



# California Health Sciences University

## CHSU STUDENT DRUG, ALCOHOL AND TOBACCO USE POLICY

### I. POLICY STATEMENT

The University is committed to the health, safety, and well-being of each member of the University community. It is the policy of the University to maintain a campus community that is free from the unlawful use, possession, or distribution of alcohol and Controlled Substances (as defined below).

Students' unlawful use of alcohol or controlled substances is especially concerning to the University because students are training to become healthcare professionals. Healthcare professionals are entrusted with the health, safety, and welfare of patients; have access to controlled substances and confidential information and operate in settings that require the exercise of good judgment. The unlawful use of alcohol or controlled substances can result in serious injury or death, or damage to the health of not only the student themselves but also the community as a whole, including patients with whom student may interact with and adversely affect the educational mission of the University.

### II. DEFINITIONS

Alcohol: Includes alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

Controlled Substance: Includes drugs or chemicals whose manufacture, possession, or use is regulated by a government, such as illicitly used drugs or prescription medications that are designated by law. Controlled substance categories I-V in the Controlled Substances Act, 21 United States Code, § 812 also includes illegal street drugs and marijuana.

Student Organization Event: Any event, meeting, conference, party, or gathering that is conducted on University Property or that is conducted or sponsored off campus by a student organization, or by a component thereof, or by an official, employee, or agent thereof, acting in his/her capacity as such, or by any club, team, or organization that is permitted to use the name of the University or that is officially affiliated with the University. Student Organization Events typically include events funded by the University directly, or through funds allocated to the Registered Student Organization, or make use of the University name. Whether an event is classified as a Student Organization Event will be up to the sole determination of the University.



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Sale: Sale includes exchanging of any money or tickets, tokens or chips which have been issued in exchange for money, or anything else of value, either directly or indirectly, for an alcoholic beverage. The term “sale” also includes the imposition of any admission charge to, or any other charge for the event at which alcoholic beverages will be served exclusively to those who pay such charge.

University Property: Any real property, land, facility, or annex property thereof, which is owned, leased, licensed, rented, used, or otherwise controlled by the University.

### III. PROHIBITED CONDUCT

Students are required to comply with all state, federal, and local law regarding alcohol, unlawful drugs, and tobacco use. Furthermore, the University is opposed to substance abuse and unequivocally prohibits the unlawful manufacture, distribution, dispensing, possession, use, or sale of alcohol or of unlawful controlled substances by University students. In addition, students shall not use controlled substances or abuse legal substances in a manner that impairs school performance, scholarly activities or student life.

The University also requires that students consent to and take all alcohol or drug tests required by the University or other facilities where students complete their rotations. A student’s refusal to take such test or tampering with such test is a violation of this policy.

### IV. HEALTH RISKS ASSOCIATED WITH THE USE OF ALCOHOL AND OTHER DRUGS

Excessive drinking and drug use will lead to a wide variety of health problems and professional difficulties. The use of any amount of illicit or legal (including alcohol) drugs may alter the chemical balance of the body. Misuse or compulsive use of alcohol and other drugs can often cause serious damage to major body organs such as the brain, stomach, lungs, liver, kidneys, heart, as well as, the immune and reproductive systems. Pregnant women put the fetus at risk for serious birth defects and complications at birth, as well as the possibility of delivering a baby with a drug dependency who may exhibit withdrawal signs. Other health problems include sleep disturbances, malnutrition, convulsions, delirium and greater risk for life threatening accidents and events such as traffic deaths and suicides. Use and/or withdrawal from a substance can also create mental problems including, but not limited to depression, anxiety, paranoia, and delusions. The use of drugs and alcohol can cause physical and psychological dependence and can interfere with memory, sensation and perception. Drugs impair the brain’s ability to synthesize information. Regular users of drugs develop tolerance and physical dependence often



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experienced by withdrawal symptoms.

