

California State University East Bay Policy on Alcohol and Other Drugs

This policy statement was created by a broadly representative University committee and recommended to the University President. Input was solicited through several means from the various University constituents and stakeholders and taken into consideration in the final version of the University Policy on Alcohol and Other Drugs.

President Mo Qayoumi

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I. Introduction

The California State University, East Bay Policy on Alcohol and Other Drugs serves the entire University community and provides clear, consistent and constructive guidelines for the responsible use of alcohol. These rules and regulations are consistent with the overall commitment to a comprehensive alcohol and other drugs education program by the California State University system. All individual campus organization policies shall be consistent with the University policy on alcohol and other drugs.

The Alcohol and Other Drugs Policy of California State University, East Bay governs the possession, use, and marketing of alcoholic beverages, and the use and possession of other drugs on campus or at University-sponsored events. "Other drugs" used in this document refers to controlled substances as defined in federal and state laws. This policy complies with local, state and federal laws and clarifies sanctions and procedures for addressing instances of illegal or inappropriate use of these substances. The University expects that students, faculty, staff, guests, off-campus contractors and sponsors of University events, both as individuals and organizations, will conduct themselves and operate within the scope of these laws and University policies and regulations.

This policy addresses the legal and responsible use of alcohol. It addresses the academic, health, personal and safety risks associated with alcohol and other drug use through education, services and resources that focus on prevention of alcohol and other drug abuse. Through wide dissemination of this policy, the University community will be informed of its contents, as required by the Drug-Free Workplace and Drug-Free Schools and Campuses Act.

II. Philosophy

California State University, East Bay is committed to creating and maintaining a safe and healthy learning environment for all members of the campus community. In keeping with this commitment, the University prohibits the illegal use and/or abuse of alcohol and other drugs, intoxication, and any resulting misconduct.

CSU East Bay is dedicated to fostering personal and institutional excellence and strives to provide conditions under which the work of the University can move forward freely, with the highest standards of quality and integrity. Alcohol and other drug abuse contributes to personal health problems, diminishes the overall quality of campus life, and impairs our abilities to teach and learn. While the moderate consumption of alcohol may be an acceptable part of certain social activities, alcohol and other drug abuse conflicts significantly with the mission and values of the University.

The CSU East Bay Policy on Alcohol and Other Drugs recognizes federal, state and local laws regulating the possession, consumption, and service of alcoholic beverages and possession/use of other drugs. All students, faculty, staff and guests of the University community are required to abide by these laws as well as University-specific regulations. Those who violate such laws and University regulations regarding

the use of alcohol and other drugs will be held accountable for their actions and subject to University sanctions and/or other legal consequences.

III. Laws & Regulations

Legal Requirements

California State University, East Bay's policy on alcohol and other drug use respects all legal requirements including, but not limited to:

1. Alcoholic beverage laws pertaining to the possession, consumption and sale of alcoholic beverages and penalties thereof and other related laws. (Appendix A)
2. Federal and California controlled substance laws (Appendix B), as well as other administrative regulations concerning drugs such as those contained in union contracts, California State University disciplinary codes, and personnel practices.
3. The Drug-Free Workplace Act of 1988 sets forth special requirements for employees on federal contracts and grants. It requires the University to provide notice of a conviction for a violation of any criminal drug statute occurring in the workplace by an employee engaged in the performance of work under federal contract or grant; and to report to the funding agency within ten calendar days after notice from an employee of a conviction for a violation of any drug statute occurring in the workplace, including while traveling or on other University business within and outside the United States. 41 USC Section 701.
4. California Drug Free Workplace Law. Employees or contractors of any state agency are prohibited from the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined in the Controlled Substances Act (21 USC Sec. 812). The employer or contractor must publish a statement regarding the prohibition and any sanctions that will be imposed and establish a drug-free awareness program. Failure to comply may result in suspension of payments and termination of the contract or grant. California Government Code Sections 8350-8351.
5. Collegiate Initiative to Reduce Binge Drinking and Illegal Alcohol Consumption. No institution of higher education may receive any form of federal funding, including student loan programs, unless it adopts and implements a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. 20 USC Sections 1011h and 1011i.

