



**VANGUARD  
UNIVERSITY**

# **Drug Free Schools & Campus Regulations**

*[Edgar Part 86] Biennial Review*

**2021-  
2023**

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## **Vanguard University has conducted a Biennial Review of its Drug and Alcohol Abuse Prevention Program “DAAPP”.**

The period of review is from January 2021 through May 2023. The review concluded May 31, 2023.

The Biennial Review Report will be posted on the VU website and copies maintained in the Campus Safety Department. Vanguard University’s 2021-2023 Drug-Free Schools and Campuses Regulations [Edgar Part 86] Biennial Review has been reviewed and approved for release and posting to the VU website.

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# BIENNIAL REVIEW

The Drug-Free Schools and Communities Act (DFSCA) requires Institutions of Higher Education to conduct a biennial review of their alcohol and other drug programs and policies to determine program effectiveness and consistency of policy enforcement and to identify and implement any changes needed to either. Ideally, this review is a written report that compiles information required by the Regulations.

The U.S. Department of Education's regulations (EDGAR Part 86.100 [b]) do not dictate what a biennial review should include, how it should be conducted, or the format in which it should be presented.

Campuses are given latitude in preparing biennial review reports to accommodate varying campus types (i.e., public, private, two- and four-year) and cultures and to honor the individuality of each institution.

The required review has two objectives:

1. To determine the effectiveness of and to implement any needed changes to the Alcohol and Other Drugs (AOD) prevention program.
2. To ensure that campuses enforce disciplinary sanctions for violating standards of conduct consistently.

Vanguard University (also referred to herein as "Vanguard" or the "University") must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Vanguard University is unequivocally opposed to the misapplication of lawful drugs, the possession and use of unlawful drugs, and the abuse of alcohol. The policy and programs are designed to identify problems at the earliest stage, motivate the affected individuals to seek help and to direct the individual toward the best assistance available.

Vanguard University conducts a biennial review in odd years. The next review will be performed at the end of Academic Year 2025.

The Biennial Review process was concluded in May 2023. Data for the review was from January 2021 through May 2023 and was collected from employee and student policy handbooks, and departmental records. The information was then reviewed and assessed by the committee members.

# BIENNIAL REVIEW COMMITTEE

Director of Campus Safety  
Title IX Coordinator/Clery Compliance Officer  
Vice President of Student Affairs  
Director of Counseling Services  
Assistant Athletic Director of Compliance  
Head Athletic Trainer  
Director of Auxiliary Services and Risk Management  
Director of Healthcare Services  
Department Chair for Environmental and Chemical Sciences  
Associate Dean of Residence Life  
Residence Life Student Services Coordinator

# ALCOHOL & DRUG PROGRAM STATISTICS

## Alcohol and Other Drug Incidents

The charts below depict Vanguard University's number of alcohol and other drug arrests and referrals for disciplinary action. Please email the Director of Campus Safety, Kenton Ferrin, at [kenton.ferrin@vanguard.edu](mailto:kenton.ferrin@vanguard.edu) if you have additional questions.

Arrests & Disciplinary Referrals	Year	On Campus Property	On Campus Student Housing Facilities	Non-Campus Property	Public Property	Uncategorized
Arrests: Drug Law Violations	2021-2023	0	0	0	0	0
Disciplinary Referrals: Drug Law Violations	2021-2023	0	0	0	0	0
Arrests: Alcohol Law Violations	2021-2023	48	40	0	0	6
Disciplinary Referrals: Alcohol Law Violations	2021-2023	68	59	0	0	11

## Alcohol and Drug Student Conduct Sanctions

The charts below depict Vanguard University's number of alcohol and other drug disciplinary sanctions. Please email the Associate Dean of Residence Life, Anne Warner, at [anne.warner@vanguard.edu](mailto:anne.warner@vanguard.edu) if you have additional questions.

### Gatherings On Campus Involving Alcohol or Drugs

Sanctions/Actions in Academic Years	2021-2023 (20 total)
Student Growth Process	6
Parental Notification	3
Warning of Removal from On-Campus Housing	2
Suspended Fine	2
Fine	2
University Probation	2
Reflection Paper	1
Warning	1
Restitution Fine	1

## Prohibited Substances – Alcohol

Sanctions/Actions	Incidents in Academic Years 2021-2023 (184 total)
Suspended Fine	39
Fine	35
Warning	30
Student Growth Process	27
Parental Notification	18
Leadership Notification	5
Reflection Exercise/Activity	5
Case Management	4
Warning of Removal from On-Campus Housing	3
University Probation	3
Suspension	2
Removal from On-Campus Housing	2
Student Developed Growth Plan	2
Continue Medication as Prescribed	1
Expulsion	1
No Contact Order	1
Follow Housing Guidelines	1
Restitution Fine	1
Attend Educational Event/Experience	1
Written Apology	1
Hand Write Open House Policy	1
Random Drug Tests	1

## Prohibited Substances – Drugs

Sanctions/Actions	Incidents in Academic Years 2021-2023 (87 total)
Fine	16
Student Growth Process	15
Reflection Paper	11
Suspended Fine	10
Parental Notification	10
Warning	8
Case Management	2
Reflection Exercise/Activity	2
RD/Staff Member Check-Ins	2
Student Services Referrals	2
Hand Write Open House Policy	1
Continue Medication as Prescribed	1
Random Drug Tests	1
University Probation	1
Leadership Notification	1
Warning of Removal from On-Campus Housing	1
Follow Housing Guidelines	1
Student Developed Growth Plan	1
Student Care Action Plan	1



# ALCOHOL & DRUG PROGRAM ELEMENTS

Vanguard University values the health and safety of its students and employees and therefore supports local, state, and federal laws concerning illegal drugs. In this effort of compliance and support, Vanguard University has developed and implemented a Campus Drug-Free Program and has adopted a drug-free school and alcohol prevention procedure. The University acknowledges that substance abuse is a serious, yet treatable condition that affects the productive lives of students and employees.

Furthermore, Vanguard University pledges to work collaboratively with programs designed to reduce and eradicate the abuse of alcohol and drugs.

Vanguard University is a drug-free institution. Students who unlawfully possess, use, manufacture, distribute, and/or dispense a controlled substance on the University-owned or University-controlled property will have appropriate sanctions imposed. This may include disciplinary or remedial action, expulsion, and/or referral for prosecution under applicable local, state, or federal law. Vanguard University's Student Code of Conduct contains more information on sanctions and remedial actions.

Vanguard University is a drug-free workplace. For employees of the University, violations of university policy may impose progressive disciplinary action, up to and including suspension or termination. Vanguard University's Employee Handbook contains more information on the actions to be taken by the University in the event its employee substance abuse policy is violated.

Key components of Vanguard University's Alcohol and Drug Program include:

## Policy Development and Enforcement

Patrols observe on-campus facilities: Vanguard University's campus is secured 24 hours a day, seven days a week by Campus Safety Officers. Officers patrol campus buildings and residence halls on foot and by vehicle to check for any safety or security hazards. Resident Assistants are also assigned to rounds within the residence halls to ensure compliance with housing policy. Both RAs and Campus Safety Officers can respond, disburse, and document an on-campus party if it is in violation of the Student Code of Conduct or Housing Policy.

