

West Coast Ultrasound Institute

Drug-Free Schools and Communities Act (DFSCA) and Drug and Alcohol Abuse Prevention Regulations:

Policy Statement

West Coast Ultrasound Institute is committed to the well-being of its students and employees. Thus, West Coast Ultrasound Institute maintains alcohol and drug abuse policies and programs consistent with Drug-Free Schools and Communities Act (DFSCA). Related to such policies and programs are internal implementation plans and procedures for ensuring effectiveness and to ensure consistency in enforcement, for both students and employees.

In August, on a biennial basis, West Coast Ultrasound Institute will review its compliance with the DFSCA.

Drug and alcohol abuse prevention, education, and intervention activities are cross-functional and involve multiple departments, including, but not limited to: Legal, Compliance, Facilities/Security, Student Services, and Education.

Who Needs to Know This Policy

All West Coast Ultrasound Institute students, prospective students, employees and prospective employees.

Publications that include policy statements

West Coast Ultrasound Institute's policies and procedures comply with the minimum requirements of the Drug Free Schools and Communities ACT (DFSCA).

The Code of Conduct clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on school property or as part of any school activities. The code of conduct is published in the school catalog, student and employee handbooks and within the Annual Security report on the consumer information page at www.wcui.edu.

The policy statement in regards to legal sanctions, under federal, state, or local law for the unlawful possession or distribution of illicit drugs and alcohol is published in the Annual Security report on the consumer information page at www.wcui.edu.

The policy statement in regards to disciplinary sanctions imposed on students and employees for standards of conduct violations by West Coast Ultrasound Institute is published in the school catalog, student and employee handbooks and within the Annual Security report on the consumer information page at www.wcui.edu.

The policy statement that describes the health risks associated with the use of illicit drugs and abuse of alcohol is published in the Annual Security report on the consumer information page at www.wcui.edu.

The policy statement that describes drug or alcohol counseling, treatment, and rehabilitation is published in the Annual Security report on the consumer information page at www.wcui.edu.

Prevention and Treatment

WCUI has developed programs through WellConnect by Student Resource Services and ADP Total Source, for employees, to prevent the illicit use of drugs and the abuse of alcohol by students and employees on campus or at off campus student related activities. These programs provide services related to drug use and abuse including dissemination of informational materials, disciplinary actions and a list of educational programs, counseling services, and treatment programs. Services are available 24 hours, 7 days a week. Contact information for WellConnect by Student Resource Services is 1-866-640-4777 and ADP Total Source is 1-888-231-7015.

Alcoholic Beverages

The possession, sale or the furnishing of alcohol at WCUI is governed by WCUI's Drug and Alcohol Policy and by California and Arizona state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control and Arizona Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the Campus Director, Assistant Campus Director and local law enforcement agencies. WCUI has been designated "Drug free" and in no circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Director, Assistant Campus Director and local law enforcement agencies. Violators are subject to WCUI's disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of WCUI's Drug and Alcohol Policy for anyone to consume or possess alcohol in any public or private area of WCUI. Students and employees violating alcohol/substance policies or laws will be subject to discipline by WCUI. For more information, please refer to the most recent Drug and Alcohol policy.

Alcohol Abuse Health Risks

Alcohol and Substance abuse can cause very serious health and behavioral problems, including short-and long-term effects upon both the body (physiological) and mind (psychological), as well as impairment of learning ability, memory, and performance. For additional information on health risks of substance abuse, see: <http://www.drugabuse.gov/related-topics/medical-consequences-drug-abuse>.

According to the Centers for Disease Control and Prevention (CDC), excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These immediate effects are most often the result of binge drinking and include the following:

- Unintentional injuries, including traffic injuries, falls, drownings, burns, and unintentional firearm injuries.
- Violence, including intimate partner violence and child maltreatment. About 35% of victims report that offenders are under the influence of alcohol. Alcohol use is also associated with 2 out of 3 incidents of intimate partner violence. Studies have also shown that alcohol is a leading factor in child maltreatment and neglect cases, and is the most frequently abused substance among these parents.
- Risky sexual behaviors, including unprotected sex, sex with multiple partners, and increased risk of sexual assault. These behaviors can result in unintended pregnancy or sexually transmitted diseases.
- Miscarriage and stillbirth among pregnant women, and a combination of physical and mental birth defects among children that last throughout life.

- Alcohol poisoning, a medical emergency that results from high blood alcohol levels that suppress the central nervous system and can cause loss of consciousness, low blood pressure and body temperature, coma, respiratory depression, or death.

The CDC also indicates that over time, excessive alcohol use can lead to the development of chronic diseases, neurological impairments and social problems. These include but are not limited to:

- Neurological problems, including dementia, stroke and neuropathy.
- Cardiovascular problems, including myocardial infarction, cardiomyopathy, atrial fibrillation and hypertension.
- Psychiatric problems, including depression, anxiety, and suicide.
- Social problems, including unemployment, lost productivity, and family problems.
- Cancer of the mouth, throat, esophagus, liver, colon, and breast. In general, the risk of cancer increases with increasing amounts of alcohol.
- Liver diseases, including:
 - Alcoholic hepatitis.
 - Cirrhosis, which is among the 15 leading causes of all deaths in the United States.
 - Among persons with Hepatitis C virus, worsening of liver function and interference with medications used to treat this condition.
 - Other gastrointestinal problems, including pancreatitis and gastritis.