IV. Alcohol & Other Drugs Risks and Resources

There are many documented risks associated with alcohol and other drug abuse, affecting not only individuals, but also their families and friends. Alcohol and other drug abuse can lead to serious health and social problems, including short and long-term effects on the body and mind. Additionally, alcohol

and other drug abuse can affect academic, athletic, work performance, and can lead to violent or destructive behaviors. There is also a strong relationship between alcohol and other drug abuse and risk of inappropriate sexual behaviors. For a more complete list of the negative effects of alcohol and other drugs visit the Student Health Services website at:
<http://wwwsa.csueastbay.edu/~shsweb/alcoholrisks.shtml>.

Where to Get Help

California State University, East Bay provides a variety of counseling, treatment, and educational programs to identify and help those who abuse alcohol and other drugs. On campus services are listed below. Members of the CSU East Bay university community are also encouraged to seek help through the off campus resources listed in Appendix C.

CSUEB Campus Services

For Students:

Counseling and Psychological Services (CaPS): 510-885-3690

Registered CSUEB students can get an evaluation and referrals for alcohol and other drug concerns at CaPS for FREE. Brief individual, couples, and group counseling is available. Urgent walk-in hours are available to students.

Student Health Services (SHS): 510-885-3735

Appointments can be made with a SHS physician, nurse practitioner or psychiatrist for medical and/or psychiatric evaluations. A referral to the psychiatrist may be made by one of the medical doctors, by a counselor at CaPS or by making an appointment directly.

For Faculty, Staff and Administrators:

Employee Assistance Program (EAP):1-800-234-5465

Faculty, staff and administrators and their household members may get counseling and referrals through the PacificCare Behavioral Health EAP. Counseling services are available throughout the Bay Area and are free for up to three visits. Access to the EAP is available 24 hours a day by calling 1-800-234-5465. Services may also be available via health insurance providers. For further information, contact the EAP Coordinator in Human Resources at 510-885-3634.

For Public Safety Assistance on Campus:

The University Police Department provides public safety assistance on campus. For Public Safety emergency assistance, call 911; for Public Safety non-emergency assistance, call (510) 885-3791.

V. Policies, Standards & Procedures for Use of Alcohol

The following policies apply to all students, staff, administrators, faculty, other employees and guests of California State University, East Bay. Off-campus organizations or individuals who have arranged to use university facilities may be granted permission to serve alcoholic beverages, subject to the requirements and procedures outlined in this policy. Additional regulations may apply to special facilities, as well as specific locations and programs on campus including but not limited to the Foundation, and athletic facilities and events. Fine arts facilities and events have additional regulations governing their areas of responsibility.

1. The possession and/or consumption of alcoholic beverages by anyone under 21 years of age is prohibited at any time on campus, and is subject to the penalties imposed by state law and university policies. The possession and/or consumption of alcohol by those 21 or older is limited to the conditions listed herein.
2. The sale of alcoholic beverages is NOT permitted on campus, with the exception of the sale of beer and/or wine conducted in accordance with applicable campus regulations, policies of the Trustees of the California State University, and rules and regulations of the Alcoholic Beverage Control Board. Permission to sell alcoholic beverages on campus is usually limited to the recognized campus food service agents, including the CSUEB University Club.
3. The sale and service of alcoholic beverages on campus or university sponsored facilities is limited to beer and wine. Exceptions may be granted to faculty, staff, off-campus groups and auxiliary organizations upon approval of the Vice President, Administration and Finance.
4. Alcoholic beverages may be served on special occasions with prior approval at functions sponsored by approved student, faculty, staff, or administrative organizations, or by campus-related or off-campus organizations contracting for the use of university facilities. Service will normally be permitted only in conjunction with food service. Service of alcohol on these occasions is not allowed before 4:00 p.m. on weekdays during academic quarters. Exceptions to this rule may be granted for events held in the University Union, or at the discretion of a vice president who is responsible for approval.
5. Recognized campus clubs and organizations and recognized campus auxiliaries may be granted permission to serve alcoholic beverages at approved campus functions in designated areas. Requests to serve alcoholic beverages must be submitted in accordance with approved procedures.
6. A member of the sponsoring organization, who must be 21 years of age or older, shall be assigned the responsibility of ensuring compliance with all applicable provisions of this policy, appropriate campus regulations, and the laws of the State of California. The faculty advisor or an appropriate university official must be the supervising individual for student organizations and must be present at the event.