Disciplinary sanctions for AOD policies are increased: Students found to be in violation of Vanguard's Alcohol or Other Drug policies will face disciplinary sanctions. While sanctions can vary depending on the offense, alcohol or drug education courses are typically required on a first offense and a more severe sanction is

issued on the second offense. Depending on the severity and danger of the conduct, the student could be required to obtain off-campus comprehensive substance abuse evaluations and maintain follow-up contact with Psychological Services.

## Normative Environment

### **College admissions procedures promote a healthy**

**environment:** All incoming freshmen and attending families receive information at orientation about campus AOD policies, enforcement, sanctions, and safety. Participation in orientation is mandatory for incoming students and is designed to help students with their transition to college. At the end of this program, orientation staff are available to answer questions from the audience.

**Substance-free residence options are available:** Vanguard University maintains a dry campus, including its residence halls. The University Alcohol Policy states: "No student, regardless of age, may possess, store, or consume alcoholic beverages on campus." The full text of the policy is available in the AOD Policy section of this report. To maintain compliance, Resident Assistants perform regular walk-throughs of the spaces to ensure campus health and safety to check for possible violation of prohibited items, such as alcohol or other drugs.

### **Faculty are encouraged to engage in a higher level of**

**contact with students:** Some courses offer tutorials where students can meet individually with professors to discuss their papers and develop their ideas. Faculty are also encouraged to refer students they identify as demonstrating patterns of academic or personal difficulties to Residence Life to provide them with additional support.

### **Students have opportunities to advise and mentor peers:**

First-Year Experience Leaders are trained by the Office of Student Engagement and Inclusion to mentor and guide first-year students with community, academic, and transition assistance. This culture provides a solid foundation from which students can grow, learn, and progress toward successful completion of their baccalaureate degree.

**Psychological Counseling:** Individual counseling for alcohol and substance abuse issues is available to students through the Counseling Center. Vanguard currently has one licensed counselor and approximately 20 therapist trainees on staff during the fall and spring semesters. When student needs are beyond the scope of available services, counselors offer case management and referrals to local treatment centers.

**Athletics:** Each year the Head Athletic Trainer meets individually with each athletic team on campus (including club teams and cheer) along with their respective Athletic Trainer, coach, and administrator to address health and wellness issues specifically related to student athletes. Some of the issues covered in the presentation include NCAA standards regarding alcohol and other drug education; the athletic department's drug policy and drug testing program; the use of supplements; and the legal, departmental, and university consequences of using drugs and alcohol. Student athletes are also given access to the VU Drug Education and Testing Policy on-line.

## Alcohol Free Programming

Vanguard offers a broad range of alcohol-free activities that involve student clubs and organizations, residential housing and commuter activities, academic opportunities, social programs, and more. Some of these activities are intentionally timed during late nights and weekends to divert high-risk drinking.

### **Student Service Learning and Volunteer Opportunities:**

Vanguard offers students, faculty, and staff volunteer opportunities to serve the local community. Vanguard partners with non-profit organizations in Orange County to carry out the University's missions to service and to raise awareness of social justice issues affecting the community. Service trips to organizations such as Ronald McDonald House, OC Rescue Mission, and Second Harvest Food Bank are published and promoted through campus announcements, posters in designated spaces on campus and through Student Affairs social media platforms.

Community service work is also required as part of the academic curriculum for CORE100C: Cornerstone - Our Freshman Seminar. All first-year students enrolled in the course are required to complete 15 hours their first semester.

On campus amenities such as the Vanguard Fitness Center, O Cope Budge Library, the Forrest Room, Residence Hall Lobbies, and The Waugh Student Center, offer students a safe environment to study, exercise and socialize with extended hours during the fall and spring semester. Additionally, evening and weekend events are planned throughout the semester to provide students with positive and alcohol-free options. Such activities include: All School Party, All Campus Dodgeball, Mock Rock, Floor Events, and Intramurals.

**Non-alcoholic beverages are promoted at events:** The Student Code of Conduct prohibits students from possessing and/or consuming alcohol at any University-sponsored event. This includes events both on and off campus. Furthermore, Vanguard's Employee Handbook states that the University prohibits the possession, use, manufacture, dispensing, and/or distribution of alcohol and/or illegal drugs including medicinal marijuana, or being impaired by or under the influence of alcohol and/or illegal drugs, during work time or on University-owned property.

## Alcohol/Drug Educational Programming

Each year, Vanguard hosts an event called Taking Shots at Alcohol, participate in a poster series about alcohol use that is displayed in the hall lobbies in October, and VU RAs provide bulletin boards with facts/myths about alcohol and drugs.

# Alcohol and Drug (AOD) Program Goals and Goal Achievement

## Alcohol and Other Drug Incidents

Below are the goals set from the Biennial Review.

**Goal 1:** Maintain a mechanism for assessing student behavior and perception through data gathering.

Action Plan:

1. Administer the Student Wellness Survey once every even numbered year to undergraduate students.
2. Partner with the Center for Wellness and Health Promotion to review survey results and develop a method for sharing results with key stakeholders.
3. Use survey results to inform future AOD programming, such as gaps in content area, high risk groups on campus, and common misperceptions held by students.

**Goal 2:** Develop a distribution strategy for the Annual Notification to ensure it reaches staff, faculty, and those that arrive at the University after the policy has been distributed.

Action Plan:

1. Develop an Annual Notification Policy that is in compliance with the requirements of the Drug-Free Schools and Campuses Regulations.
2. Coordinate with Human Resources to identify the most effective way to circulate the Annual Policy to new and existing employees.
3. Track dates, times, and methods of distribution to be documented in the next Biennial Report.

**Goal 3:** Develop an AOD Website for Vanguard Students and Staff to refer to for up-to-date topics and information.

Action Plan:

1. Develop the website to highlight our AOD Policy and current trends important to our community.
2. Identify and incorporate “best practices” in prevention programming to add to the website.
3. Collaborate with IT/Marketing to determine the website’s effectiveness and accessibility.

# Alcohol and Drug (AOD) Program Strengths and Weaknesses

## Strengths

- Vigilant enforcement of Alcohol and Other Drug policies by Campus Safety and Residence Life
- Strong support and participation in prevention efforts by Campus Safety
- Presence of visible information throughout campus that emphasizes healthy life choices, responsible decision making, and accessibility of help for AOD issues
- Student Code of Conduct addresses on and off-campus violations for alcohol and other drug use
- Offering a variety of late night and weekend programming throughout the academic year and extended hours are provided.

## Weaknesses

- Lack of assessment data to determine AOD program effectiveness.

- The University does not participate in any national benchmarking survey to gather campus-wide data on student’s alcohol and drug usage.

## Opportunities

- Opportunity to expand alcohol/drug abuse prevention programming.
- Opportunity to increase collaboration between Residence Life, Campus Safety, and Costa Mesa PD regarding these issues.

## Challenges/Threats

- New and emerging products such as synthetic drugs and the prevalence of fentanyl can be hard for staff and faculty to locate and/or identify and may require additional training.
- Unhealthy and dangerous habits developed by students during their high school years might continue on our campus.

