

Drug-Free School and Workplace Program

Purpose and Scope

Legacy Education Inc. and its institutions are committed to a safe, healthy, and productive environment for students, faculty, and staff. This program prohibits the unlawful possession, use, and distribution of illicit drugs and alcohol, informs the campus community of the legal and health consequences of substance abuse, and identifies resources for help. It is adopted to comply with the Drug-Free Schools and Communities Act, Section 120 of the Higher Education Act, and its regulations at 34 CFR Part 86.

Institutions covered. High Desert Medical College (HDMC), Central Coast College (CCC), Integrity College of Health (ICH), and Contra Costa Medical Career College (CCMCC), including all California campuses, additional locations, and online programs (each, the "Institution").

Persons covered. This program applies to all students, faculty, staff, administrators, contractors, and volunteers of the Institution.

Locations and activities covered. This program applies on Institution property, at clinical and externship sites, at Institution-sponsored events on or off campus, in Institution vehicles, and while conducting Institution business.

Annual distribution. Under 34 CFR 86.100, the Institution distributes this program in writing each year to every employee and to every student taking one or more classes for any type of academic credit, regardless of the length of the program of study.

Standards of Conduct

The following standards apply at all times to students and employees on Institution property or as part of any Institution activity. The Institution prohibits:

- The unlawful manufacture, distribution, dispensing, possession, sale, purchase, transfer, or use of any controlled substance or illicit drug, including drug paraphernalia
- The unlawful possession, use, or distribution of alcohol, including possession or consumption by anyone under 21
- Being under the influence of alcohol, cannabis, or any illicit or nonprescribed drug while attending class, participating in clinical or externship rotations, working, or driving an Institution-owned or leased vehicle
- The possession, use, sale, or distribution of cannabis on Institution property or at Institution activities

- Misuse of prescription medication, including using medication prescribed to someone else or in a manner other than prescribed
- Diversion, theft, or unauthorized possession of medications, controlled substances, or medical supplies from any laboratory, clinical site, or externship site
- Smoking or vaping in any enclosed Institution space, and any tobacco use where prohibited by law or Institution policy
- Requiring or pressuring any person to consume alcohol or drugs, which may also violate the Institution's Anti-Hazing Policy

Prescription medication. Legally prescribed medication taken as directed is permitted, provided it does not impair the individual's ability to learn, work, or provide patient care safely. Cannabis is not covered by this exception because it remains a controlled substance under federal law.

Fitness for duty and patient safety. Students and employees must be fit for duty while at the Institution or at a clinical site. Clinical and externship partners may require drug screening, and a positive result or refusal may prevent placement and delay or prevent program completion. Inability to perform work safely and efficiently or absences considered excessive shall be cause for concern and could result in disciplinary action up to and including termination and dismissal depending on the frequency and seriousness of the occurrences.

Cannabis

California permits limited adult use of cannabis under state law. However, cannabis remains a controlled substance under the federal Controlled Substances Act, and the Institution must prohibit its unlawful possession and use to remain eligible for federal funds, including federal student aid. Cannabis in any form, including medical cannabis, is prohibited on Institution property and at Institution activities.

Employees. Under California Government Code 12954, employers may not discriminate against an applicant or employee based on the person's use of cannabis off the job and away from the workplace, or based on a drug test that detects only nonpsychoactive cannabis metabolites, subject to the exceptions in that section. Section 12954 does not permit an employee to possess, be impaired by, or use cannabis on the job, and does not affect the Institution's right to maintain a drug- and alcohol-free workplace. Employment-related testing, if any, will comply with Section 12954.

Institutional Disciplinary Sanctions

The Institution will impose disciplinary sanctions on students and employees who violate the standards of conduct, consistent with local, State, and Federal law. Sanctions may be imposed in addition to any criminal penalties and do not depend on a criminal conviction.

Group

Students

Possible sanctions

Written warning; required alcohol or drug education; referral for assessment; required completion of an approved rehabilitation program;

Group	Possible sanctions
	probation; removal from a clinical or externship placement; suspension; dismissal (expulsion); referral to law enforcement for prosecution
Employees	Written warning; referral to an employee assistance or rehabilitation program; required completion of an approved rehabilitation program; suspension; termination of employment; referral to law enforcement for prosecution

Sanctions are applied consistently through the Student Code of Conduct and employee disciplinary procedures. Consistency of enforcement is evaluated in the biennial review.

Drug-Free Workplace Requirements for Employees

As a condition of employment, each employee must abide by this program. When the Institution receives a federal grant, the Drug-Free Workplace Act (41 U.S.C. 8103) also requires the following:

- The employee must notify Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction.
- The Institution will notify the granting agency within 10 days after receiving notice of the conviction from the employee or otherwise.
- Within 30 days after receiving notice, the Institution will take appropriate personnel action against the employee, up to and including termination, or require the employee to participate satisfactorily in an approved drug abuse assistance or rehabilitation program.