7. Non-alcoholic beverages and food that are appropriate to the nature, size, time of day, and duration of the event on campus must be served at all events where alcoholic beverages are served.
8. Individuals who serve alcoholic beverages on campus must have received orientation on responsible beverage serving techniques through Student Health Services. Participants may not serve themselves. Consumption of alcoholic beverages from unsupervised kegs and open bars is prohibited. The appropriate vice president may waive the requirements.
9. Alcoholic beverages may not knowingly be served to any under-aged or obviously intoxicated individual.
10. When alcohol is to be served as part of a university sanctioned activity of a recognized group (whether on or off campus), such group is responsible for ensuring that all provisions of this policy and all applicable state laws are enforced. "University sanctioned" is defined as an official event sponsored by a university department or recognized organization.
11. Participants will not be allowed to bring alcoholic beverages to any event, and to exit an event in the possession of alcoholic beverages, unless specifically exempted by the appropriate vice president.
12. Alcohol drinking contests are prohibited at events on campus. (See Appendix F for definition of alcohol drinking contests.)
13. In cases where an individual becomes intoxicated, event sponsors will immediately alert a University Police Officer to intervene to prevent that individual from driving. Designated driver responses and safe ride type activities to prevent driving by intoxicated persons are urged.
14. Individual department or campus organization policies shall be in compliance with this University Policy on Alcohol and Other Drugs and may impose more stringent standards. Examples of these departments and campus organizations include Student Housing and Residential Life, Student Life Programs (for example, Greek and other student organizations and clubs), and the Athletic Programs.

Approval Procedures

The organization or individual sponsoring a campus event where alcohol will be served must first receive university approval for the proposed event. The President of the university delegated the responsibility for approving requests to serve alcoholic beverages on campus to the Vice President for Student Affairs and the Vice President for Administration and Finance.

Standards

1. When reviewing a request to serve alcohol at any university event, the vice presidents will carefully consider its appropriateness in a university setting. To determine appropriateness, the following factors will be considered: time of day, level of supervision, training of servers, conduct of business, high risk situations, audience (type of potential drinkers), length of event, and general safety factors.
2. The vice presidents will determine if appropriate controls can be satisfactorily established and maintained before permission is granted for the serving of alcohol on campus. Written permission to use alcoholic beverages shall be subject to the following restrictions:
 - a. Attendance shall be limited to members of the sponsoring organizations and their invited guests.
 - b. The event shall not be open to the public, and shall not be advertised or publicized to the university community as an event where alcoholic beverages are to be served.
 - c. Alcoholic beverages will not be permitted at public events such as athletic contests, concerts, performances, or all-university dances, unless authorized by the President.
 - d. Alcoholic beverages will not be approved for functions at which alcohol is the focal point, or the inducement for attendance at the event.
 - e. The individuals assigned the responsibility for the conduct of the event will be in attendance at the function.

Procedures

1. All organizations or individuals planning to serve alcohol at any function must have prior approval from the appropriate vice president at least five working days prior to the planned event. For students/student organizations, the Vice President, Student Affairs; for faculty, staff, off-campus groups and auxiliary organizations, the Vice President, Administration and Finance; for mixed events where students are involved, approval from both vice presidents is required. All sections of the Alcohol Approval Form (Appendix D, students and Appendix E, non-students) must be completed. Additional information on server training opportunities may be obtained from Student Health Services.
2. A student organization desiring to serve alcoholic beverages at student-sponsored programs shall request approval (as part of the program planning and approval process) through the Office of Student Life Programs. All other organizations and individuals shall request such approval through the Facilities Reservations Office at least five working days before the event.

3. Organizations or individuals may request permission to sell alcoholic beverages at special events subject to the following procedures:
 - a. Approval of the event and confirmation of facility use must be secured in accordance with applicable university procedures for use of facilities.
 - b. A license for the sale of alcoholic beverages must be obtained from the Department of Alcohol and Beverage Control and a copy attached to the facilities reservation form, as appropriate. A copy of the license and facilities reservation form shall be provided to the University Police Department by facilities reservations.
 - c. Provisions for the sale of non-alcoholic beverages and food must be made and confirmed.
 - d. Plans must be coordinated with the recognized campus food service in order to resolve any conflict with its license to serve alcohol.
 - e. Appropriate university forms must be completed and submitted within the appropriate time periods with all necessary attachments and confirmations including the approval of the Vice President, Student Affairs, and the Vice President, Administration and Finance.