# Procedures for Distributing Annual AOD Notification

Vanguard University has created an Annual Notification to be distributed to students, faculty, and staff annually which contains information related to alcohol and drug abuse (see Appendix A). The written materials will contain the following information:

- Standards of conduct that prohibit unlawful possession, use or distribution of illicit drugs and alcohol on its property or as a part of its activities
- A description of the health risks associated with the use of illicit drugs and abuse of alcohol;
- A description of applicable legal sanctions under local, state, or federal law;

- A description of counseling or treatment programs;
- A clear statement and description of the disciplinary sanctions the institution will impose on students and employees.

In Fall of 2023, all undergraduate and graduate students enrolled at Vanguard will receive the annual notification in the Student Handbook via their university e-mail address. In Fall 2023, the notification will be sent to all faculty and staff via e-mail through the Human Resource Department and posted as a link on the Human Resource Portal. The notification is also included on the Human Resource on-boarding page for new hires that enter the University after the Annual Notification was distributed.

## Student and Employee Expectations

### Student Code of Conduct

#### Alcohol

Students are expected to comply with all federal, state, and local laws and to refrain from the possession, purchase, use of alcoholic beverages, and/or the possession of alcohol paraphernalia on or off campus. Students who possess, distribute, distribute to underage persons, or who are found to have been in an environment where other students were drinking may be held accountable within the conduct process. Students present on campus while under the influence of alcohol are subject to conduct process, even if their consumption was off campus.

Persons who host or in any way assist or promote a gathering (on or off campus) that includes alcohol, illegal drug usage, or other prohibited substances will be subject to the conduct process. Those living at the location where the party is held may be held responsible as hosts regardless of who provides the substances. **This includes being in the presence of alcohol or illegal drugs without consuming.**

#### Drugs

Students are expected to comply with all federal, state, and local laws. The possession, use, manufacture, sale, or distribution of any counterfeit, illegal, dangerous, "designer," or controlled drug is prohibited. The misuse of prescribed medication, or use of any substance with the intent of becoming impaired/intoxicated is prohibited.

Although California State law permits the use of marijuana for persons over the age of 21, federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions receiving federal funds. Therefore, the use, possession, or cultivation of marijuana for any purposes, including medicinal, is prohibited.

The possession and use of drug paraphernalia is also prohibited. Violating any other provision of the Code of Student Conduct while under the influence of any illegal or illegally obtained drug is also a violation of this policy. Any diluted, late, missed, forged, or failed University required drug test will constitute a violation of this policy. This policy may address drug-related offenses which occur on and off campus.

The goals of the University's policies regarding drug and alcohol use are to prevent underage drinking, to promote individual accountability and moderation, and to establish a safe community. Additionally, the University works to provide an atmosphere free of coercion for those who choose not to drink alcohol or use drugs, and to maintain an environment that minimizes the effects of alcohol and drug abuse and associated problem behaviors.

#### Tobacco/Smoking

Smoking and the use of any tobacco products are prohibited inside any University buildings. The use of tobacco by students under age 21 is prohibited; providing tobacco to any student under the age of 21 is also prohibited. All smoking must take place in one of the University's two designated smoking areas and must be at least twenty (20) feet outside of any building. Smokers are responsible for the proper disposal of all smoking materials. Possession or use of hookah pipes, electronic cigarettes, vaporizers, and smoking and/or

vaping paraphernalia is prohibited.

### **Amnesty**

In cases of intoxication, alcohol poisoning, an overdose, or adverse reaction to drugs, health and safety are the University's primary concerns. Individuals are strongly encouraged to call for medical assistance for themselves or others who may be in danger. No student seeking medical treatment for alcohol or drug use will be subject to university disciplinary action for the sole violation of using alcohol or other drugs so long as the student completes all education and counseling programs recommended by the University. This policy extends to a student seeking help for another student. When there is a question of sexual abuse or assault in a situation involving alcohol or drugs, the student who was sexually abused or assaulted, or a student that intervenes to prevent a sexual assault or otherwise assists a victim or potential victim of sexual assault, and/or any witnesses, will not be subject to discipline under the University's alcohol and drug policies. The amnesty policy may not be in effect if the University determines that the violation was egregious, which may include an action that places the health and safety of any other person at risk.

### **Room and Vehicle Searches**

Campus Safety Officers and Residence Life staff members have the right under specific circumstances to search vehicles, residence hall rooms or other university property when authorized by the Vice President of Student Affairs or designee (such as the Director of Campus Safety or the Associate Dean of Residence Life). Items or contraband discovered during a search may result in disciplinary action.

**Residences:** The university recognizes students' desire for privacy in their rooms and living areas and intends to provide advance notice of entry. However, Vanguard reserves the right to enter and search University-owned buildings and residences without advance notice or other limitations:

1. To inspect the premises,
2. To investigate health concerns, safety issues, maintenance issues, suspicious behavior or circumstances, illegal activity, or violation of university policies including the community standards,
3. To conduct welfare checks,
4. To maintain order, and
5. For any other legitimate reason.

We reserve the right to hand weapons, illegal substances, or items over to the Costa Mesa Police Department.

**Vehicles:** Student vehicles (located on Vanguard property) may be searched with cause. Searches are typically conducted by a Campus Safety Officer. Any items found to be inconsistent with University standards/policies may be subject to confiscation. If an illegal substance is found, the university will call Costa Mesa Police

and ask them to remove item/s from campus.

### **Displays**

Any display that promotes activities or values that contradict the policies outlined in the Student Code of Conduct or do not align with the University's mission and Christian identity are not permitted.

The following is a non-exhaustive list of displays that are prohibited:

- A. Any display that promotes alcohol and/or drug use.
- B. Any alcohol container, including shot glass(es) and/or flasks, or collection thereof.
- C. Any drug paraphernalia, i.e. bongs, rolling papers, pipes, images that promote the use of these items, etc.
- D. Any sexual paraphernalia; including but not limited to sexually explicit images.
- E. Any hate speech, including language and/or images that discriminate against protected class populations.
- F. Any display that would constitute a hostile environment including the disparaging of others.

## Hazing

Hazing is an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy and/or complicity in the presence of hazing are not neutral acts; they are violations of this Code of Conduct.

Hazing includes, but is not limited to:

- A. All forms of physical activity deemed dangerous or harmful;
- B. The application of foreign substances to the body;
- C. Scavenger hunts involving illegal activities, kidnapping, or ditching a member of the community;
- D. Depriving students of sleep;
- E. Not providing decent and edible foods;
- F. Depriving students' means of maintaining personal hygiene;
- G. Forcing, coercing, pressuring, or requiring students to consume alcohol or foreign or unusual amounts of substances;
- H. Nudity or forcing students to dress in a degrading manner.

Psychological hazing, which is any act likely to compromise the dignity of a student, cause embarrassment or shame to a student, cause a student to be the object of ridicule or malicious amusement, or inflict psychological or emotional harm is also prohibited.

Some behaviors described in this section may also be considered sexual misconduct. In compliance with Title IX of the Education Amendments of 1972, these actions may be processed according to the University's Policy Against Sexual Misconduct.

