

# Annenberg School of Nursing

## Drug Free Policy & Drug and Alcohol Prevention Program (DAAP)

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Drug-Free Schools and Communities Act of 1989 (Public Law 101-226, 20 U.S.C. § 1011i) and 34 C.F.R. Part 86 (EDGAR Part 86 Implementing Regulations)

The Drug-Free Schools and Communities Act (DFSCA) and its Part 86 implementing regulations & requirements for Annenberg School of Nursing (ASN) to comply as a condition of receiving federal funds. The purpose of the DFSCA is to prevent the unlawful possession, use and distribution of illicit drugs and alcohol by students and employees on institutional property, or as part of any of its activities.

### SUBSTANCE ABUSE POLICY

Annenberg School of Nursing has a zero tolerance policy regarding the use of alcohol, drugs, or controlled substances as it affects the environment, Use of these substances, whether on or off-campus can adversely affect the student/employee work performance, efficiency, absenteeism and health and safety and therefore seriously impair the student's/employee's contribution to our school. The use, possession or sale of illegal or controlled substances by any person on campus or at a clinical facility is prohibited. It is expected that each student/employee arrive on time, fit to perform all applicable duties and responsibilities. Students/employees who report or become unfit to perform their duties fully and satisfactorily may create safety hazards for themselves and others.

Students/employees who use, sell or are in possession of or under the influence of non-prescribed or unlawful drugs or controlled substances or alcohol while on campus or at clinical sites, including parking lots, will be subject to disciplinary action that could include immediate termination. Students/employees must comply with this policy as a condition of admission/employment at the School. Any employee or student who is convicted of a criminal drug or alcohol violation must notify the School in writing within five (5) calendar days of the conviction. The School will take appropriate action within thirty (30) days of notification. Appropriate action, including possible discipline and/or participation in a drug abuse assistance or rehabilitation program, or immediate termination may result after notice of the conviction is received. Students/employees may use physician-prescribed medications, provided that the use of such drugs does not adversely affect performance or the safety of others.

Note: Being under the influence of alcohol, or drugs, including marijuana is prohibited while attending Annenberg School of Nursing or any off-site activity associated with the institution, such as clinical experiences and field trips. Annenberg School of Nursing's drug-free policy must follow federal laws, regardless of State of law, as an institution with approval to distribute Title IV funds to those who qualify. Federal laws classify marijuana as an illegal drug, regardless if you may have a medical marijuana card or the substance being legal within California.

## CALIFORNIA LAW

California laws regarding use, sale, and distribution of alcohol and other drugs by individuals or businesses are organized into code types (e.g. Business and Professions; Health and Safety; and Vehicle Codes. Direct links to some of these laws; which are enforced by Annenberg School of Nursing (ASN) are provided below. The full text of these state laws and their associated penalties can be found in the code search section of [the California Legislative Information website](#).

Some laws imposing criminal sanctions for unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol.

- to illegally manufacture, sell, distribute, or possess controlled substances (those listed in Schedules I through V of the Controlled Substances Act (21 U.S.C.812) (21 U.S.C. 828, 841, 844, 859, 860);
- to unlawfully possess or possess for sale controlled substances specified in California Health and Safety Code 11054, 11055, 11056, 11057, 11058;
- to possess, cultivate, sell or possess for sale marijuana (Cal, Health and Safety Codes 11357, 11358, 11359);
- to use or be under the influence of a controlled substance (Cal. Health and Safety Code 11550);
- to transport, sell, or distribute marijuana to a minor or to use a minor to transport, sell, or distribute marijuana (Cal. Health and Safety Code 11361);
- to possess, furnish or manufacture drug paraphernalia (Cal. Health and Safety Code 11362 et seq.)
- to provide any alcoholic beverage to a person under 21 or to any obviously intoxicated person (Cal. Business and Professions Code 25658; 25602);
- to be under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others (Cal. Penal Code 647(f));
- for persons under 21 to have any container of alcohol in any public place or any place open to the public (Business and Professions Code 25662);
- to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher (Cal. Vehicle Code 23152);
- for any person under the age of 21 to operate a motor vehicle with a blood alcohol level of .05% or higher (Cal. Vehicle Code 23140);
- to have an open container of alcohol in a motor vehicle and for persons under 21 to drive a vehicle carrying alcohol or to possess alcohol while in a motor vehicle (Cal. Vehicle Code 23223; 23224);
- to have in one's possession or to use false evidence of age and identity to purchase alcohol (Cal. Business and Professions Code 25661); for any person under age 21 to purchase alcohol (Cal. Business and Professions Code 25658.5).