Health Risks related to Substance Abuse

The Controlled Substances Act (CSA) places all substances that are regulated under existing federal law into one of five schedules. Reference is made to these schedules in the tables within this program and a description of each schedule is indicated below:

Schedule I Controlled Substances

Substances in this schedule have a high potential for abuse. Some examples of substances listed in schedule I are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), peyote, methaqualone, and 3, 4-methylenedioxymethamphetamine (“ecstasy”).

Schedule II Controlled Substances

Substances in this schedule have a high potential for abuse that may lead to severe psychological or physical dependence. Examples of single entity schedule II narcotics include morphine and opium. Other schedule II narcotic substances and their common name brand products include: hydromorphone (Dilaudid®), methadone (Dolophine®), meperidine (Demerol®), oxycodone (OxyContin®), and fentanyl (Sublimaze® or (Duragesic®). Examples of schedule II stimulants include: amphetamine (Dexedrine®), Adderall®, methamphetamine (Desoxyn®), and methylphenidate (Ritalin®). Other schedule II substances include: cocaine, amobarbital, glutethimide, and pentobarbital.

Schedule III Controlled Substances

Substances in this schedule have a potential for abuse less than substances in schedules I or II and abuse may lead to moderate or low physical dependence or high psychological dependence. Examples of schedule III narcotics include combination products containing less than 15 milligrams of hydrocodone per dosage unit (Vicodin®) and products containing not more than 90 milligrams of codeine per dosage unit (Tylenol with Codeine®). Also included are buprenorphine products (Suboxone®) and (Subutex®) used to treat opioid addiction. Examples of schedule III

non-narcotics include benzphetamine (Didrex®), phendimetrazine, ketamine, and anabolic steroids such as oxandrolone (Oxandrin®).

Schedule IV Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances in schedule III. An example of a schedule IV narcotic is propoxyphene (Darvon® and Darvocet-N 100®). Other schedule IV substances include: alprazolam (Xanax®), clonazepam (Klonopin®), clorazepate (Tranxene®), diazepam (Valium®), lorazepam (Ativan®), midazolam (Versed®), temazepam (Restoril®), and triazolam (Halcion®).

Schedule V Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances listed in schedule IV and consist primarily of preparations containing limited quantities of certain narcotics. These are generally used for antitussive, antidiarrheal, and analgesic purposes. Examples include cough preparations containing not more than 200 milligrams of codeine per 100 milliliters or per 100 grams (Robitussin AC® and Phenergan with Codeine®).

Illegal Drug Possession

WCUI has been designated “Drug free”. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Director, Assistant Campus Director and local law enforcement agencies. Violators are subject to WCUI’s disciplinary action, criminal prosecution, fine and imprisonment. For more information, please refer to the most recent Drug and Alcohol policy.

Disciplinary Action for Weapons, Drug, and Alcohol Violation

WCUI is committed to helping students meet their educational and career goals. Employees are held to a high standard and are required to conduct themselves in a professional manner. When students or employees violate weapon, drug, or alcohol laws, disciplinary action will result as described on the following page. WCUI provides assistance in obtaining an appropriate referral to a counseling or rehabilitation agency.

The results of any investigation are available upon request to victims or if necessary, the victims next of kin as determined and required by Federal and State laws.

Legal Sanctions – Laws Governing Alcohol

The Clery Act requires WCUI to inform students and employees of laws governing Alcohol. Federal law has set 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the California Department of Alcoholic Beverage Control and Arizona Beverage Control (ABC). The ABC’s Act and Related Statutes includes the following laws related to alcohol sanctions:

Business & Professions Code Violations

CA code 25658 (a) B&P and AZ code 4-241 Article 3 – Furnish Alcohol to Minor

Definition: Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any person under the age of 21 years is guilty of a misdemeanor.

Penalty: This violation requires a mandatory court appearance and the fine imposed will be at the discretion of the judge.

CA code 25661 B&P and AZ code 4-241 Article 3 – Possession of False ID

Definition: Any person under the age of 21 years who presents or offers to any licensee, his or her agent or employee. any written, printed, or photo static evidence of age and identity which is false, fraudulent or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, or who has in his or her possession any false or fraudulent written, printed, or photo static evidence of age and identity, is guilty of a misdemeanor.

Penalty: The violator shall be punished by a fine of at least \$250, no part of which shall be suspended. This violation requires a mandatory court appearance.

25662 B&P and AZ code 4-241 Article 3 – Minor in Possession of Alcohol (MIP)

Definition: Any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor.

Penalty: A person convicted of a "Minor in Possession" includes a mandatory court appearance, as well as a mandatory suspension of your driver's license for a year, up to \$675 in fines, or proof of completion of the Youth Offender Program.

Legal Sanctions – Laws Governing Illegal Substances

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a)

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

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re:crack.)

21 U.S.C. 881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a

Civil fine of up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 853a

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offences.

