



# Drug and Alcohol Prevention & Abuse Policies

Effective Date:

# November 20 11

International Professional School of Bodywork





**C**ampus standards of conduct prohibit the unlawful possession, use, or distribution of drugs and alcohol by students on IPSB property or as any part of the IPSB's activities. Students who violate these standards of conduct may face suspension or expulsion from IPSB. In addition, IPSB will cooperate with governmental authorities in criminal and civil actions. IPSB does not accept alcohol or substance abuse as an excuse, reason, or rationale for any act of abuse, harassment, intimidation, violence, or vandalism.

As a student at IPSB, you are responsible for your behavior and are fully accountable for your actions. Violation of this policy statement will not go unchallenged within the IPSB community. Any IPSB student may be expelled, suspended, or placed on probation for violating IPSB regulations regarding alcohol or drugs. Additionally, using alcohol or drugs negatively affects your academic performance.

The following legislation clearly states the position colleges and universities are expected to adopt and implement with regard to drug and alcohol abuse and the prevention thereof.

1. "Drug-Free Schools and Communities Act Amendments of 1989" (Public Law 101-226),
2. Section 1213 added to the Title XII of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.),
3. The Drug-Free Workplace Act of 1988, 34 CFR Part 84 Subpart B, for grantees other than individuals
4. The Drug-Free Workplace Act of 1988, 34 CFR Part 84 Subpart C, for grantees who are individuals

In support of the purpose of this legislation, IPSB wants to make known its concern for the health and well-being of all members of IPSB community – students, staff and faculty – as well as the health and well-being of the community at large.

More specifically, IPSB:

- Is committed to preventing illicit drug use and alcohol abuse and providing appropriate intervention and referrals;
- Expects that members of IPSB community who use alcohol or prescription drugs do so within the bounds of lawful behavior and good judgment; and
- Expects that members of IPSB community accept responsibility for their behavior and its effects on IPSB community by adhering to IPSB policies, state laws, and legislation of the United States and its departments.

# Drug and Alcohol Prevention

*As required by the Drug-Free Schools and Communities Act Amendments of 1989, which added section 1213 to the Higher Education Act, and implemented at 34 CFR Part 86, IPSB has adopted and implemented a drug prevention program for its students and employees:*

## IPSB standards of conduct:

IPSB prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the school's property or as part of any of the school's activities (on or off-campus).

### *This prohibition also includes, without limitation:*

1. Any controlled substance including heroin, barbiturates, cocaine, LSD, methamphetamines, hallucinogens, and marijuana that is in violation of local, state, or federal statute
2. Alcohol and/or any other conduct that involves a drug-related violation of local, state, or federal ordinances
3. Consuming or being under the influence of any alcohol, other drug, or controlled substance legal or illegal that may impair job performance or safety while working on any IPSB premises
4. Possession or consumption of an alcoholic beverage non-alcoholic beer or wine, other drug, or controlled substance legal or illegal, prior to or during work hour, not shall an employee report to work with alcohol on his/her breath.
5. Each employee must report to a supervisor behavior that projects reasonable suspicious, to a reasonable person, or being under the influence of alcohol, or other drug, or controlled substance.

*Although California state law permits the use of medical marijuana, i.e., use by persons possessing lawfully issued medical marijuana cards; federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession, or cultivation of marijuana for medical purposes is therefore **not allowed** at any IPSB property; not is it allowed at any IPSB sponsored even or activity off-campus.*

## IPSB Sanctions:

Violations of this policy will result in disciplinary action up to and including expulsion or termination of employment and referral for prosecution, according to local, state, and federal statutes, or both. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

Disciplinary actions for violations by students will be determined by the specified policy governing Student Discipline and Grievances. For faculty and staff employees, such actions will be administered according to the policies for Staff Employment, Rules of Conduct, Corrective Action and discipline, and Employee Termination or faculty policies, as appropriate. In any case, individuals are guaranteed fair process, including appeal.

Lists of sanctions at the state and federal level are addressed below:

State statutes and local ordinances impose a wide range of criminal and civil penalties for the unlawful possession, use, or distribution of drugs and alcohol. These laws relate to many drugs, chemicals, and "controlled substances," not limited to those that are well known or that are specifically mentioned in this summary. These include a wide range of drugs such as opiates, opium derivatives, hallucinogens, stimulants, depressants, narcotic drugs, PCP, anabolic steroids, toluene (an ingredient in plastic model glue), nitrous oxide, and chemicals that are used in the manufacture of other controlled substances. These laws also apply to paraphernalia intended for use in producing or consuming illegal drugs. Criminal penalties range from misdemeanor penalties (for such offenses as possessing a small amount of marijuana) to felony penalties (for simple possession of most other controlled substances, possession for sale, or drug trafficking). Misdemeanor penalties are in some cases restricted to fines, but in other cases may include imprisonment in the county jail for up to one year. Felony offenses are punishable by fines and imprisonment in state prison for a term of one year up to life, in some cases.

For example, in California, simple possession of small quantities of marijuana (other than concentrated cannabis) is a misdemeanor punishable by a fine only (except in the case of certain repeat offenses, or possession on certain school grounds). Simple possession of more than 28.5 grams of marijuana (other than concentrated cannabis) is punishable by imprisonment in the county jail for up to six months or a fine of not more than \$500, or both. Possession for sale or trafficking in marijuana, or planting, cultivating, or possessing marijuana are felonies punishable by imprisonment in the state prison.