Liability

Sponsoring organizations and individuals should be cognizant of vicarious liability and the consequences to the organization should a vicarious liability suit be filed against the organization/individual when a person, regardless of age, attending an event and consuming alcoholic beverages is involved in an accident resulting in personal injury and/or death.

Organizations should also be aware of their exposure to legal risk when event sponsors permit the violation of laws concerning alcohol at their event. These laws include serving alcohol to minors or intoxicated individuals.

VI. Marketing, Advertising & Endorsements

The advertising and promotion by co-sponsoring merchandisers of alcohol should focus on the event or activity being held, not on the products (Appendix F, definitions). The University President or his/her designee may make exceptions to this policy.

A. Event Sponsorship

Support of campus events by alcohol beverage manufacturers and distributors is permitted only within the following guidelines:

1. Sponsorship agreements shall be discussed and approved in advance by the appropriate campus approving authority. No sponsorship activities will be permitted without this approval. All corporate contributors shall conform to and comply with University policies and procedures.
2. When a donation is made to the University in support of a program, the name of the alcohol beverage manufacturer or distributor shall not be connected to the name of the event itself, but may be listed as a contributor to the event.
3. Sponsors shall not provide alcoholic beverages as free incentive awards to individual students, campus organizations or departments. Principles of good hosting should be observed including availability of alternative beverages, food, and planned programs. The consumption of beer, wine, or distilled spirits should not be the sole purpose of any activity.
4. University departments, registered student organizations, campus organizations or officially recognized University support groups who accept support from alcohol beverage manufacturers or distributors shall not distribute promotional clothing, specialty items, or other consumer items which utilize the University name, seal, or logo in combination with an alcoholic beverage trademark, logo, or company name, or which imply University endorsement of their product or company in any way, regardless of whether such promotional items are free or for sale.

B. Event Advertising

1. Advertisements for events which contain the name of an alcohol beverage manufacturer or distributor as a sponsor shall be approved prior to production by the appropriate University approving authority, and are permitted only in compliance with this policy.
2. If the name of an alcohol beverage manufacturer or distributor is printed as a sponsor, the alcoholic beverage trademark, logo, or company name must be subordinate to the message concerning the event itself. Subordinate is defined as not more than 15% of the total space of the advertisement, poster, or printed item.
 - a. Publications protected by the First Amendment are specifically exempted from the advertising policy.
 - b. Publications and printed materials produced by campus units and campus recognized groups are subject to the provisions of this policy.
3. No event where alcohol will be served may be advertised or offered to the public or University community as an event where alcohol beverages will be served. The use of symbols or pictures

implying the presence of alcohol at an event is prohibited. All event advertising targeted for the campus, and/or held on campus should conform to University policies and procedures and should avoid demeaning sexual or discriminatory portrayal of individuals or the University logo, seal, or mascot.

4. Event marketing and event advertising sponsored by alcohol beverage manufacturers or distributors should not encourage any form of alcohol abuse nor should it place emphasis on quantity or frequency of use. Advertising should not portray drinking as a solution to personal or academic problems or as necessary to social, sexual, athletic or academic success. In addition, advertisements may not associate alcohol with the performance of tasks that require skilled reactions, such as driving an automobile, or suggest that drinking is the sole purpose or dominant theme of an event.
5. No product pictures are permitted.
6. Any advertising sponsored by an alcohol beverage manufacturer or distributor should carry a positive educational message and not imply that the alcohol is the main focus of the ad.

C. Policy on Advertising/Sponsorship of Illegal Drugs on Campus

The illegal use of drugs or drug paraphernalia in any advertising or sponsorship form is strictly prohibited on the University campus.

D. General Sponsorship and Naming Rights

1. University publications and educational programs may sell advertising for alcoholic beverages that meet the guidelines of Event Advertising in this policy.
2. Marketing of alcoholic beverages independent of sponsorship, is not permitted on campus or at University sponsored events.
3. No billboards, scoreboards or other permanent structures may display the name, logo or trademark of an alcoholic beverage.