## Parent Notification

Vanguard University reserves the right to notify parents/legal guardians of students when the Vice President of Student Affairs or designee determines that circumstances exist where it is in the best interest of the student and the University. Following a violation of the University drug policy or, the University alcohol policy or, in any situation that is threatening to a student's health or safety or that places another in a situation that is threatening to their health or safety, both the parents and any "emergency contacts" may be notified. This may include any referral to any wellness center for alcohol or drug assessment.

## Student Code of Conduct Sanctions

The following University-wide disciplinary sanctions may be imposed upon students found responsible for a violation of the Code of Conduct. All sanctions may be imposed either singularly or in combination. The purposes of imposing sanctions are twofold: one, to protect the University community from behavior which is detrimental to the community and/or the educational mission of the University; and two, to assist students in identifying acceptable parameters and consequences of future behavior. The sanction(s) imposed is/are intended to correspond with the severity or frequency of violations, as well as the student's willingness to recommit him/herself to behaviors that fall within the Student Code of Conduct and are consistent with the mission and values of the University. Sanctions may be enhanced for conduct motivated by discrimination of a protected class.

Other factors that may affect the sanctions are:

- A. The nature, severity of, and circumstances surrounding the violation;
- B. An individual's disciplinary history;
- C. Previous complaints or allegations involving similar conduct;
- D. The need for sanctions/responsive actions to bring an end to the actions that were in violation of the Code;
- E. The need for sanctions/responsive actions to prevent the future recurrence of the actions that were in violation of the Code;
- F. The need to remedy the effects of the actions that were in violation of the Code on the victim and/or the community.

## General Sanctions

**Assessment:** Students who are found responsible for violating the University's alcohol or drug policies may be sanctioned an assessment with counselors in the Counseling Center for the purpose of assessing behaviors involving issues of drug and/or alcohol use.

**Coaching Sessions:** Students may be sanctioned to have meetings with the Residence Life Team for the purpose of evaluating and debriefing the behaviors involving the student's policy violation(s).

**Expulsion:** Expulsion is dismissal from the University without the ability to apply for re-admittance. Any student expelled for disciplinary reasons must vacate the campus within the period noted in the notice of expulsion (typically immediately). The student may not return to campus or University property without prior written permission by the Vice President of Student Affairs or designee. Failure to comply with this request will constitute criminal trespass.



**Reflection/Education Paper:** Students may be sanctioned to write a formal reflection essay to examine his/her actions surrounding the policy violation(s).

**Revoke Acceptance:** The University reserves the right to refuse or revoke admittance and/or dismiss any person who does not conform either to the stated guidelines and regulations governing student conduct, or to the expressed principles, policies, and expectations of the University.

**Suspension:** Suspension is denial of enrollment, attendance, and other privileges at the University for a specified period of time. Permission to apply for readmission upon termination of the period may be granted with or without conditions/restrictions. Students may be required to complete a period of disciplinary probation upon their return to the University. Any student suspended for disciplinary reasons must vacate the campus within the period of time noted in the notice of suspension (typically immediately). The student may not return to campus or University property during the term of the suspension without prior written permission by the Vice President of Student Affairs or designee. Failure to comply with this request will constitute criminal trespass.

**University Probation:** A period of review and observation during which a student is under an official notice that subsequent violations of University rules, regulations, or policies are likely to result in a more severe sanction including suspension or expulsion from the University. While on conduct probation, a student may be considered to be “not in good standing” and may face specific limitations on his or her behavior and/or University privileges (see Conditions/Restrictions below).

**Conditions/Restrictions:** The University may place limitations upon a student’s behavior and/or University privileges for a period of time or place an active obligation to complete a specified activity. This sanction may include, but is not limited to: restricted access to the campus or parts of campus, a hold on student record disabling a student from enrolling in classes or receiving transcripts, denial of the right to represent the University in any way, denial of housing or parking privileges, required attendance at a workshop, or participation in public service.

**Written Warning:** An official reprimand that makes the misconduct a matter of record in University files. Any further misconduct could result in further disciplinary action.

**Fines/Restitution:** An order may be issued to make restitution or to pay a fine when a student has engaged in conduct including, but not limited to, the damage or destruction of property, the theft or misappropriation of property, fraudulent behavior, violations of the alcohol and/or drug policies, violations of the fire safety policies,

or repeated violations of university policy. Restitution may be appropriate when such property belongs to an individual, group, or the University and may be in the form of payment, community service, or other special activities designated by the hearing authority. In addition, fines may be assessed as a punitive measure.

**Withholding Diploma:** The University may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities if the student has a complaint pending or as a sanction if the student is found responsible for an alleged violation.

**Revocation of Degree:** The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation, or other violation of University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

**Loss of Privileges:** Students may lose privileges such as leadership opportunities, living on campus, campus employment, co-curricular activities, parking, etc., as appropriate due to a violation of a Student Code of Conduct policy.

**Other Sanctions:** The University reserves the right to impose other sanctions as necessary to remain consistent with the mission and vision of the University. These may include, but are not limited to: mandated psychological assessment at the student’s expense, research projects, drug/alcohol classes or testing at the student’s expense, proof of employment or attendance at classes, etc.

### **Residential Specific Sanctions**

**Expulsion from the Residence Halls:** Expulsion is an immediate removal from University housing with no ability to return. Any student permanently removed from University housing for disciplinary reasons must vacate the hall within the period of time noted in the notice of removal (typically immediately). The student may not return to any residence hall without prior written permission by the Vice President of Student Affairs or designee. Failure to comply with this request will constitute criminal trespass. Additionally, anyone removed from housing for disciplinary reasons remains subject to the termination clause of the housing contract, including payment of any fees or penalties.

**Suspension from the Residence Halls:** Suspension is an immediate removal from University housing for a set period of time with an ability to reapply to return to University housing. Any student removed from University housing for disciplinary reasons must vacate the hall within the period of time noted in the notice of removal (typically immediately). The student may not return to any residence hall without prior written permission by the Dean of Students or designee. Failure to comply with this request will

constitute criminal trespass. Additionally, anyone removed from housing for disciplinary reasons remains subject to the termination clause of the housing contract, including payment of any fees or penalties.

**Probation from the Residence Halls:** Residential Probation is a period of review and observation during which a student is under an official notice that subsequent violations of University rules, regulations, or policies are likely to result in a more severe sanction including suspension or expulsion from University housing. While on Residential Probation, a student may be considered to be “not in good standing” and may face specific limitations on his or her behavior and/or University privileges.

**Housing Relocation:** Housing Relocation is an immediate removal from a specific residence within University housing and reassignment to another hall/room. Any student removed from any specific hall/room within University housing for disciplinary reasons must vacate that hall/room within the period of time noted in the notice of relocation (typically immediately). The student may not return to the residence hall from which they were removed without prior written permission by the Vice President of Student Affairs or designee. Failure to comply with this request may constitute criminal trespass and will result in more severe disciplinary action.