Simple possession of most other illicit drugs or controlled substances is a felony punishable by imprisonment in county jail for a term of up to one year, or in state prison. Possession for sale or drug trafficking is punishable by up to four or five years in a state prison, depending upon the offense. Penalties may be substantially increased, up to life imprisonment in some cases, based on a variety of aggravating circumstances. For example, the penalties for unlawful possession for sale or drug trafficking may be substantially increased in cases where the offender has induced another person to violate drug laws, or where the offense involves a firearm. Further, prison terms of up to seven years may be imposed on any adult who solicits, induces, or encourages any minor to violate the drug laws, including furnishing drugs to a minor.

In addition to criminal penalties, civil penalties may be imposed, including forfeiture of vehicles, real property, or other assets that were derived from, or used in connection with, violation of the drug laws.

Conviction of drug-related offenses may also result in the denial or revocation of certain professional licenses and certificates issued by the state, including licenses to practice law, medicine, and dentistry, certificates in health-related fields such as psychology, physical therapy, pharmacy, counseling, veterinary medicine, and teaching credentials. Conviction of drug-related offenses may also disqualify the offender from obtaining public employment. Conviction of certain offenses may result in the revocation of a driver's license.

### Penalties for Unlawful Possession or Distribution of Alcohol

California statutes provide that it is unlawful to sell, furnish, give, or cause to sell, furnish, or give away any alcoholic beverage to any person under the age of 21. Such statutes also provide that any person under the age of 21 who purchases, attempts to purchase, or consumes any alcoholic beverage is guilty of a misdemeanor.

## SUMMARY OF FEDERAL PENALTIES FOR ILLEGAL POSSESSION

### 21 U.S.C. 844(a)

1st conviction: Up to one year in prison, fine of at least \$1,000 or both.

After 1 prior drug conviction: 15 days-2 years in prison, fine of at least \$2,500, or both.

After 2 or more prior drug convictions: 90 days-2 years in prison and fine of at least \$5,000.

Special sentencing provisions for possession of crack cocaine: Mandatory 5-20 years in prison and fine of at least \$1,000 if:

### 21 U.S.C. 853 (a)(2) and 881(a)

Forfeiture of personal and real property derived from any proceeds obtained directly or indirectly as a result of the violation, or used to possess or facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack.)

### 21 U.S.C. 881(a)(4)

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

### 21 U.S.C. 844a

Civil fine of up to \$10,000.

### 21 U.S.C. 862

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for the 1st offense and up to 5 years for the 2nd offense.

Rehabilitation may suspend the period of ineligibility.

### Miscellaneous

Authority to revoke certain federal licenses and benefits, such as pilot licenses and public housing tenancy, is vested within individual federal agencies.

1st conviction and the amount of crack possessed exceeds 5 grams

2nd crack conviction and the amount of crack possessed exceeds 3 grams

3rd or later crack conviction and the amount of crack possessed exceeds 1 gram

## *Health Risks Associated with Drug or Alcohol Abuse:*

The misuse and abuse of chemicals, both legal and illegal, impact American society in many ways. In addition to the deterioration and loss of human lives, billions of dollars are expended every year in terms of health care, law enforcement, lost productivity, and absenteeism. The health risks associated with the use of drugs are legion; excessive consumption of alcoholic beverages leads to degeneration of brain cells, damage to the liver, and other related problems. Undeniable evidence links various forms of cancer, as well as respiratory problems, with the use of nicotine products (including cigarettes, cigars, pipes, and smokeless tobacco).

Misuse of central nervous system depressants (such as sleeping pills, sedatives, and tranquilizers) can result in overdose and possible respiratory failure; the use of these drugs along with alcohol is a particularly deadly combination.

Of great concern, too, is the abuse of alcohol. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. Research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Anyone seeking further information about the physiological or psychological impact of alcohol or drug abuse will find various free publications in any library. Information can also be found at the following websites:

Higher Education Center for Alcohol, Drug Abuse, and Violence Prevention  
<http://www.higheredcenter.org/>

County of San Diego Alcohol and Drug Services (ADS)  
[http://www.sdcounty.ca.gov/hhsa/programs/bhs/alcohol\\_drug\\_services/prevention\\_services.html](http://www.sdcounty.ca.gov/hhsa/programs/bhs/alcohol_drug_services/prevention_services.html)

DEA Drug Information Resources: Other Drugs and Issues of Concern  
<http://www.justice.gov/dea/concern/concern.htm>

National Institute on Drug Abuse (NIDA)  
The Science of Drug Abuse & Addiction  
<http://www.nida.nih.gov/nidahome.html>

## *Counseling, Treatment and Rehabilitation*

IPSB is committed to providing referral information to any students, staff, or faculty members who are experiencing personal difficulties with chemical dependency, or are suffering the repercussions of drug or alcohol problems of family, friends, or co-workers.

The phone numbers of the County Departments that provide drug and alcohol prevention, education, and treatment services in the regions where IPSB operates are listed below. Interested persons are encouraged to contact the Vice President of Administration to obtain information or to discuss any questions.

### COUNTY ALCOHOL AND OTHER DRUG PROGRAM ADMINISTRATIVE OFFICES

#### SAN DIEGO COUNTY

Alcohol and Drug Services  
Department of Health Services  
P.O. Box 85222  
San Diego, CA 92186-5222  
(619) 692-5727

IPSB is providing this information as a means to help resolve a social problem that extends far beyond our classrooms and offices. IPSB urges each member of IPSB community to play a role in the amelioration of drug and alcohol abuse by sharing this information with others.

The Human Resources Manager is responsible for administering the provisions of this policy for faculty, staff, and students. A copy of this policy will be given to each new employee or student and periodic reminders of this policy issued thereafter, as required by law.



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International Professional School of Bodywork is accredited by the Commission on Massage Therapy Accreditation (COMTA) and approved by the Bureau for Private Post-Secondary Education (BPPE)