E. Off/Campus Events

All University sponsored events held off campus shall comply with this policy.

F. Enforcement

Violations of this policy by faculty, staff, students, alumni, invitees, or guests shall be referred to the University administration and/or appropriate legal authority as required.

VII. Policy Violation & Sanctions

In the Workplace

Any faculty, staff, administrator or other employee who violates the policy on alcohol and other drugs shall be subject to corrective or disciplinary action up to and including the possibility of dismissal, in accordance with, and only as permitted by the appropriate collective bargaining agreements, CSU policies and state and federal law.

Students, Student Organizations and Off-Campus Organizations or Individuals

Any student who violates the policy on alcohol and other drugs shall be subject to corrective action, such as participation in a substance abuse program or other counseling, or disciplinary action up to and including the possibility of dismissal from the institution.

Sanctions will also be imposed for violations of this policy by student organizations, off-campus organizations or individuals as determined by the Vice President, Student Affairs and/or the Vice President, Administration and Finance.

Other Sanctions

In addition to the foregoing, the following sanctions may be imposed for violation of the alcohol and drug policy by students or student organizations in accordance with the objectives set forth in the university statement on student rights and responsibilities:

A. Sanctions for individuals

1. Restitution for any damages that result from the conduct of the violator.
2. Violators will be required to go through an alcohol or other drugs education program.

B. Sanctions for student groups/organizations:

1. Social probation for a specified period of time.
2. Restitution for any damages that result from the conduct of the violator.
3. Freezing of funds, if any are available.
4. Report of violations to the national headquarters or offices of the organizations if such exist.
5. Removal of officers from office.
6. Loss of university recognition and access to campus support services.

University departments or administrative units, for example, Student Housing and Residence Life, the Athletic Programs, Student Life Programs (for example, Greek and other student organizations and clubs), may impose additional sanctions for conduct in violation of policies established by the department or administrative unit as well as violations of the University Alcohol and Other Drug Policy.

VIII. Implementation

The Vice President, Student Affairs is responsible for the implementation and administration of this policy and University compliance with the Drug-Free Workplace and Drug-Free Schools and Campuses Act. As required in these acts, all members of the University community will be informed of the contents of this policy on (at least) an annual basis.

- New and continuing students and their parents will be made aware of this policy at least once every year, by the Office of Student Life Programs through new student orientations, the student organization handbook, and various University publications related to this policy.
- New and continuing employees will be made aware of this policy by Human Resources through staff/faculty handbooks.
- Information about this policy will be distributed in the University catalog, in the Schedule of Classes (at least annually in Fall Qtr), and University web-sites.
- Students will be made aware of the risks associated with illegal and irresponsible use of alcohol and other drugs through a broad array of educational programs, services and resources that focus on promotion of the legal, responsible use of alcohol and prevention of alcohol and other drug abuse.

In concert with the Vice President, Administration and Finance, the Vice President, Student Affairs oversees the enforcement of this policy and resolution of violations. In addition, under the direction of the Vice President, Student Affairs, a University-wide Alcohol, Tobacco and Other Drugs Advisory council with members from the community, will convene annually to develop and review campus alcohol and other drug abuse prevention programs and goals, assess the effectiveness of these programs, and make recommendations to the President. A report addressing the effectiveness of these programs will be provided to the Office of the CSU Chancellor every two years.

The University Policy on Alcohol and Other Drugs will be reviewed and updated, where necessary, every two years.

IX. Other Campus Policies

Many other campus departments have an alcohol and other drug policy specific to their department. Some of these include, but are not limited to:

The Athletic Program (510) 885-3038

Student Housing and Residential Life (Pioneer Heights) (510) 885-7444

Student Life Programs (510) 885-3657

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Appendices

Appendix A

Summary of State Laws About Alcohol Possession/Consumption

The following is not a comprehensive list of statutes and penalties. This is an overview summary of some statutes and attendant penalties for violation of such statutes. Be aware that statutes may also have enhanced penalties for subsequent offenses.

California Business & Professions Code, Section 23301. - It is illegal to sell alcohol without a valid license or permit.

