

# Alcohol and Controlled Substances Policy

In response to concerns about the health and public safety risks associated with the misuse and abuse of illicit drugs ("controlled substances") and alcohol, the Congress of the United States passed the Drug-Free Work Place Act of 1998 and the Drug-Free Schools and Communities Act Amendments of 1989. The acts describe various deleterious physical and mental consequences (including addiction, severe disability, and death) among the health risks associated with the use of illicit drugs and the abuse of alcohol.

"Controlled substances" are those defined in 21 U.S.C. 812 and include, but are not limited to, such substances as marijuana, heroin, cocaine, cocaine derivatives, barbiturates, amphetamines, PCP, tranquilizers, and inhalants. Generally, as of September 1990, it is a criminal offense 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. sec. 812, 282, 841, 844,845,845a].)
- Unlawfully possess or possess for sale, controlled substances specified in the California Health & Safety Code (sec. 11350, 11351.)
- Transport, sell, or distribute marijuana to a minor or use a minor to transport, sell, or distribute marijuana (California Health & Safety Code, sec.647.)
- Provide an alcoholic beverage to a person under 21 or to any obviously intoxicated person (California Business & Professions Code sec.25658,25602.)
- Be under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others (California Penal Code sec.647.)
- Operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08 or higher (California Vehicle Code, sec.23152.)
- Have an open container of alcohol in a motor vehicle and for a person under 21 years of age to drive a vehicle carrying alcohol or to possess alcohol while in a motor vehicle (California Vehicle Code sec. 23223, 23224.)

It is the policy of Sofia University to maintain a drug-free workplace and campus. The unlawful distribution, possession, and/or use of controlled substances or the unlawful possession, use, or distribution of alcohol is prohibited on the University campus or in the workplace. The workplace and campus are presumed to include all University premises where the activities of the University are conducted.

Violation of this policy may result in disciplinary sanctions up to and including termination of employment or expulsion of students. Violations may also be referred to the appropriate authorities for prosecution. This policy will be reviewed at least biannually by the President of the University to determine its effectiveness; changes to the policy will be implemented as needed.

Students who unlawfully distribute, possess, or use controlled substances or alcohol in the workplace, on campus, or as part of any University activity may be subject to discipline up to and including expulsion.

As a condition of employment, all Sofia employees are required to follow this policy as well. Employees who unlawfully manufacture, distribute, dispense, possess, or use controlled substances or unlawfully use, possess, or distribute alcohol in the workplace or on campus, shall be subject to discipline up to and including discharge from employment.

Sofia faculty are prohibited from using their standing as professors to assist others to illegally use entheogenic (plant-based substance), psychedelic, entactogenic (amphetamine-like, e.g., ecstasy, MDMA, 5-APB) and other controlled substances. Academic research approved by the University does not constitute such assistance.

Individuals who are not employees, but who perform work at the University for its benefit (e.g., independent contractors, job shoppers, temporary employees provided by agencies, visitors engaged in joint projects at the

University, and volunteers), are required to comply with this policy. Such individuals, who unlawfully manufacture, distribute, dispense, possess, or use controlled substances or unlawfully use, possess, or distribute alcohol in the University workplace may be barred from further work at the University.

## Student Conduct Process:

Sofia University prohibits inappropriate and dangerous behavior that is a direct result of alcohol or substance consumption, including intoxication. Any student who is observed to be intoxicated may have their conduct documented and adjudicated through the student conduct process. Upon the outcome of that meeting, the student may be found in violation of the alcohol policy regardless of their age.

Getting Help: Anyone who is concerned about substance use, abuse, and rehabilitation is strongly encouraged to contact their physician or community health hotline, or country of origin resources as appropriate (e.g., AA, Al-Anon, Substance Abuse and Mental Health Services Administration, Suicide Prevention Hotline).

## Rehabilitation:

Successful completion of an appropriate rehabilitation program (including participation in aftercare) may be considered as evidence of eligibility for continued or future employment or for reinstatement of student status.

## Legal Sanctions:

A few federal, state, and local laws regulate the unlawful manufacture, distribution, dispensation, possession, and/or use of controlled substances or alcohol. The laws impose legal sanctions for both misdemeanor and felony convictions. Criminal penalties for convictions can range from fines and [probation to denial or revocations](#) of federal benefits (such as student loans) to imprisonment and forfeiture of personal and real property.