### **Student Organization Sanctions**

The following disciplinary sanctions may be imposed upon student organizations when they have been found responsible for violating the Code of Conduct or the Social Media Manager Policy. All sanctions may be imposed either individually or in combination. Disciplinary sanctions are imposed for the purpose of holding student organizations and their membership accountable for their actions and the actions of their guest(s), whether on campus or at any off-campus organization-sponsored function.

### **Permanent Revocation of Organizational Registration:**

Permanent revocation of the organization’s registration means revocation without the ability to apply for new registration. Any organization whose registration is permanently revoked must cease all organizational activities upon receipt of the notice of permanent revocation. Any member of an organization whose registration has been permanently revoked shall relinquish any appointed or elected office held with that organization’s governing body. Balances of all organizational funds granted by the University and/or the Student Government are to be surrendered to the Vice President of Student Affairs or designee. Office or housing space assigned by the University shall be vacated within five (5) business days (an organization under emergency suspension may be required to

vacate space more quickly) from the date the notice of suspension is issued. Space vacated due to revocation may be reassigned to other eligible University organizations.

**Suspension:** Suspension means denial of rights and privileges of a registered organization for a specified period of time. Any organization whose registration is suspended or revoked must cease all organizational activities upon receipt of the notice of revocation or suspension. Any member of a suspended organization may not hold an appointed or elected office with that organization’s governing body for the duration of the organization’s period of suspension. Balances of all organizational funds granted by the University and/or the Student Government are to be surrendered to the Dean of Students or designee. Office or housing space assigned by the University shall be vacated within five (5) business days (an organization under emergency suspension may be required to vacate space more quickly) from the date the notice of suspension is issued. Space vacated due to suspension may be reassigned to other eligible University organizations. Leave to reapply for registration as a student organization may be granted with or without qualifications. Office or housing space assigned prior to suspension will not automatically be reassigned. The organization may reapply for a space assignment, subject to availability. Suspended organizations will automatically be placed on probationary status for a minimum of one academic year following their renewed registration.

**Probation:** A period of review and observation during which a student organization is under official notice that subsequent violations of University rules, regulations, or policies could result in a more severe sanction including suspension. During the probationary period, a student organization is deemed “not in good standing” with the University and may be subject to one or any combination of the following conditions and/or restrictions:

1. Denial of the right to represent the University;
2. Denial of the right to maintain an office or other assigned space on University property;
3. Denial of the privileges of:
  - a. Receiving or retaining funding;
  - b. Participating in intramurals;
  - c. Sponsoring any social event;
  - d. Sponsoring any speaker or guest on campus;
  - e. Participating in any social event;
  - f. Co-sponsoring any social event or other activity;
  - g. Membership recruitment.



**Conditions/Restrictions:** The University may place limitations upon a student organization's privileges for a period of time or an active obligation to complete a specified activity or activities. This sanction may include, for example, denial of housing or social privileges, etc.

**Written Warning:** An official written reprimand making the misconduct a matter of record in University files for a specified period of time. Any further misconduct may result in further disciplinary action.

**Restitution/Fines:** An organization may be ordered to make restitution or to pay a fine when the organization has engaged in conduct including but not limited to: the damage or destruction of property, the theft or misappropriation of property, fraudulent or disruptive behavior, violations of the alcohol and/or drug policies, or violations of the fire safety policies. Such property may belong to an individual, group, or the University. Restitution may be in the form of financial payment, public service, or other special activities designated by the hearing authority. Additional fines may be assessed as a punitive measure.

## Student Athletes and AOD

### **Drugs, Alcohol, and Tobacco Policy**

It is in keeping with the mission of Vanguard University that we provide the following institutional philosophy on this topic and offer programs designed for educational awareness and prevention. The statement of the University policies on Drugs, Alcohol and Tobacco is contained in the Vanguard University Student Code of Conduct and Student Handbooks. It is the hope of the University and Athletics Department that individuals who abuse alcohol or other drugs will recognize their problems and voluntarily come forward to seek help. When abuse has resulted in harm to people or property, the University and Athletics Department must deal with the conduct.

When abuse has not been coupled with problem behaviors, the University and Athletics Department wants to enable student-athletes to seek help without fear of incrimination. At this point, the University and Athletics Department will work with a student-athlete to identify means of assessing and treating the problem. Persons voluntarily opting for treatment should involve family and coaches as soon as possible.

Abuse of any drug is a violation of the alcohol/drug policy. The sale or possession of controlled substances on campus is strictly prohibited by the University and the Athletics Department may subject the individual to criminal prosecution as well as university sanctions. If the University and Athletics Department has reason to

believe that a particular student-athlete has a problem with any form of drugs or alcohol, the individual will be encouraged to acknowledge the problem and seek help.

The University and the Athletics Department may require an individual to receive an assessment to determine the appropriate response. Participation in a treatment program will not, in itself, prevent the imposition of disciplinary sanctions. Although, continued use of chemical substances, including alcohol, will result in sanctions up to and including expulsion from the University.

### **Investigation Process**

Incident reports involving drugs, alcohol and tobacco will be investigated. Incidents may be reported by teammates, coaches, the Office of Residence Life, or others. Violations will be reported to the Office of Residence Life immediately. If an investigation by the Office of Residence Life finds the student(s) responsible, corrective sanctions will be given. The Athletics Department may, in cooperation with the Office of Residence Life institute additional sanctions.

Athletics sanctions will be monitored by the Director of Athletics and/or his/her Designee. Additional sanctions may include, but are not limited to: a verbal warning, written warning, written reprimand, meeting with parents, formal drug or alcohol assessment at the student-athlete's expense, regular or random drug tests, suspension from games, reduction of scholarship, termination of scholarship, non-renewal of scholarship and dismissal from the team.

Given unique circumstances which may surround a particular case/investigation, the Athletics Department in collaboration with the Vice President of Student Affairs and the Office of Residence Life reserves the right to invoke either additional restrictive sanctions or fewer restrictive sanctions. Individual athletic teams may choose to set more restrictive team policies regarding use of alcohol, drugs and tobacco products and harsher sanctions resulting from violations of that policy, which are more restrictive than University, or Athletics Department policy.

## **Drug Education and Testing Program**

The Athletics Department at Vanguard University is concerned with the health, safety and welfare of the student-athletes who participate in its programs and represent the University in competitive athletics. Substance use and abuse is one of the most important issues facing athletics and society today. The use of illegal drugs, misuse of legal drugs and over-the-counter dietary supplements, use of performance-enhancing substances, use of alcohol and inappropriate use of tobacco are completely inconsistent with the standards expected of student-athletes at Vanguard. Substance use and abuse in sport can pose risks to the student-athlete's health and negatively affect his or her academic and athletic performance. It can also compromise the integrity of athletic competition and the ideals of Vanguard University.

### **A. PURPOSE**

The Athletics Department believes that random drug testing and testing based on reasonable suspicion are appropriate to ensure the health, safety, and welfare of our student-athletes, to promote fair competition in athletics, to affirm compliance with applicable rules and regulations on drug and alcohol abuse, to identify student-athletes who are improperly using drugs or alcohol and to assist them before they harm themselves or others. Furthermore, the Athletics Department recognizes its responsibility to provide annual educational programming that will support a positive decision-making process. The intent of these policies is not to interfere unduly with the private lives of the student-athletes who compete in Vanguard University Athletics, but to deter substance use and abuse by student athletes through education, testing, and professional guidance.