- **Penalty:** Violator is guilty of a misdemeanor or a felony.

California Business & Professions Code, Section 25658. – It is illegal to sell, furnish or give any alcoholic beverage to anyone under 21 or to anyone who is obviously intoxicated.

(a) Anyone who sells or gives any alcoholic beverage to a person under age 21 is guilty of a misdemeanor.

- **Penalty:** Violator is assessed a \$1,000.00 fine and shall perform a minimum of 24 hours of community service. Penalty increases if injuries or death result from a minor drinking alcoholic beverages

(b) Anyone under the age of 21 who purchases or who consumes any alcoholic beverages in any on-sale premises is guilty of a misdemeanor.

- **Penalty:** First offense: Violator shall pay \$250.00 fine or perform 24-32 hours of community service.

California Business & Professions Code, Section 25661. - It is illegal to sell or provide false evidence of age or identity and to anyone under age 21. Anyone under 21 who presents false evidence of age and identity is guilty of a misdemeanor.

- **Penalty:** First Offense: Punishment shall include a minimum fine of \$250 and/or performance of 24-32 hours of community service.

California Business & Professions Code, Section 25662. – Any person under 21 years of age who has any alcoholic beverage in their 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:** First Offense: Fine of \$250.00 or 24-32 hours of community service.

California Business & Professions Code, Section 26665. - It is illegal for anyone under age 21 to enter or stay in a place licensed to sell liquor without a lawful reason to be there.

- **Penalty:** Violation of this statute constitutes a misdemeanor and is punishable by a minimum fine of \$200.00.

California Vehicle Code, Section 23140. - It is illegal for anyone under 21 who is intoxicated (blood alcohol level of .05) to drive a vehicle.

- **Penalty:** First Offense: In addition to penalties listed for Vehicle Code Section 23152, the court may order the individual to participate in the Youthful Drunk Driver Visitation Program. (California Vehicle Code Sections 23509-23518.5)

California Vehicle Code, Section 23152. - It is unlawful to drive a vehicle while under the influence of alcohol (.08 blood alcohol level) or drugs or under the combined influence of alcohol and drugs.

- **Penalty:** First Offense: Imprisonment in the county jail for a minimum of 96 hours, with at least 48 of those hours served continuously, with a maximum of 6 months in jail, and a fine of \$390.00-\$1,000.00, suspension of driving privileges, surrender or driver's license to the court. The individual shall enroll in and successfully complete a driving under the influence program and to participate in a licensed program of education and counseling for a minimum of three months. The court may order an ignition locking system be installed on the individual's vehicle.

Second Offense: A second offense within 10 years shall result in imprisonment from 90 days to one year, a penalty of \$390.00-\$1,000.00, suspension of driving privileges, surrender of driver's license, enrollment in a minimum 10-30 month driving under the influence and counseling program. The court may order an ignition locking system be installed on the individual's vehicle.

California Vehicle Code, Section 23221. - No driver or passenger shall drink any alcoholic beverage while in a motor vehicle upon a highway.

California Vehicle Code, Section 23222, 23223. - It is illegal for a driver or passenger to possess an open container of alcoholic while in a motor vehicle upon a highway or on any lands.

California Penal Code, Section 647(f). – An individual who is found in any public place under the influence of alcohol, any drug, controlled substance, toluene or any combination of these is unable to care for their safety or the safety of others or interferes with or obstructs a sidewalk, or street or other public way is guilty of disorderly conduct, a misdemeanor.

- **Penalty:** Individual may be taken into civil protective custody in a facility for 72 hours. Other penalties may apply for related offenses.

There are additional state statutes relating to unlawful conduct involving the use of alcohol and/or drugs. There may also be municipal and local county ordinances relating to unlawful conduct concerning the use and/or possession of alcohol.

Appendix B

Summary of State and Federal Laws Concerning Possession/Distribution of Controlled Substances

The following is not a comprehensive list of statutes and penalties. This is an overview summary of some statutes and attendant penalties for violation of such statutes. Be aware that statutes may also have enhanced penalties for subsequent offenses.