Legal Sanctions

The following summaries describe some of the legal sanctions for unlawful possession or distribution of illicit drugs and alcohol. They are not legal advice and are not a complete list. Penalties depend on the substance, quantity, prior record, and other circumstances. Anyone needing legal advice should consult an attorney.

Federal Law

Statute	Offense	Possible penalty
21 U.S.C. 844(a)	Simple possession of a controlled substance	First offense: up to 1 year imprisonment and a minimum \$1,000 fine. After one prior drug conviction: 15 days to 2 years and a minimum \$2,500 fine. After two or more priors: 90 days to 3 years and a minimum \$5,000 fine.
21 U.S.C. 841	Manufacture, distribution, or possession with intent to distribute	Penalties increase with the type and quantity of drug and can include lengthy prison terms, up to life imprisonment in the most serious cases, and large fines.

Statute	Offense	Possible penalty
21 U.S.C. 860	Distribution or manufacture within 1,000 feet of a college or university	Enhanced penalties, including a term of imprisonment of not less than 1 year.
21 U.S.C. 853	Violations punishable by more than 1 year	Forfeiture of property used in or derived from the offense.

Federal student aid. Under the FAFSA Simplification Act, a drug conviction no longer affects a student's eligibility for federal student aid, and the drug conviction question has been removed from the FAFSA.

California Law

Sentence ranges below are drawn from the California Department of Justice code tables as summarized by San Jose State University (see References).

Code section	Offense	Classification and possible sentence
Bus. & Prof. Code 25662(a)	Person under 21 possessing alcohol	Misdemeanor
Bus. & Prof. Code 25658(a)	Selling or furnishing alcohol to a person under 21	Misdemeanor; fine
Penal Code 647(f)	Public intoxication (alcohol or drugs)	Misdemeanor; up to 180 days jail
Vehicle Code 23152	Driving under the influence of alcohol, drugs, or both, or with 0.08% or more blood alcohol	Misdemeanor; 4 to 180 days jail (first offense), plus license and program consequences
Vehicle Code 23153	DUI causing bodily injury	Misdemeanor (90 to 365 days jail) or felony (16 months, 2 or 3 years)
Health & Safety Code 11350(a), 11377(a)	Possession of a controlled substance	Misdemeanor (up to 1 year jail) or felony (16 months, 2 or 3 years) depending on circumstances
Health & Safety Code 11395 (Proposition 36, 2024)	Possession of certain hard drugs, such as fentanyl, heroin, cocaine, or methamphetamine, with two or more prior drug convictions	Treatment-mandated felony; charges dismissed upon completion of treatment; up to 3 years if treatment is not completed
Health & Safety Code 11550	Being under the influence of a controlled substance	Misdemeanor; up to 1 year jail
Health & Safety Code 11351, 11378	Possession for sale of a controlled substance	Felony (11351: 2, 3 or 4 years; 11378: 16 months, 2 or 3 years)
Health & Safety Code 11352(a)	Transporting or selling a narcotic controlled substance	Felony; 3, 4 or 5 years
Health & Safety Code 11173(a)	Obtaining a controlled substance by fraud, deceit, or misrepresentation	Misdemeanor (up to 1 year) or felony (16 months, 2 or 3 years)

Code section	Offense	Classification and possible sentence
Bus. & Prof. Code 4060	Possessing a controlled substance without a prescription	Misdemeanor or felony
Bus. & Prof. Code 2878.5(a)	Licensed vocational nurse unlawfully obtaining, using, or furnishing controlled substances	Misdemeanor; 10 to 365 days jail; also grounds for license discipline
Health & Safety Code 11357(b)	Possession of more than 28.5 grams of cannabis (age 21 or older)	Misdemeanor; up to 180 days jail
Health & Safety Code 11359, 11360	Unlicensed possession for sale, sale, or transport of cannabis	Misdemeanor (up to 180 days) or felony (2, 3 or 4 years) in specified circumstances
Health & Safety Code 11361(b)	Furnishing cannabis to a minor	Felony; 3, 4 or 5 years
Health & Safety Code 11364(a)	Possession of drug paraphernalia	Misdemeanor
Penal Code 308(a)	Furnishing tobacco products or paraphernalia to a person under 21	Misdemeanor; fine
Labor Code 6404.5	Smoking in an enclosed place of employment	Infraction; fines up to \$100, \$200, and \$500 for first, second, and subsequent violations within one year

Local ordinances. Cities and counties where each campus is located may have additional ordinances on public consumption, open containers, smoking, and vaping. [Insert local ordinance summaries for each campus city.]

