damage or illnesses, bronchitis, or respiratory arrest, and
- Needle-related illnesses and complications such as hepatitis, HIV, muscle and nerve tissue damage necessitating limb amputation, and infections.

Employee Notification of Workplace Criminal Drug Statute Violation

As a condition of employment, employees must notify the College District within five days of any conviction for violating a criminal drug statute. An employee who is convicted of violating a criminal drug statute will receive discipline from Southwestern College and will require satisfactory participation in a drug abuse assistance or rehabilitation program.

Assistance, Resources and Referrals

Drug or alcohol counseling, treatment, or rehabilitation or re-entry programs or referrals are available to employees or students. The College District provides confidential referrals through an Employee-Assistance Program (EAP) for employees and their families needing assistance with drug or alcohol abuse. Please contact the Benefits Office for more information regarding EAP.

Students should contact Health Services for resources or for assistance.

Alcoholic Beverages

Business & Professions Code §§24045.4, 24045.6, 25608 ; 25658, and 25668 34 Code of Federal Regulations Section 668.46(b); Board Policy No. 3560 – (BP) Alcoholic Beverages; Administrative Procedure No. 6700 – (AP) Civic Center and Use of Facilities

The Superintendent/President is authorized to enact procedures as appropriate and permitted by law regarding serving alcoholic beverages throughout Southwestern Community College District or at fund-raising events held to benefit non-profit corporations. Alcoholic beverages shall not be served on campus except in accordance with these procedures.

The possession, sale, consumption or the furnishing of alcohol on any facility owned or operated by Southwestern Community College District is governed by California state law and these procedures. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the College Police Department.

The College District has been designated “drug free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the College Police Department. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by any person under the age of 21 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 in any public or private area of campus without prior College District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the College District.

Alcoholic beverages on campus are permitted if:

- The alcoholic beverage is beer or wine for use in connection with a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at a community college campus, and the instructor or individual has been authorized to acquire, possess, use, sell, or consume it by the Governing Board or the Superintendent/President.
- A student at least 18 years of age tastes, but does not swallow or consume, beer or wine for educational purposes as part of the instruction in an enology or brewing degree program, and the beer or wine remains in the control of the instructor.
- The alcoholic beverage is for use during a non-college event at a performing arts, banquet hall, courtyard/quad/patio outdoor space or athletic facility built on College District property and leased to a for-profit organization or nonprofit public benefit corporation.
- The alcoholic beverage is wine or beer produced by a bonded winery or brewery owned or operated as part of an instructional program in viticulture and enology or brewing.
- The alcoholic beverage is wine that is for use during an event sponsored by the College District or an organization operated for the benefit of the College District in connection with the College District's instructional program in viticulture or the College District's instructional program in enology.
- The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained for special events held at the facilities of the College District during the special event. "Special event" means

events that are held with the permission of the Governing Board of the community college district that are festivals, shows, private parties, concerts, theatrical productions, athletic events and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.

- The alcoholic beverage is acquired, possessed, or used during an event sponsored by the College District or an organization operated for the benefit of the College District at a College District-owned facility in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility.
- The alcoholic beverage is for use during a fundraiser held to benefit a nonprofit or for-profit corporation that has obtained a license under the Business and Professions Code to do so, provided that no alcoholic beverage can be acquired, possessed or used at a football game or other athletic contest sponsored by the District.

The alcoholic beverage is acquired, possessed, or consumed pursuant to a license or permit obtained for special events held at facilities of a community college district at a time when pupils are not on the grounds. "Facilities" includes, but are not limited to, office complexes, conference centers, or retreat facilities.

Approval Procedures

If it has been determined that the use of alcoholic beverages is appropriate and desirable at an event, the organization or individual sponsoring the event must thoroughly review this procedure and determine the actions that must be taken to insure compliance with applicable local, state and federal law, applicable College District policies and procedures including obtaining the appropriate licenses, insurance certifications and permits.

The organization or individual sponsoring an event where alcohol will be served must first obtain the approval of the Superintendent/President and/or Governing Board as prescribed in this procedure for the proposed event. The event sponsor must complete a Request for Use of Alcoholic Beverages Form (Exhibit A) to specify:

1. The name and type of the organization sponsoring the event;
2. The name and contact information for the one person who will be responsible for the event (Person In Charge), who must be 21 years of age or older and be in attendance during the entire period of the event;
3. Alcoholic beverages shall only be consumed in the approved enclosed or inside area designated on this request. Exterior service areas must be clearly defined.
4. Type of Event;
5. Composition of Group;
6. Location and Hours of the Event (Permission to serve alcoholic beverages at an event during the work week before 4:00 p.m. and after 10 p.m. will ordinarily not be approved);
7. Kind, amount and method of alcohol service;
8. Equivalent non-alcoholic beverages (e.g. Water, soda) must be available at all functions where alcoholic beverages are served.
9. Proper Alcoholic Beverage Control license or permit must be obtained;

10. That all applicable laws and guidelines will be followed;

11. For off-campus groups, that proof of insurance along with the additional endorsed certification will be provided; and

12. Indemnification and hold harmless certification.

The event sponsor must submit a completed Request for Use of Alcoholic Beverages Form to the Office of the Superintendent/President AT LEAST FOUR (4) WEEKS PRIOR TO THE EVENT OR SIX (6) WEEKS PRIOR IF BOARD OF TRUSTEES APPROVAL IS REQUIRED. Each of the following College District officials must also approve the event and sign the Request of Use of Alcoholic Beverages Form:

1. For academic or administrative units: Departmental Dean or Director and Vice President

2. For auxiliary organizations and off-campus groups: Director of Facilities, Operations and Planning Campus Enterprise Services and Vice President for Business and Financial Affairs.

The Civic Center and Facilities Use Facilities Leasing Office shall be the office of record for filing the original, completed and approved Request for Use of Alcoholic Beverages Form. A copy shall be sent to the Director of Facilities, Operations and Planning Campus Enterprise Services. A copy shall also be sent to the organization or individual sponsoring the event, who must make it available at the event for inspection by any appropriate College District official.

The event sponsor must obtain approval of the event and confirmation of facility use in accordance with applicable College District procedures for use of facilities (see Procedure No. 6700 AP - Civic Center and Use of Facilities).

Alcohol may not be purchased with College District funds. Non-College-District funds held in Foundation accounts may, at the discretion of the Foundation, be used. All purchases of alcoholic beverages, whether for on-campus or off-campus events, must be made through Foundation check-request forms and approved by the appropriate College District administrator and Foundation representative.

All College District-sponsored events held off campus shall comply with Policy No. 3560 BP - Alcoholic Beverages and this procedure.

Contact: Civic Center Facilities Leasing Office at 619-482-6319, swccivccenter@swccd.edu.

Exhibit A Request for Use of Alcoholic Beverages Form (including Conditions Which Govern Use of Alcoholic Beverages)