California Health & Safety Code, Sections 11350 et seq., 21 USC Section 844 The possession, sale, furnishing, dispensing of any controlled substance or drug paraphernalia or growing of a controlled substance as defined by the California and federal laws is unlawful

- **Penalty: 21 U.S.C. section 844** First offense: Maximum 1 year imprisonment and minimum \$1,000 fine. Persons convicted of possession or distribution of controlled substances can be barred from receiving benefits from any and all Federal programs including student grants and loans, except some long-term drug treatment programs. 21 USC Section 862. There are additional custodial and financial ramifications, for first time violations of this statute as well as enhanced penalties and sentences for subsequent violations. Such penalties include confiscation of property.

California Health & Safety Code, Section 11350 et seq. Penalties for individuals convicted of violating these statutes include varying terms in county jail and /or state prison, as well as the imposition of significant fines. Subsequent convictions significantly enhance the penalties.

Both the federal and state statutes provide for greatly enhanced penalties if distribution, possession, or manufacturing of controlled substances occur on or within close proximity of schools (including a university) or public facilities such as playgrounds, swimming pools, youth centers, a video arcade facility or housing facilities owned by a public housing authority.

California Health & Safety Code, Section 11700 et seq. - A person who knowingly participates in the marketing of illegal controlled substances is liable for civil damages for injury resulting from an individual's use of an illegal controlled substance.

- **Penalty:** Criminal and civil penalties

California Health & Safety Code, Section 11350 et seq. and 21 U.S.C. Section 841: It is illegal to distribute or possess with intent to distribute specific controlled substances, including anabolic steroids

- **Penalties:** Distribution of anabolic steroids and possession of anabolic steroids with intent to distribute is a felony under California law prohibiting possession of controlled substances. California Health & Safety Code Sec. 11350. Under federal law this offense carries a sentence of up to five years and a \$250,000 fine. 21 USC Section 841.

Miscellaneous Penalties

- Importing into this state or transporting a controlled substance for the purpose of selling, furnishing, administering or giving away is punishable by imprisonment in the state prison for three, four, or five years.
- Aliens convicted of violation of any law or regulation of a State, the United States, or a foreign country are subject to deportation and exclusion from entry to the United States. 8 USC Sections 1182, 1251.
- Persons who are health care providers are barred from receiving payment from Federal insurance programs upon conviction of a criminal offense involving distribution or dispensing a controlled substance. 5 USC Section 8902a.

There are additional federal and state statutes relating to unlawful conduct involving the use and/or possession, distribution, manufacture of alcohol and/or drugs. There may also be municipal and local county ordinances relating to unlawful conduct involving the use and/or possession, distribution, manufacture of alcohol and/or drugs.

Appendix C

Community Resources

Berkeley Area

- **New Bridge Foundation**, 1820 Scenic Ave, Berkeley, (510) 548-7270. Assessment, residential inpatient rehab program, partial day program, outpatient individual and group counseling, educational workshops. Financial aid available for qualified clients through city, state and federal agencies. Private insurance accepted.

Concord Area

- **John Muir Behavior Health Center**, 2740 Grant, Concord, (925) 680-6500. Initial assessment, detox, residential inpatient care and outpatient support groups and counseling. Accepts private insurance, Medicare.

Fremont

- **Fremont Hospital**, 39001 Sundale Dr., Fremont, (510) 796-1100. Inpatient unit for adolescents exhibiting acute substance induced disorders.

Hayward

- **Cronin House Treatment Center**, 2595 Depot Rd., Hayward, 94545, (510) 784-5874, Alcohol treatment center. Multiple services include assessment, detox, residential, education, outpatient, support groups. (serves San Mateo, Oakland, San Jose, San Leandro).
- **Project Eden Youth Program**, 22646 Second St., Hayward, CA 94541, (510) 247-8200, (Treats teens up to 18.) Services include initial assessment, family, individual and group counseling, Youth Prevention Program and Summer Program. Assessment is free, sliding scale for other services.
- **Second Chance, Hayward Recovery Center**, 1826 "B" Street, Hayward, (510) 886-8696. Outpatient services are assessment, individual and group counseling, education, social activities, crisis intervention. Anyone over the age of 12 accepted. Many insurances accepted, financial assistance provided. Detox provided at the Azure Acres site in Sebastopol, call (415) 759-6682. Transportation to Sebastopol is offered.