Health Risks

Alcohol

According to the Centers for Disease Control and Prevention (CDC), excessive alcohol use has immediate effects that increase the risk of harmful health conditions, most often from binge drinking:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns
- Violence, including homicide, suicide, sexual assault, and intimate partner violence
- Alcohol poisoning, a medical emergency caused by high blood alcohol levels
- Overdose when alcohol is combined with other drugs, such as opioids
- Risky sexual behaviors that can lead to unintended pregnancy or sexually transmitted infections
- Miscarriage, stillbirth, or fetal alcohol spectrum disorders when alcohol is used during pregnancy

Over time, excessive alcohol use can lead to high blood pressure, heart disease, stroke, liver disease, and digestive problems; cancers of the breast, mouth, throat, esophagus, voice box, liver, colon, and rectum;

a weakened immune system; learning and memory problems, including dementia and poor school performance; depression and anxiety; family and job-related problems; and alcohol use disorder.

Opioids, Including Fentanyl

Fentanyl is a powerful synthetic opioid. Just a few milligrams can be fatal, and it is often mixed into other illicit drugs without the user's knowledge. Opioid use can cause sedation, confusion, drowsiness, dizziness, nausea, vomiting, and respiratory depression, which can lead to death. Combining opioids with alcohol or other sedatives increases the risk of overdose.

Other Drugs

The following information is adapted in part from U.S. Department of Education materials.

Cannabis (marijuana, hashish, concentrates). Effects include increased heart rate, bloodshot eyes, dry mouth, and increased appetite. Use may impair short-term memory and comprehension, alter the sense of time, and reduce the ability to perform tasks requiring concentration and coordination, such as driving. Motivation and learning may be affected, and cannabis can produce paranoia and psychosis. Smoking cannabis damages the lungs, and long-term users may develop dependence.

Cocaine and crack. Cocaine stimulates the central nervous system, raising blood pressure, heart rate, respiratory rate, and body temperature. Chronic use can damage the nasal lining. Injecting with unsterile equipment can transmit HIV, hepatitis, and other diseases. Cocaine produces psychological and physical dependency, and crack is extremely addictive. Effects can include paranoia and seizures, and cocaine use can cause death by disrupting the brain's control of the heart and breathing.

Hallucinogens (PCP, LSD, mescaline, psilocybin). PCP can cause distorted perception, impaired coordination, incoherent speech, persistent memory and speech problems, depression, anxiety, violent behavior, and, at large doses, convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain. LSD, mescaline, and psilocybin cause illusions and hallucinations, elevated body temperature, heart rate, and blood pressure, sleeplessness, and tremors. Users may experience panic, confusion, and loss of control, and flashbacks can occur after use has stopped.

Prescription drug misuse. Using stimulants, sedatives, or pain medications without a prescription or other than as prescribed carries risks of dependence, overdose, and dangerous interactions, especially with alcohol.

Smoking, Vaping, and Tobacco

California Labor Code 6404.5 prohibits smoking tobacco products in enclosed places of employment. Legislation enacted in 2016 extended the law to owner-operated businesses, eliminated most prior exemptions (including employee break rooms), and defined "tobacco product" by reference to Business and Professions Code 22950.5, which includes electronic smoking devices. State law also prohibits selling or furnishing tobacco products, including electronic cigarettes, to persons under 21 (Penal Code 308).

The Institution prohibits smoking and vaping in all enclosed Institution spaces and Institution vehicles. [Optional: The Institution is entirely smoke- and vape-free, including outdoor areas, except designated areas at: (list).] Clinical and externship sites may have stricter rules, which students must follow.

Counseling, Treatment, and Rehabilitation Resources

Students and employees are encouraged to seek help. Requests for assistance are handled confidentially to the extent permitted by law. Seeking help voluntarily before a violation occurs will be considered favorably, but does not excuse a violation of the standards of conduct.

Resource	Contact
SAMHSA National Helpline	1-800-662-HELP (4357); TTY 1-800-487-4889. Free, confidential, 24/7 treatment referral and information, in English and Spanish.
988 Suicide and Crisis Lifeline	Call or text 988. Free and confidential support for people in distress, 24/7.
FindTreatment.gov	Online locator for substance use and mental health treatment facilities.

A comprehensive list of local off-campus resources is available from each campus Student Services office. Students who need time away from their studies for treatment may request a leave of absence under the Leave of Absence policy in the Institution's catalog.

Annual Distribution, Biennial Review, and Records

Annual distribution. Each year, the Institution delivers this program in writing to every employee and every student enrolled in one or more classes for academic credit (34 CFR 86.100(a)). Students receive it at enrollment and annually thereafter; employees receive it at hire and annually thereafter.

Biennial review. Every two years, the Institution reviews this program to determine its effectiveness, implement needed changes, and ensure that disciplinary sanctions are consistently enforced (34 CFR 86.100(b)).

Records and availability. On request, the Institution makes this program and the results of its biennial review available to the Secretary of Education and the public. Required records are retained for at least three years after the fiscal year in which they were created (34 CFR 86.103).

Related Policies

- Student Code of Conduct and employee handbook
- Anti-Hazing Policy (forced or coerced consumption of alcohol or drugs is prohibited hazing)
- Annual Security Report (Jeanne Clery Campus Safety Act)
- Leave of Absence policy (catalog)
- Clinical and externship site requirements, including drug screening