

APPENDIX 4: Drug and Alcohol Abuse Policy and Prevention

INTRODUCTION

The Master's University and Seminary (Master's) seeks to foster an alcohol-and-drug-free environment in which to work, live, learn, and grow. As a Christian University, we approach alcohol and other drug abuse with a combination of compassion, encouragement, directness, and concerned firmness. An aspect of this caring approach is the regular communication (campus seminars, community meetings and website information) and enforcement of the regulations on alcohol and other drugs and substances contained within this policy. The purpose of this policy is to ensure a safe environment that is consistent with the mission of the University and its goal to foster an alcohol-and-drug-free environment. The unlawful use, possession, or distribution of alcoholic beverages, illicit drugs, or other controlled substances (including misuse of prescribed medications or use of any substance with the intent of becoming impaired/intoxicated) by a Master's student or employee is prohibited and violates this policy as well as Master's standard of conduct. Master's is operating in conformity with the Drug-Free Schools and Communities Act of 1989 (Public Law 101-336) and Drug-Free Workplace Act of 1988. The following summarizes Master's policy and program:

THE MASTER'S UNIVERSITY POLICY REGARDING ALCOHOL AND DRUGS

All students and employees are held responsible to applicable federal, state, local, laws and Master's policies pertaining to alcohol and other drugs and substances. When violations of law or policy come to the attention of school officials, the offending party may be referred for prosecution and Master's sanctions will be imposed. Harm to persons or damage to property arising from the actions of individuals under the influence will be the full and sole responsibility of such individuals.

THE MASTER'S UNIVERSITY POLICY FOR ALCOHOL AND OTHER DRUGS

- Any violation of alcohol or drug laws is prohibited.
- It is a violation to promote, distribute, sell, possess, or use alcohol or narcotics or other impairing or intoxicating substances on-campus.
- Operating a motor vehicle while under the influence of alcohol or a controlled substance is a serious threat to oneself and the community. Doing so is strictly prohibited.
- The attempt to obtain, use, possess, distribute, or sell any amount of any potentially harmful or illegal drug (including marijuana), any substance used with the intent of becoming impaired/intoxicated, or drug-related paraphernalia is strictly prohibited.
- The possession or use of medicinal marijuana is prohibited on-campus.
- Promoting the consumption of drugs or alcoholic beverages may not be undertaken within the confines of University properties or through University-sponsored or approved publications. No displays of any kind that promote a lifestyle of drinking or drug use are permitted, including in vehicles parked on campus. Examples include: alcohol brand advertisements or clothing; pictures or posters of drugs or alcohol; alcohol-carrying containers or bottle caps.
- Anyone found supplying alcohol at University-sponsored off-campus events will be subject to disciplinary action.
- It is a violation to encourage another to consume alcoholic beverages or any substance as a means to induce that individual to engage in behavior that would otherwise be against that person's will.
- It is a violation to sexually assault another person who is intoxicated.

Students and employees may be dismissed or terminated for the following policy violations on the first offense:

- Operating a motor vehicle while under the influence of alcohol or controlled substance.
- Being involved in the sale or distribution of drugs on or off campus.

- Encouraging another to consume alcoholic beverages or any substance as a means to induce that individual to engage in behavior that would otherwise be against that person's will.
- Sexually assaulting or attempting to sexually assault another person who is intoxicated.

THE MASTER'S UNIVERSITY POLICY FOR SMOKING AND TOBACCO

Research demonstrates that tobacco smoke is a health hazard to both smokers and non-smokers. According to the Surgeon General, cigarette smoking is the leading preventable cause of illness and premature death in the United States. Non-smokers who are regularly exposed to second-hand smoke are also at increased risk of illness. In the interest of creating a safe and healthy environment, Master's has adopted the following policy. This policy applies to all University facilities on the Santa Clarita campus. All persons using the facilities of the University are subject to this policy.

- Smoking (on- or off-campus), possessing and/or using any tobacco products (e.g. cigarettes, snuff, cigars, pipe tobacco, chewing tobacco, and including e-cigarettes) are in violation of University policy.
- Smoking (including e-cigarettes) is prohibited on all University facilities, either inside buildings or outside.
- Smoking (including e-cigarettes) is prohibited in any vehicle owned, leased, or operated by the University.
- The sale, distribution, or advertisement of tobacco products and e-cigarettes is prohibited on campus.
- Clothing, posters, containers, or other materials displaying tobacco product logos or trademarks are prohibited on campus.

LEGAL SANCTIONS FOR ALCOHOL AND DRUGS

In addition to the University process, the University will involve local law enforcement officials when appropriate. Illegal possession, use, or distribution of illicit drugs, or illegal use or possession of alcohol, is punishable under applicable local, state, and federal law. The following is not intended to be a comprehensive list of all applicable laws. Moreover, laws may change over time. Individuals are expected to be aware of current federal, state, and local laws.

FEDERAL LAWS GOVERNING ILLICIT DRUGS

- The manufacture, sale, or distribution of all scheduled (illicit) drugs constitutes a felony.
- Possession for personal use of all scheduled drugs except marijuana is chargeable as a felony at the discretion of the U.S. Attorney. Scheduled Drugs include the various narcotics, barbiturates, amphetamines, cocaine, cannabis, hallucinogens, and synthetic drugs, e.g., PCP, MPT, and MDMA.
- Section 5301 of the federal Anti-Drug Abuse Act of 1988 states: if you are convicted of drug distribution or possession, your eligibility for Title IV student financial aid is subject to suspension or termination.