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

First conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2,500 but not more than \$250,000, or both.

After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000, or both if:

- First conviction and the amount of crack possessed exceeds five grams.
- Second crack conviction and the amount of crack possessed exceeds three grams.
- Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.

### CONSEQUENCES ON FINANCIAL AID

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for federal and state financial aid. Convictions only count against a student for aid eligibility purposes (FAFSA question 23c) if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when she was a juvenile, unless she was tried as an adult.

The United States Department of Education will be notified within ten (10) days after receiving notice from an employee, student or documentation of a drug conviction.

Eligibility for Title IV programs may be suspended or terminated as part of a conviction.

The chart below illustrates the period of ineligibility for federal and state financial aid, depending on whether the conviction was for sale or possession and whether the student had previous offenses. A conviction for sale of drugs includes convictions for conspiring to sell drugs.

	Possession of illegal drugs	Sale of illegal drugs
1st offense	1 year from date of conviction	2 years from date of conviction
2nd offense	2 years from date of conviction	indefinite period
3+ offenses	indefinite period	

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

A student regains eligibility the day after the period of ineligibility ends (i.e., for a 1st or 2nd offense); or when he or she successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program, Further drug convictions will make him/her ineligible again.

Students denied eligibility for an indefinite period can regain eligibility after completing any of the following options:

Successfully completing a rehabilitation program, as described which includes passing two unannounced drug tests from such a program;

Having the conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record; or

Successfully completing two unannounced drug tests, which are part of a rehab program.

### Health Risks Associated with the Use of Illicit Drugs and 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. Moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including murder, rape, armed robbery, vandalism, spouse and child abuse, and drunk driving. Moderate to high doses of alcohol can cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Heavy use may cause chronic depression and suicide, and is also greatly associated with the abuse of other drugs. 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 described. The use of even small amounts of alcohol by pregnant women can damage their fetus.

Long term heavy alcohol use can cause digestive disorders, cirrhosis of the liver, circulatory system disorders and impairment of the central nervous system, all of which may lead to an early death.

Repeated use of alcohol can lead to dependence, particularly in persons with one or more parents or grandparents who were problem drinkers. At least 15-20% of heavy users will eventually become problem drinkers or alcoholics if they continue drinking. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions, which can be life threatening.

All illicit drugs are health threatening. Examples include: cannabis - impairment of short-term memory and comprehension and ability to perform tasks requiring concentration, lung damage, paranoia and possible psychosis; narcotics, depressants, stimulants and hallucinogens - nervous system disorders with possible death the result of an overdose. Illicit inhalants can cause liver damage. Dependence and addiction are a constant threat to users.

### WHERE TO GET HELP

If you are experiencing a medical emergency, related to substance use and any other circumstances, dial 9-1-1 or go to the nearest emergency room.

### Community Treatment Programs

Los Angeles County Department of Health Services, Substance Abuse Prevention & Control (844) 804-7500



### National Treatment Locator

The Substance Abuse and Mental Health Services Administration (SAMHSA) maintains a Behavioral Health Treatment Services Locator, a confidential and anonymous source of information for persons seeking treatment facilities in the United States or U.S. Territories for substance use/addiction and/or mental health problems.

### Confidentiality

All information received by the School through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

### Communication

Communicating our Drug Free Policy / Drug and Alcohol Prevention Program to employees and students is critical to our success. To ensure all employees and students are aware of their role in supporting our program.

- All employees and students will receive a written copy of the policy and program.
- The policy and program will be reviewed in orientation sessions with new employees and students.
- All employees and students will receive an update of the policy and program annually.

### Policy Review

Annenberg School of Nursing will review the Drug Free Policy / Drug and Alcohol Prevention Program at a minimum once every two years.

### Certification

I have read and understand all components of the Drug Free Policy / Drug and Alcohol Prevention Program. The Drug Free Policy / Drug and Alcohol Prevention Program was reviewed and discussed with a school official.