18 U.S.C. 922(g)

Ineligible to receive or purchase firearm.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

Appendix B

Note: This appendix will not be codified in the Coded of Federal Regulations.

This appendix contains a description of health risks associated with substances covered by the Controlled Substances Act (21 U.S.C. 811), and is taken from a Department of Justice publication entitled *Drugs of Abuse* (1989 Edition). The appendix also includes a summary of health risks associated with alcohol, as described in *What Works: Schools Without Drugs* (1989 Edition), a Department of Education publication.

Persons interested in acquiring the publications or in obtaining subsequent editions in the future should contact the Superintendent of Documents, Washington, DC 20402, for *Drugs of Abuse*, and *Schools Without Drugs*, Pueblo, CO 81009, for *What Works: Schools Without Drugs*.

The Department of Education is providing this information as an example of the minimum level of information that IHEs may provide to their students and employees in order to comply with the requirement in Sec. 86.100(a)(3) of these regulations relating to the distribution of the health risks associated with the use of illicit drugs and the abuse of alcohol. The Secretary considers this information as meeting the requirements of the regulations, but IHEs are not precluded from distributing additional or more detailed information. If an IHE distributes this information in future years, it should use the most current editions of *Drugs of Abuse* and *Schools Without Drugs* that are available.

WCUI Sanctions

A violation of any law regarding the unlawful possession, use or distribution of illicit drugs and alcohol by students or employees is also a violation of WCUI's Drug and Alcohol policy and will be treated as a separate disciplinary matter by WCUI.

WCUI will impose disciplinary sanctions on students and employees who violate the standards of conduct. These sanctions may include anything up to and including dismissal. In addition, those who violate public law may be subject to criminal prosecution from local, state, and federal law enforcement. Conviction of drug and alcohol violations can lead to imprisonment, fines and community service. Convictions may also prevent individuals from entering many fields of employment and make them ineligible for federal student grants and loans. Many cities have local ordinances which prohibit public consumption of alcohol. The penalties for DUI depend on factors such as prior history, and vary from state to state. Penalties for drugs vary with the type and amount of the drug, and whether other criminal activity occurred with the drug offense.

Ensuring Effectiveness

It is imperative that the school's substance abuse prevention program is evaluated for its effectiveness. The effectiveness of West Coast Ultrasound Institute's drug prevention program will be measured by tracking the following for students and employees:

- a. the number of drug- and alcohol-related disciplinary actions;
- b. the number of drug- and alcohol-related treatment referrals;
- c. the number of drug- and alcohol-related incidents recorded by campus security or other law enforcement officials;
- d. the number of drug- and alcohol-related incidents of vandalism;
- e. the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse; and
- f. student, faculty, and employee attitudes and perceptions about the drug and alcohol problem on campus.

The Director of Student Services, with respect to students, and the Director of Human Resources, with respect to employees, will confidentially track the above statistics for items "a" through "e". An anonymous survey will be conducted annually by both Directors to gauge attitudes and perceptions in item "f" above.

All of the information above will be utilized in the Biennial Review (see below).

Ensuring Consistency

It is also imperative that the school's substance abuse prevention program is evaluated for consistency in the application of disciplinary sanctions.

The Director of Student Services, with respect to students, and the Director of Human Resources, with respect to employees, will confidentially track disciplinary sanctions and the details surrounding such sanctions, with the specific goal of consistent application for similarly situated persons. Naturally, following protocols in established drug and alcohol policies is also required to ensure consistency. The information collected will be used as a part of the Biennial Review (see below).

Biennial Review and Report

Under the DFSCA, West Coast Ultrasound Institute is charged with conducting a Biennial Review of its drug and alcohol abuse program, and completing a report, to (i) determine the effectiveness and (2) implement changes if they are needed and to ensure that the sanctions developed are enforced consistently.

The BRC at West Coast Ultrasound Institute will meet on a biennial basis to review the West Coast Ultrasound Institute drug and alcohol abuse program and to create the report. The report will be completed no later than September 15 in 2014, 2016, 2018, etc.

The Biennial Review documents and report will be kept internally in hard copy at each campus, in the office of the facilities manager and in the office of the Regional Compliance Director.

Procedure for disseminating information

By October 1 of each year, West Coast Ultrasound Institute’s Drug and Alcohol Prevention Policy shall be provided to students in the Student Handbook, Student Catalog and to employees in the Employee Handbook. The following protocol will apply to assure that all current and new students, upon enrollment, and all current and new employees, upon hire, are provided an electronic copy of West Coast Ultrasound Institute’s Drug and Alcohol Prevention Policy. Each quarter a link to the consumer information page at www.wcui.edu within the Annual Security Report will be emailed to current students and employees as well as displayed in classrooms, student and employee lunch rooms, employee mailroom and heavy traffic areas in order for students and employees to have access to the DAAPP policy.

Where to find this Policy

Employee Handbook, Student Handbook, Catalog and at www.wcui.edu

Contacts

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Related Information

Complying with the Drug-Free Schools and Campuses Regulations Manual

www.wcui.edu

Who Approved this Policy

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History / Revision Dates

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