

Official Notice to Students Regarding Substance Abuse
in
University Campus Communities

This Official Notice is issued pursuant to the requirements of Subpart B, Section 86.100 of the federal Drug-Free Schools and Communities act of 1989.

University of California, Riverside Policy on Substance Abuse by Students

UCR is committed to achieving and maintaining a campus community that fosters personal and institutional excellence and strives to provide conditions under which the work of the university can go forward freely, with the highest standards of quality and institutional integrity. In keeping with this commitment, each student should help to create a campus community that is free from the problems of substance abuse and dependency. The following information is intended to inform and assist you in this effort.

The Student Conduct Policy, issued by the Office of the President on October 12, 2005, prohibits the illegal use of drugs and alcohol by students.

102.00 Grounds for Discipline

Chancellors may impose discipline for the commission or attempted commission (including aiding or abetting in the commission or attempted commission) of the following types of violations by students, as well as such other violations as may be specified in campus regulations:

102.17

Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of controlled substances, identified in federal and state law or regulations.

102.18

Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of alcohol that is unlawful or otherwise prohibited by, or not in compliance with, University policy or campus regulations.

Further, the following campus policies apply:

Good Neighbor Guidelines, II. Code of Conduct, D. Alcohol and Other Drugs states that students and members of recognized student organizations will set good examples and will:

1. Observe state and local laws governing alcohol and drug use.
2. Develop positive attitudes to combat and encourage moderation. Recognized student organization officers should set good examples.
3. Not allow illegal drugs.
4. Where possible, sponsor alcohol and drug education programs including programs by national organizations or campus programs.
5. Encourage social events where only non-alcoholic beverages are served.
6. Provide, at events where alcohol is served, a variety of accessible non-alcoholic beverages and food.
7. Provide non-drinking monitors at all functions where alcohol is served.
8. Educate all student organization members regarding national risk management and insurance policies and hold members responsible where applicable.

Health Risks Associated with Substance Abuse

Substance abuse may result in a wide spectrum of extremely serious health and behavioral problems. Substance abuse results in both short- and long-term effects upon the body and mind. There are specific health risks related to alcohol and drug use, and there are general health risks related to impairment and addiction. Alcohol and drugs are toxic to the body's systems. In addition to the problem of toxicity, contaminant poisonings often occur with illegal drug use. HIV (AIDS) infection associated with intravenous drug use is a prevalent hazard.

Acute health problems may include heart attack, strokes, and sudden death—which, in the case of some drugs such as cocaine, can occur after first-time use. Long-lasting health effects of drugs and alcohol may include disruption of normal heart rhythm, high blood pressure, leaks of blood vessels in the brain, bleeding and destruction of brain cells and permanent memory loss, infertility, impotency, immune system impairment, kidney failure, cirrhosis of the liver and pulmonary damage. Drug use during pregnancy may result in fetal damage and birth defects causing hyperactivity, neurological abnormalities, and developmental difficulties.

Safety and Performance

A person who is mentally or physically impaired because of drug or alcohol use may behave in careless and unsafe ways. In addition, substance abuse may noticeably affect a student's performance, which may, over time, decline in quality.

Detailed information and literature about the health risks associated with substance abuse are available from the UCR Campus Health Center and Counseling Center.

Where to Get Help

A variety of student programs designed to help prevent substance abuse, as well as assistance and referral services for those who have substance abuse problems or concerns, are available. Psychological services for students are available through the Counseling Center, (951) 827-5531, and medical assistance is available through the Campus Health Center, (951) 827-3031. Both are located in Veitch Student Center. Information disclosed by a student will be considered confidential, in accordance with federal and state laws and university policies.

Disciplinary Sanctions

Students found to be in violation of university policies may be disciplined as set forth in the University of California Policies Applying to Campus Activities, Organizations, and Students (Part A), and in campus regulations. Discipline can vary in severity from warning to expulsion from the University of California.

Legal Sanctions Pertaining to the Use of Alcohol and Controlled Substances

There are numerous federal, state, and local statutes and ordinances relating to the manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol. These statutes impose legal sanctions for both felony and misdemeanor convictions related to violations of applicable laws and ordinances. This 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 Controlled Substances

The manufacture, sale, or distribution of all scheduled (illicit) drugs constitutes a felony. (21 USC 841). Scheduled drugs are listed in Scheduled I through V of the Controlled Substances Act (21 USC 812) and as further defined by regulations (21 CFR 1308.11 through 1308.15).

Schedule drugs include the various narcotics, barbiturates, amphetamines, cocaine, cannabis, hallucinogens, and synthetic drugs, e.g. PCP, MPTp, MDMA (21 USC 812). Simple possession of controlled substances can be punished by civil fines of up to \$10,000 per violation and a jail sentence (21 USC 844, 844a).

Distribution or possession with intent to distribute a controlled substance on university property requires a sentence enhancement of up to twice the prescribed sentence for the original offense, and at least twice the prescribed amount of parole time. This provision also calls for a mandatory sentence of not less than one year in prison for any offense except possession of less than 5 grams of marijuana (21USC 845a).

Persons convicted of possession or distribution of controlled substances can be barred from receiving benefits from any and all federal programs including student grants and loans, except some long-term drug treatment programs (21 USC 853a).

Aliens convicted of violation of any law or regulation of a state, the United States, or a foreign country are subject to deportation and exclusion from entry to the United States (8 USC 1182, 1251).

Persons who are health care providers are barred from receiving payment from federal insurance programs upon conviction of a criminal offense involving distribution or dispensing a controlled substance (5 USC 8902a).

Property including vehicles, vessels, aircraft, money, securities, or other things of value which are used in, intended for use in, or traceable to transactions that involve controlled substances in violation of federal law are subject to forfeiture to the United States (21 USC 881).

California Laws Regarding Controlled Substances

California law regarding controlled substances is in many respects similar to federal law. One set of sanctions, however, of which we should be aware is that most professionals subject to licensing under the Business and Professions Code are subject to discipline, up to and including loss of license, for conviction of offenses involving controlled substances.

California Laws Governing Marijuana

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. (Cal. Health and Safety Code 11350, et seq.)

Possession of once 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. (Cal Health and Safety Code 11350, et seq.)

Possession of less than once ounce of marijuana for personal use constitutes a misdemeanor, the conviction of which could carry a fine up to \$100.00 (Cal. Health and Safety Code 11350, et seq.)

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 alcoholic beverages (Cal. Business and Professions Code 25658).

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 public view. (Cal 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 (Cal. B&P Code 25658) or to any obviously intoxicated person (Cal. B&P Code 25602).

It is a misdemeanor to sell alcoholic beverages any place in the state without a proper license from the Department of Alcoholic Beverage Control (Cal. B&P Code 23301).

It is unlawful for any person to drink while driving, 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.

The California Attorney General has offered the opinion that operating a bicycle on a highway while intoxicated is a violation of Vehicle Code 21200(b). This law provides that bicyclists enjoy the same rights, but are subject to the same regulations as motor vehicle operators.

Local Codes and Ordinances

Although there is some variation from one local jurisdiction to another, nearly all have some control over the public consumption of alcohol. The following are typical provisions:

It is unlawful for any person to possess an open container containing an alcoholic beverage in public on city property. It is unlawful to drink an alcoholic beverage in public places such as at the beach, in parks, on the streets or in malls.