Education – providing student-athletes and athletics staff with accurate information about the problems associated with substance use in sport, promoting health and safety in sport;

Testing – analyzing biological specimens to detect prohibited substances student-athletes may introduce to their bodies and punitive consequences resulting from use; and

Professional Referral – facilitating appropriate treatment and rehabilitation of student-athletes.

### **B. CONSENT TO PARTICIPATE**

As a condition of participation in athletics at Vanguard University, each student-athlete will be required to sign a consent form agreeing to undergo drug testing. A copy of this consent form will be kept on file in the Compliance office and in the medical file (sportsware). Failure to consent to or to comply with the requirements of this policy will result in suspension from participation or termination of eligibility (including scholarships) to participate in athletics at Vanguard University. Each student-athlete will be provided with an electronic copy of the Athletics Drug Education and Testing policy and will be required to participate in an informative session describing alcohol,

tobacco and other drug education and testing policies. Additionally, student-athletes will be given an opportunity to ask any questions regarding the information contained in the policy, the testing program, or other related issues prior to signing the drug-testing consent form.

### **C. ALCOHOL, TOBACCO AND OTHER DRUG EDUCATION**

Participants who are educated about substance use in sport are more likely to make informed and intelligent decisions about usage. Vanguard University will conduct an alcohol, tobacco, and drug education program for student-athletes. These educational programs are designed to review athletics department, institutional, conference and national governing body policies related to alcohol, tobacco, and other drugs. Appropriate educational materials will be made available to participants including the Drug Education and Testing Policies and a list of banned substances. All student-athletes and athletics staff members are required to attend. In addition to educating student-athletes and athletics staff about the various policies, a review of the Vanguard University institutional drug testing program will be conducted. Dietary supplements and their inherent risks will be discussed. Time will be allowed for questions from participants. In addition, specialized educational programs may be arranged to provide participants with the opportunity to learn more about the dangers of specific substances.

### **D. ALCOHOL POLICY**

Vanguard University does not condone the illegal or otherwise irresponsible use of alcohol. It is the responsibility of every member of the University community to know the risks associated with alcohol use and abuse. This responsibility obligates student-athletes to know relevant University policies and federal, state, and local laws and to conduct themselves in accordance with these laws and policies. This policy extends to the recruitment of prospective Vanguard University student-athletes. Prospective student-athletes visiting campus and socializing with current students are expected to participate in all activities without the influence of alcohol. Possession or consumption of alcoholic beverages by individuals under the age of 21 is a violation of state liquor laws. Likewise, it is illegal for anyone to supply alcoholic beverages to persons under the age of 21.

The office of Residence Life will work with the Athletic Department to determine sanctions to any student-athlete upon conviction or plea of guilty to the following:

1. Driving under the influence (DUI/DWI) or other motor vehicle violations involving alcohol or drugs
2. Public intoxication
3. Drunk and disorderly
4. Other violations of law involving alcohol or drugs, including possession

## E. DRUG POLICY

Student-athletes must refrain from the use of all illegal or prohibited drugs and non-medicinal narcotics or hallucinogenic drugs, and the possession of drug paraphernalia. Students, who possess, distribute, and/or use narcotics (including medical marijuana, misuse of prescription drugs, Salvia, any form of hallucinogens, etc.) or other intoxicants may be subject to the disciplinary process. Students present on campus while under the influence of narcotics are subject to disciplinary process, even if their consumption was off campus. Although California State law permits the use of marijuana, 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 any purposes, including medical purposes, is therefore not allowed. For a list of banned substances and the drug testing policy for student-athletes, see the Vanguard University Athletic Department Drug Testing and Education Policy.

## F. TOBACCO POLICY

The use of tobacco products is prohibited by all game personnel (e.g. coaches, student-athletes, athletic trainers, and managers) in all sports during practice, competition, travel and in any other capacity while officially representing Vanguard University. A student-athlete who violates this tobacco policy will receive a warning. Subsequent violations will be subject to further sanctions that may include practice and/or game suspension, forfeiture of scholarship, and/or dismissal from the intercollegiate athletic program. The Director of Athletics or his/her designee will sanction other game personnel who violate this tobacco policy on a case-by-case basis.

# Employee Handbook

## Alcohol and Substance Abuse

Illicit use of drugs and/or alcohol can have serious health and social consequences. A common repercussion of substance abuse is a lack of judgment and awareness. The effects can significantly reduce an employee's performance within the workplace and impede positive interaction with fellow employees, students, and others. Injury to self and others may result from the actions of an employee under the influence of drugs and/or alcohol. Known health risks resulting from substance abuse include damage to respiratory and immune systems, malnutrition, seizures, loss of brain function, liver and/or kidney damage, and a variety of other possible risks.

VU prohibits the possession, use, manufacture, dispensing, and/or distribution of alcohol, marijuana and/or illegal drugs, or being impaired by or under the influence of alcohol, marijuana and/or illegal drugs, during work time or on university-owned property. An

illegal drug is any drug that is not legally obtainable or that is legally obtainable but has not been legally obtained or is being misused or abused. In addition to the academic and work environment, this prohibition applies to all activities sponsored by VU whether on university-owned property or other locations. This policy does not apply to the authorized use of alcohol at university sponsored events.

In the event of a violation of this policy by a member of the University community, VU will take action consistent with state and federal laws, and with its policies governing its relationships with students, faculty, and staff. Violation of this policy will result in disciplinary actions up to and including termination of employment and may include referral to authorities for civil or criminal prosecution. HR will review the nature of the violation and will determine the particular action to be taken.

Employees who are or will be using legal drugs that may affect their performance or impair their judgment should immediately inform their supervisor. VU may consult with the prescribing physician or another qualified medical professional to learn the expected effect of the drug and/or require a written statement from the physician or medical professional confirming that continued working would be safe and efficient. An employee may continue to work if VU determines that the employee does not pose a safety threat and/or that job performance is not affected by use of the drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate measures.

As part of the larger community, VU is subject to, abides by, and supports local ordinances and state and federal laws. California Health and Safety Code section 11350 states that every person who possesses a controlled substance or narcotic drug is in violation of a misdemeanor offense and shall be punished by imprisonment in a county jail for not more than one year. According to section 11351, a person "who possesses for sale or purchases for purposes of sale" a controlled substance or narcotic drug "shall be punished by imprisonment in the state prison for two, three, or four years." Furnishing alcoholic beverages to persons less than twenty-one years of age is a misdemeanor according to California Penal Code 25658.

VU encourages persons suffering from drug or alcohol addiction to seek help. VU's Employee Assistance Program provides counseling and other resources, or HR can help direct employees to appropriate counseling agencies.

### **Drug and Alcohol Testing**

If VU has a reason to suspect that any employee may be using illegal drugs or may be under the influence of drugs or alcohol or impaired due to the use of drugs or alcohol while at work or when reporting for work, that employee may be ordered to submit to a blood test, urinalysis, breathalyzer, or other test conducted by a professional medical staff and laboratory. Likewise, when VU reasonably suspects that an employee's use of or impairment from drugs or alcohol may have been a factor in an injury or accident during work, or while operating university equipment or a vehicle, that employee may also be ordered to take a blood test, urinalysis, or other drug/alcohol test.