CALIFORNIA LAWS GOVERNING MARIJUANA AND OTHER DRUGS

- The cultivation (i.e., growing or harvesting), the possession for sale, or the sale of marijuana constitutes a felony. A felony conviction can involve serving time in a state prison.
- Possession of one ounce or more of marijuana for personal use constitutes a misdemeanor, the conviction of which could include paying a fine and/or serving time in jail.
- Possession of less than one ounce of marijuana for personal use constitutes a misdemeanor, the conviction of which could carry a fine up to \$100.00.
- The California Health & Safety Code states that "Every person who possesses any controlled substance shall be punished by imprisonment in the state prison for a minimum of one year" (H&S 11350), and "Every person who possesses for sale, or purchases for sale, any controlled substance shall be punished by imprisonment in the state prison for two to four year" (H&S 11351). In addition, the unlawful distribution or possession of a prescribed medication is also prohibited and punishable by imprisonment in the state penitentiary (B&P 4059 & 4060).

CALIFORNIA LAWS GOVERNING ALCOHOL

- No person may sell, furnish, give, or cause to be sold, furnished, or given away, any alcoholic beverage to a person under the age of 21, and no person under the age of 21 may purchase, or attempt to purchase, alcoholic beverages (California B&P Code 25658 and 25658.5).
- It is unlawful for any person under the age of 21 to possess alcoholic beverages on any street or highway or in any place open to the public view (Calif. B&P Code 25662).
- It is a misdemeanor to sell, furnish, or give away an alcoholic beverage to any person under the age of 21 (Calif. B&P Code 25658) or to any obviously intoxicated person (Calif. B&P Code 25602).
- It is a misdemeanor for any person to sell, give, or furnish to any person under the age of 21 years, any false or fraudulent written, printed, or photo static evidence of the majority and identity of such person or to sell, give, or furnish to any person under the age of 21 years evidence of the majority and identification of any other person (Calif. B&P Code 25660.5).
- It is a misdemeanor for any person under the age of 21 years to present or offer to any licensee, his agent or employee, any written, printed, or photo static evidence of age and identify which is false, fraudulent, or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of alcoholic beverage, or who has in his or her possession any false or fraudulent written, printed, or photo static evidence of age and identity (Calif. B&P Code 25661).
- It is a misdemeanor for any person under the age of 21 years to enter and remain in a business licensed for the sale of alcoholic beverages without lawful business therein (Calif. B&P Code 25665).
- It is a misdemeanor to sell alcoholic beverages any place in the state without a proper license from the Department of Alcoholic Beverage Control (Calif. B&P Code 23301).
- It is unlawful for any person to drink and drive, or to have an open container of an alcoholic beverage in a moving vehicle. With a blood alcohol level of .08% or higher, a driver is presumed under the influence of alcohol. Between .05% and .08% a person may be found guilty of driving under the influence.
- It is unlawful for a person under the age of 21 years who has a blood-alcohol concentration of 0.01 percent or greater to drive a vehicle (Calif. Vehicle Code 23136).
- It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle (Calif. Vehicle Code 23152).
- It is unlawful for any person to drink any alcoholic beverage while driving a motor vehicle, or while a passenger in a motor vehicle, upon any highway (Calif. Vehicle Code 23220 and 23221).
- It is unlawful for any person under the age of 21 years to knowingly drive, or be a passenger in, any motor vehicle carrying any alcoholic beverage, unless the person is accompanied by a parent, responsible adult relative, any other adult designated by the parent, or legal guardian for the purpose of transportation of an alcoholic beverage, or is employed by a licensee under the Alcoholic Beverage Control Act and is driving the motor vehicle during regular hours and in the course of the person's employment (Calif. Vehicle Code 23224).

HEALTH AND LIFESTYLE RISKS

The use or abuse of alcohol and other drugs/substances could increase the risk for a number of health related and other medicinal, behavioral, and social problems. These include the acute health problems related to intoxication and overdose (blackouts, convulsions, coma, death); physical and psychological dependence; malnutrition; long-term health problems, including cirrhosis of the liver, organic brain damage, high blood pressure, heart disease, ulcers, and cancer of the liver, mouth, throat, and stomach; contracting diseases such as AIDS through the sharing of hypodermic needles; pregnancy problems including miscarriages, still birth and learning disabilities; fetal alcohol syndrome; psychological or psychiatric problems; diminished behaviors (hangovers, hallucinations, disorientation, slurred speech); unusual or

inappropriate risk-taking, which may result in physical injury or death; violent behavior towards others, such as assault or rape; accidents caused by operating machinery while impaired; impaired driving resulting in alcohol and drug-related arrest, traffic accidents, injuries, and fatalities; negative effects on academic and work performance; conflicts with co-workers, classmates, family, friends, and others; conduct problems resulting in disciplinary actions, including loss of employment; and legal problems including imprisonment.

ASSISTANCE IN OVERCOMING ALCOHOL AND OTHER DRUG ABUSE

If you need help or know someone with an alcohol, drugs, or substance-related problem, please know that the Resident Directors, Deans' Office, or Human Resources Department will provide assistance to those who come forward seeking help. The Deans' Office also makes referrals to outside counseling and treatment services as needed.

MASTER'S DISCIPLINARY SANCTIONS REGARDING ALCOHOL AND DRUG POLICY VIOLATIONS

Students and employees violating this policy are subject to disciplinary actions up to and including suspension or dismissal (for students); or termination (for employees) from the University and referral for prosecution in accordance with University policies and procedures.

REVIEW OF PROGRAM AND POLICY

Biennially, the University will review its alcohol and drug prevention program and its policy to determine the program's effectiveness to implement changes if needed and to ensure that the University's disciplinary sanctions are consistently enforced.