### V. ALCOHOL AND DRUG TESTING

#### *a. Testing for Alcohol and Drugs at Experiential Sites*

A critical part of healthcare education involves experiential experiences for students in hospitals and other health care facilities. These rotations provide critical hands-on learning experiences for students and as such students must be able to complete their assigned rotations. Many hospitals and health care facilities have policies requiring drug testing for employees, students and volunteers. Many of these facilities mandate that students who test positive for unlawful use of alcohol or controlled substances are ineligible to complete rotations in the facility.

Students are required to follow the processes and procedures of the experiential site with regard to alcohol or unlawful drug testing. Students are entitled to refuse to be tested, but such refusal will amount to a violation of this Policy, and adverse consequences will be drawn from such information (i.e., this will be treated the same as a positive test). Students who cannot participate in these experiential experiences due to revealed unlawful use of alcohol or controlled substances may be unable to fulfill the requirements of their program within the University. If a student tests positive for unlawful use of alcohol or controlled substances, the student must immediately inform the Office of Student Affairs regarding the student's positive drug test. The Office of Student Affairs will thereafter inform the Office of the Dean regarding the student's positive drug test.

#### *b. Testing for Alcohol and Drugs at the University and Process*

##### *i. Random Drug Testing*

University students may be selected for a random drug screening at any time throughout their enrollment. The practice of random drug testing was established at the University to encourage student engagement in responsible lifestyle choices for not only their personal wellbeing but for the public which they serve. Students will be selected at random for drug testing. The frequency, percentage of students and intervals will be determined by the University.

##### *ii. For Cause Testing*

To promote a safe and healthy learning and work environment, the University may require students to submit to drug and/or alcohol testing based upon a reasonable suspicion of unlawful use of alcohol or controlled substances. Students may be asked to submit to a drug testing if there



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is suspicion that a student may be under the influence of drugs or alcohol. To ensure compliance with University policies and to promote a safe and healthy University for all students, the University may require students to submit to drug and/or alcohol testing “for cause” based upon:

1. Reasonable suspicion of substance abuse (as described below); or
2. The unauthorized use or possession of alcohol or drugs on campus or at a health care setting; or
3. The use of or possession of unlawful controlled substances at any time.

Reasonable suspicion of substance abuse may be based upon, but is not limited to the following criteria:

1. Direct observation of unauthorized use or possession of alcohol or drugs and/or demonstration of the physical symptoms of the influence of drugs or alcohol;
2. A pattern of erratic behavior, consistent with alcohol or drug use; or
3. Arrest or conviction for a drug or alcohol related offense; or
4. Evidence that a student has tampered with a previous drug test; or
5. Possession of drug paraphernalia.

When a determination to test a student for cause has been made, the student will be given specific instructions on how to obtain the drug screening, but the general process is described below.

### *iii. Process for Drug Testing at the Direction of the University*

Step 1: The student will receive a notification from the Dean (or designee) of the student’s selection for drug testing and will need to report to a collection/laboratory site designated by the University. Students are required to report to the designated laboratory within 24 hours of the date of the notification, unless the University determines that based on the situation more expedient testing is required.

Step 2: To ensure the integrity of the process, students must comply with all collection procedures of the designated laboratory (i.e. provide identification, completion of forms, no items permitted in testing area). Failure to comply with the directives, policies, and procedures of the designated laboratory will result in disciplinary action.

Step 3: A copy of the results from the designated laboratory will be sent to the University



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and the University will notify the student of their result and communicate next steps to the student.

Expenses: University will be responsible for any and all lab cost related with the random and probable cause drug testing. Students are responsible for any and all cost related to compliance drug testing and participation in any rehabilitation programs as recommended.

### **VI. SEEKING HELP FOR ALCOHOL AND CONTROLLED SUBSTANCE USE**

The University recognizes that healthcare students may have or develop problems with the use of unlawful drugs or with the abuse of alcohol. The University is committed to providing a program that will assist impaired students in regaining their health while protecting society at large from the harm that may result from the actions of a chemically impaired health care professional student. As a result of such potential for harm, students who are aware of or suspect another student of abusing alcohol or drugs are required to report the matter to the Office of Student Affairs.