Additionally, employees are required to submit to post-accident drug and alcohol testing in accordance with VU safety procedures. Such examinations and/or tests, when required, will be on work

time, are considered a condition of employment, and will be at the sole expense of VU. Transportation will be provided to and from the medical facility. If the employee tests positive, the employee will be subject to immediate termination. Should an employee refuse to submit to the requested examination or test, the employee will be subject to discipline up to and including termination for insubordination.

### **Smoking**

VU is dedicated to providing a healthy and comfortable environment for students, faculty, staff, and visitors. All smoking must take place only in designated smoking areas.

## **CONCLUSION**

In conclusion, prior to staffing changes, Vanguard's prevention strategy has faced challenges. Due to staffing changes, many aspects of our previous Biennium strategy were lost. Through this review, priority areas for the next biennium have been established which include; creating a framework to ensure staffing changes have a lower effect on Biennium goals in the future, a reworking of the Annual Notification process, and investment in evidence-based programming and partnerships. The goals and corresponding action plans outlined in this report will serve as a guide to strengthen Vanguard AOD approach and maintain compliance with the Drug-Free Schools and Campuses regulations.

# APPENDIX 1: ANNUAL NOTIFICATION POLICY

## Federal Drug-Free Schools and Campuses Regulations [Edgar Part 86]

### VANGUARD UNIVERSITY ANNUAL POLICY NOTIFICATION/DISTRIBUTION

At Vanguard University we are concerned with the health and welfare of our students, employees, and community. We believe that the dissemination of accurate information is vital to prevention of alcohol abuse and other drug related challenges. The intention of this document is to inform you about some of the health and legal consequences relative to the use and abuse of alcohol and other drugs.

#### **Policies - Alcohol, Other Drugs and Weapons**

As an academic community, Vanguard University is committed to providing an environment in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and employees to succeed. The University enforces state and federal laws and related University policies, including those prohibiting the following activities on campus:

- A. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
- B. Distribution, possession, or use of illegal drugs or controlled substances.
- C. Possession of firearms or other dangerous weapons.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Conduct Code. The University can, and will, impose disciplinary sanctions for violations. Students are also subject to local, state, and federal laws. Separate policies address violations by University employees.

The University strongly encourages students and employees to voluntarily obtain assistance for dependency or abuse problems before such behavior results in an arrest and/or disciplinary referral which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code or Employment policies and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and employees who are dependent on, or who abuse the use of alcohol or other drugs. The Counseling Center is available to assist and refer students to treatment services. Students may be seen on an emergency walk-in basis or by appointment. The Counseling Center is located on the first floor of Smith Hall. Center hours are Monday – Friday: 8:00 a.m. – 5:00 p.m. The Center can be contacted by telephone at 714-619-6482 or on-line at [counselingcenter@vanguard.edu](mailto:counselingcenter@vanguard.edu). Vanguard's Employee Assistance Program (EAP) is available for Vanguard Health Plan members to provide consultation and referral services (800) 386-7055. These agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities.

#### **Student Sanctions - Alcohol, Other Drugs, and Weapons**

Underage students confronted by the institution for the consumption of alcohol will face disciplinary sanctions ranging from an alcohol education class to removal from the residence halls.

Students whose use of alcohol or drugs results in harm or the threat of harm to themselves or others, or to property, regardless of the location of the incident, may face disciplinary action by the University up to and including expulsion.

**Testing for the presence of illegal substances may be a condition of any probationary status imposed by the University for violations of drug-related provisions of this policy.** Any student with a positive result, as described above, may face disciplinary action by the University up to and including expulsion. To read more about the University's policies and procedures regarding drug testing, refer to the Student-Athlete Handbook.

As members of the University community, students are also subject to local, state, and federal laws. Arrest and prosecution for alleged violations of such laws may result from the same incident for which the University imposes disciplinary sanctions.

#### **Employee Sanctions**

Vanguard University prohibits the possession, use, manufacture, dispensing, and/or distribution of alcohol and/or illegal drugs including medicinal marijuana or being impaired by or under the influence of alcohol and/or illegal drugs, during work time or on university-owned property. An illegal drug is any drug that is not legally obtainable or that is legally obtainable but has not been legally obtained or is being misused or abused. In addition to the academic and work environment, this prohibition applies to all

activities sponsored by the University whether on University-owned property or other locations. This policy does not apply to the authorized use of alcohol at University sponsored events. As part of the larger community, the University is subject to, abides by, and supports local ordinances and state and federal laws.

Violations of this prohibition by employees may result in the application of sanctions, including possible required participation in an approved drug abuse assistance or rehabilitation program, and disciplinary action up to and including termination of employment under applicable University policies and/or employment contracts.

### **Summary of State Laws Concerning Possession/ Distribution of Controlled Substances**

Students and employees should be familiar with California laws governing the consumption of alcohol. The following summarizes some of the state laws relevant to students and employees:

- It is illegal for persons under the age of 21 to possess an alcoholic beverage in any public place or any place open to the public (CA Bus. & Prof. Code §25662).
- Any person who furnishes, gives, or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor (CA Bus. & Prof. Code §25658(a)).
- Any person under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others is guilty of a misdemeanor (CA Penal Code §647(f)).
- It is unlawful for a person to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher (CA Veh. Code §23152).

It is unlawful for a person under the age of 21 years who has a blood-alcohol concentration of 0.01 or greater as measured by a preliminary alcohol screening test or other chemical test, to drive a vehicle (CA Veh. Code 23136 (a)).

- It is a misdemeanor to ride a bicycle under the influence of alcohol, drugs or both (CA Veh. Code §21200.5).
- It is an infraction to possess an open container of an alcoholic beverage while in a motor vehicle (CA Veh. Code §23223).
- It is an infraction for an owner or driver of a motor vehicle to allow an open container of alcohol in the passenger area (CA Veh. Code §23225).

It is a misdemeanor in California to be in the **unlawful possession of a controlled substance**. Under the United States Controlled Substances Act, a controlled substance includes **illicit street drugs as well as certain prescription medications** possessed without a valid prescription. The maximum sentence is **one year** in county jail and a fine of up to \$1000.00 (CA Health and Safety Code 11350(a) ).

The following is a list of some of the state sanctions for driving while under the influence of alcohol (or any other drug):

- First conviction: Imprisonment in the county jail for not less than 96 hours, at least 48 hours which are continuous, nor more than six months and by a fine of not less than \$390 nor more than \$1,000 and except as otherwise provided suspension of privilege to operate motor vehicle (CA Veh. Code §23536).
- Conviction of driving under the influence with or without bodily injury within ten years of certain other felony convictions including vehicular manslaughter and driving under the influence: Imprisonment in state prison or in the county jail for not more than one year and a fine of not less than \$390 nor more than \$1,000 and revocation of privilege to operate a motor vehicle (CA Veh. Code §23550.5).
- Driving under the influence causing bodily injury: Imprisonment in state prison or county jail for not less than 90 days nor more than one year and a fine of not less than \$390 nor more than \$1,000 and suspension of privilege to operate a motor vehicle (CA Veh. Code §23554).
- Driving under the influence causing bodily injury or death to more than one victim: Enhancement of one year in state prison for each additional injured victim up to a maximum of three one year enhancements (CA Veh. Code §23558).
- Second conviction of driving under the influence causing bodily injury within ten years or conviction within ten years of separate conviction of other specified offenses involving alcohol or drugs: Imprisonment in the county jail for not less than 120 days no more than one year and a fine of not less than \$390 no more than \$5,000 and revocation of privilege to operate a motor vehicle (CA Veh. Code §23560).