The University will facilitate alcohol and substance abuse prevention through general promotion of a substance-free educational environment. Using science and evaluation-based prevention models, the Office of Student Affairs shall make recommendations for all program, policy, and enforcement issues related to alcohol and other drugs. This comprehensive effort works to reduce high-risk drinking by:

- Educating students about responsible alcohol use.
- Providing early intervention and confidential counseling for those who need help.
- Altering the environment to limit access to alcohol by underage students and providing alcohol-free social functions.
- Ensuring compliance with substance abuse policies and laws, and consequences for policy violation.

The University will also create an atmosphere wherein individuals with alcohol and/or drug problems are encouraged to seek help. The University works in partnership with University students and the community to promote a healthy and safe campus environment. The University helps connect students to services that are geared toward ensuring the personal health of students by providing support and avoiding punitive measures.

All information regarding any contact or counseling is confidential and will be treated in accordance with University policies and state and federal laws. A student's decision to seek



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assistance will not be used in connection with any academic determination or as a basis for disciplinary action. The University offers various drug and alcohol use prevention, education, and intervention programs. These services are made available to students. Below is a list and brief description of the programs that are offered to students throughout the year.

Pharmacists Recovery Program (California)

MAXIMUS Diversion Program

[www.maximus.com](http://www.maximus.com)

800-522-9198

FAX 916-669-3660

PO Box 989012, West Sacramento, CA 95798-9012

Narcotics Anonymous

(Central California)

12 step program focusing on

narcotics

[centralcana.org](http://centralcana.org)

Valley Recovery Center

(877) 406-9379

[Valleyrecoveryfresno.com](http://Valleyrecoveryfresno.com)

Westcare California

559-237-3420

[Westcare.com/california](http://Westcare.com/california)

Young People in AA

Opportunity for young AA's

to regularly come together and

share

[fcypaa.com](http://fcypaa.com)

*Unum—for students employed by the University only*

Employee Assistant Program

Offers Counseling for Drug Addiction

Contact at: 1-800-854-1446



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Students are encouraged to seek guidance from these programs at the earliest sign of need. For additional information or assistance with substance and/or alcohol abuse matters, or for information on programs please contact the Student Affairs Office. Students are encouraged by the University to identify themselves and are seek assistance for a substance abuse problem proactively and not as a result of an identified violation or random screening.

### **VII. STANDARDS ON USE OF ALCOHOLIC BEVERAGES ON AND OFF UNIVERSITY PROPERTY**

The intent of the Standards on Use of Alcoholic Beverages is to describe the permitted and prohibited use of alcoholic beverages on and off University Property. The University is committed to maintaining a safe and healthy environment that is free from the use of alcoholic beverages and is in full compliance with federal and state laws and University standards.

#### Use of Alcoholic Beverages on University Property

- Alcohol may not be possessed, served and or consumed on University Property by any student.
- Students must not have consumed any alcohol while on University Property, irrespective of whether they consumed the alcohol prior to coming onto campus.

#### Guidelines for Off-Campus Events that Include the Serving of Alcoholic Beverages

In addition to complying with state laws that regulate the sale or provision of alcoholic beverages, the conduct of events or off-campus programs, including Registered Student Organization Events, should be conducted in accordance with the following:

- Advertisements that reference alcoholic beverages in any form may not portray alcohol as the dominant theme or primary purpose of the event or program or promote alcohol consumption as an expectation during the event or activity.
- Valid age determinations will be made to assure compliance with minimum age requirements, including efforts to determine if a person is using a false ID.
- Sale of alcoholic beverages by a Registered Student Organization is prohibited. No portion of any charge levied for attendance at an event shall be used to pay for any alcoholic beverages.
- No portion of University allocated funds are to be used for the purchase of alcohol.
- The serving and/or consumption of alcoholic beverages shall be carried out only by individuals 21 years of age or older.
- Registered Student Organizations are responsible for ensuring that moderation is encouraged during the lawful consumption of alcoholic beverages.