### **Federal Drug Laws**



The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

### **Denial of Federal Aid (20 USC 1091)**

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

### **Forfeiture of Personal Property and Real Estate (21 USC 853)**

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

### **Federal Drug Trafficking Penalties (21 USC 841)**

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life

sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

### **Federal Drug Possession Penalties (21 USC 844)**

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750.

Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to \$250,000, or both if:

- A. It is a first conviction and the amount of crack possessed exceeds 5 grams;
- B. It is a second conviction and the amount of crack possessed exceeds 3 grams;
- C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

Penalties of up to \$10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

## Federal Drug Trafficking Penalties

Drug/Substance	Amount	Penalty - 1st Conviction
Barbiturates	Any amount	Up to 5 years prison. Fine up to \$250,000
Cocaine	5 kgs. or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	Less than 100 grams	10-63 months prison. Fine up to \$1 million
Crack Cocaine	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	5-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	5 grams or less	10-63 months prison. Fine up to \$1 million
Ecstasy	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
Fentanyl	10 to 99 g	Common prison sentence is between 5 to 40 years and a maximum fine of \$5 million
GHB	Any Amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
Hashish	10-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	10 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Hash Oil	1-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	1 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Heroin	1 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	100 grams or less	10-63 months prison. Fine up to \$1 million



## Federal Drug Trafficking Penalties

Drug/Substance	Amount	Penalty - 1st Conviction
Ketamine	Any amount	Up to 5 years imprisonment. Fine up to \$250,000. 2 years supervised release
LSD	10 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	1-10 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
Marijuana	1000 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 kg	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	50-99 kg	Up to 20 years imprisonment. Fine up to \$1 million
	50 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Methamphetamine	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	10-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months prison. Fine up to \$1 million
PCP	100 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	10-99 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months prison. Fine up to \$1 million
Rohypnol	1 gram or more	Up to 20 years imprisonment. Fine up to \$1 million
	less than 30 mgs	Up to 5 years imprisonment. Fine up to \$250,000

### Counseling and Treatment

Short term alcohol and other drug counseling is available on campus to students through the Counseling Center (714) 619-6482. Students may be referred through the Counseling Center to other treatment programs for more intensive treatment. Through Vanguard's Human Resources department, the Employee Assistance Program (EAP) (800) 386-7055 offers Vanguard Health Plan employees additional education and counseling, as well as appropriate referrals. Within Orange County, the following substance abuse counseling agencies exist: Aliso Viejo Alcohol & Drug Abuse Services (949) 643-6930, Santa Ana Alcohol & Drug Abuse Services (714) 480-6660, and the Roque Center (714) 952-4032. These agencies provide a variety of services which may include intake/evaluation, detox, chemical dependency programs and adult outpatient services. Interested individuals are encouraged to contact each agency for additional information regarding specific services and costs.

### Prevention and Education

Through the Office of the Vice President of Student Affairs, the Office of Residence Life, and other departments and offices, a variety of educational presentations, campus events, and interventions designed to prevent and reduce alcohol and other drug use/abuse are offered to the Vanguard community. As mandated by the Drug-Free Schools and Campuses Act, this policy is distributed to all students and employees on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. For more information concerning current programs, interventions and policies, contact the Vice President of Student Affairs, Amanda Lebrecht at [amanda.lebrecht@vanguard.edu](mailto:amanda.lebrecht@vanguard.edu).

## Health Risks of Commonly Abused Substances

Substance	Nickname/ Slang Term	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, Coma, blackouts,	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite, increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility, increased rate of breathing, muscle spasms and convulsions. dilated pupils, disturbed sleep	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage

## Health Risks of Commonly Abused Substances

Substance	Nickname/ Slang Term	Short Term Effects	Long Term Effects
Fentanyl	Apace, China Girl, China Town, Dance Fever, Friend, Goodfellas, Great Bear, He-Man, Jackpot, King Ivory, Murder 8, Poison and Tango & Cash	relaxation, euphoria, pain relief, sedation, confusion, drowsiness, dizziness, nausea and vomiting, urinary retention, pupillary constriction, and respiratory depression	mood instability, reduced libido, constipation, menstrual problems, respiratory impairment
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, Georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity, increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss, kidney failure, cardiovascular problems, convulsions, death, physical dependence, psychological dependence
Marijuana/ Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement, slowed reaction time, panic, anxiety	bronchitis, conjunctivitis, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence

## Health Risks of Commonly Abused Substances

Substance	Nickname/ Slang Term	Short Term Effects	Long Term Effects
Mescaline	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/ Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, "heavy" feeling in arms and legs	constipation, loss of appetite, collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocybin	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis
Steroids	Roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization of women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence
Xylazine	Tranq, tranq dope, sleep-cut, Philly dope & zombie drug	dry mouth, drowsiness, hypertension, and tachycardia followed by hypotension and bradycardia, hyperglycemia, reduced heart rate, hypothermia, coma, respiratory depression, and dysrhythmia	Severe, necrotic skin ulcerations

## ON-CAMPUS RESOURCES/INFORMATION

### **Office of Campus Safety**

(949) 244-0098

### **Office of Vice President of Student Affairs**

(714) 619-6486

### **Employee Assistance Program**

(800) 386-7055

### **Office of Residence Life**

(714) 662-5295

### **The Counseling Center**

(714) 619-6482

## OFF-CAMPUS RESOURCES/INFORMATION

### **Aliso Viejo Alcohol & Drug Abuse Services– Outpatient substance abuse treatment**

(949) 643-6901

[www.ochealthinfo.com/bhs/about/aoabh/clinics](http://www.ochealthinfo.com/bhs/about/aoabh/clinics)

### **Santa Ana Alcohol & Drug Abuse Services– Outpatient substance abuse treatment**

(714) 480-6767

[www.ochealthinfo.com/bhs/about/aoabh/clinics](http://www.ochealthinfo.com/bhs/about/aoabh/clinics)

### **Orange County Alcoholics Anonymous**

(714) 556-4555

<https://oc-aa.org/>

### **Orange County Narcotic Anonymous**

(714) 590-2388

<https://orangecountyna.org/ocwp/>

### **Costa Mesa Police Department – Emergency**

911

### **Costa Mesa Police Department – Non-Emergency**

(714) 754-5280

<https://www.costamesaca.gov/government/departments-and-divisions/police>

### **Orange County's Attorney's Office**

(714) 834-3600

[www.orangecountyda.org](http://www.orangecountyda.org)