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- Registered Student Organizations are responsible for assigning a reasonable number of designated drivers for any event where alcohol will be served. The Registered Student Organization also must explain to all such designated driver's that: 1) their role is to transport other students home from the event in a safe manner; and 2) these drivers must remain completely sober and thus are prohibited from consuming any alcohol before driving anyone to or from the event.
- A person's decision not to consume alcohol is to be respected.
- Food or snacks as well as non-alcoholic beverages will be readily available at any event in which alcoholic beverages are served.
- Professional security personnel will be employed at events held by Registered Student Organizations which include alcohol, irrespective of whether students bring their own alcohol to the event or whether alcohol may be purchased at the venue. Any such event held in an acceptable public facility that provides its own security is exempted from this requirement.

### VIII. PENALTIES AND SANCTIONS

All students are expected to be familiar with and to adhere to federal, state, and local laws and University policies with regard to the use and possession of drugs or alcohol. The University will impose sanctions for violation of the standards of behavior (on and off campus) consistent with local and federal laws, and University policies. Students who violate this policy will be subject to discipline under the Student Professionalism Policy, independent of any action which may be taken by other authorities (e.g., licensing boards, law enforcement, accreditor etc.). Violations will result in disciplinary action, up to and including dismissal, and referral for possible prosecution. Sanctions imposed will depend upon the severity and frequency of the violation. Depending on the nature of the violation, university sanctions may include educational intervention, mandated community reparations, probation, probation and referral for treatment and rehabilitation, suspension, or dismissal.

In addition to, or in lieu of discipline, violators may be required to complete an appropriate rehabilitation program. Specifically, the University's goal is to provide students, whenever possible, with options for assessment, recommendations, counseling, referrals and/or treatment. Thus, self-referral and early detection and referral are critical to the rehabilitation of students.

The University sanctions imposed for violation of this policy neither diminish nor replace the penalties available under generally applicable civil or criminal laws. Violations of University standards may also violate federal, state and local laws, or other appropriate governance body. Violators will be subject to all appropriate penalties within the jurisdiction of the offense. Below



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is a list of federal, state and municipal laws regarding the unlawful use of alcohol and unlawful drugs. Note, this list is not a complete summary of relevant laws and ordinances.

### State and Municipal Laws and Ordinances:

- i. The purchase, possession, or consumption of alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited.
- ii. The selling, either directly or indirectly, of alcoholic beverages (including beer and wine) except under the authority of a California Alcoholic Beverage Control Board license is prohibited. This includes selling glasses, mixes, ice, tickets for admission, etc.
- iii. The serving of alcohol to an intoxicated person is prohibited.
- iv. The serving of alcohol to someone to the point of intoxication is prohibited.
- v. The manufacture, use or provision of a false state identification card, driver's license, or certification of birth or baptism is prohibited.
- vi. The act(s) of being drunk and disorderly in public view, including on public sidewalks and walkways, is prohibited.
- vii. The consumption of alcoholic beverages in a public place (unless licensed for consumption of alcohol on the premises) is prohibited. This includes a prohibition of alcoholic beverages in public areas of academic facilities, recreation fields, university housing corridors and lounges.
- viii. The act of driving a motor vehicle or a bicycle while under the influence of alcohol is prohibited.
- ix. The possession of an alcoholic beverage in an open container in a motor vehicle or on a bicycle is prohibited regardless of who is driving or whether one is intoxicated.

### 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 laws 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



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imprisonment in the county jail and substantial fines and penalties.

- 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.
- 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.
- 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.

### **IX. SMOKE AND TOBACCO-FREE ENVIRONMENT**

Members of the University community, including academic and staff employees, students, student organizations, and volunteers, are responsible for observing and adhering to the Smoke & Tobacco-Free Environment policy. Smoke & Tobacco-Free means that smoking, smokeless tobacco products, the use of nicotine products, and the use of e-cigarettes is strictly prohibited on all University buildings and grounds, parking lots (even when inside vehicles parked in the parking lot), University-affiliated off-campus locations and clinics and any buildings owned, leased, or rented by the University. Therefore, the University has designated itself as a Tobacco-Free Campus, with smoking and all other tobacco usage prohibited. This Tobacco-Free policy is in effect 24 hours a day year-round.

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- Policy Owner: Provost
  - Effective Date: 6/13/2019
  - Approval by President Date: 6/20/2019
  - Approval by Provost Date: 6/20/2019