Oakland

- **Thunder Road Adolescent Treatment Center**, 390 40th St. Oakland, (510) 653-5040. Serves clients up to age 19. Services include assessment, residential, outpatient support, individual and group counseling.

- **Merritt Peralta Institute, Summit Medical Center**, 3012 Summit St., Oakland, (510) 652-7000. Residential inpatient, outpatient, day treatment (mornings and/or evenings offered), workshops, group counseling.
- **Mandana House**, 3989 Howe St., Oakland 94611, (510) 595-9690, Assessment, referrals, group counseling, 12 step and social programs offered 7 days a week, no charges.
- **Azure Acres Recovery Services**, 3137 Telegraph Ave., Oakland, 94609, (510) 601-5100. Outpatient only, program is 3 evenings a week for 8 weeks. Also education and support groups, family groups, free drop in educational series, 7-8:30 Tuesdays. Anyone over the age of 12 accepted. Many insurances accepted, financial assistance provided. Detox provided at the Azure Acres, Sebastopol, (800) 222-7292. Transportation to Sebastopol is offered.

Pleasanton / Danville / San Ramon (Tri-Valley)

- **Discovery Center**, 155A Town And Country Dr, Suite A, Danville, 94526 (925) 837-0505. Assessment, both individual and group counseling, workshops, support groups, sliding scale and private insurance accepted, but no one is turned away for inability to pay.

Richmond

- **Neighborhood House of North Richmond**, 208 23rd St., Richmond, (510) 233-1270, (1-800) 846-1751. Assessment by telephone. 3-7 day detox, support groups. No one is turned away for inability to pay. Private insurance accepted. Serves only Contra Costa residents.

Santa Clara County

- **Santa Clara National Council On Alcohol And Drug Dependency**, 255 North Market, San Jose, 95110, referrals (408) 292-9945 help line, 9 a.m.- 5 p.m.

San Francisco

- **Haight-Ashbury Free Clinic**, 425 Divisadero, Ste. 201, (415) 487-5634. Free outpatient counseling for individuals, groups, families, couples.
- **National Council on Alcohol and Other Drug Addictions**, 944 Market St., 3rd floor, (415) 296-9900. Assessment and referral services. \$35 donation requested

San Jose Area

- **Amicus House Inc. Alcohol/drug recovery**. Offers intensive 12-step program, group support and individual counseling. San Jose, (408) 294-2277

San Leandro

- **Horizon Community Center San Leandro**, (510) 481-3491
- **Second Chance, Ashland Center**, 1403 164th Avenue San Leandro, (510) 481-8645 Free. Assessment, outpatient individual and group counseling.

San Mateo County

- **Alcohol and Drug Abuse Services of San Mateo County, Burlingame**, (650) 573-3950, 24-hour crisis help line. Referral services for clients in crisis: counseling, housing, outreaches. Sliding scale fees.

General Assessment

- Assessment, Referral, 1-800-486-1652
- National Alcohol and Drug Treatment Referral, 1-800-454-8966
- AA MEETINGS, East Bay Central Office Directory, (510) 839-8900 (24 hr.)

This list was updated November 1, 2007. For further referrals and updates, CSUEB students may contact Counseling and Psychological Services (CaPS) at 510-885-3690. Faculty, staff and administrators may contact the Employee Assistance Program at 1-800-234-5465, Behavioral Care Assistance Program.

Appendix D

[Alcohol Approval Form for Students/Student Organizations \(Word\)](#)

[Alcohol Approval Form for Students/Student Organizations \(PDF\)](#)

Appendix E

[Alcohol Approval Form for Faculty, Staff and Guests \(Word\)](#)

[Alcohol Approval Form for Faculty, Staff and Guests \(PDF\)](#)

Appendix F

Definitions

For the purpose of this policy, the following definitions are used:

- **Sponsor/Support/Contribution/Donation:** Any contribution given to a sponsoring group (student, faculty, staff) or University department including, but not limited to, money, printing, products, or staff support.
- **Advertising:** Any printed or electronic media (e.g. brochures, flyers, banners, newspapers, e-mails, websites, electronic message boards), which promotes a product, service, or event.
- **Alcohol beverage manufacturer or distributor:** Any company or individual whose principle business is the manufacture, distribution, or retail sale of alcoholic beverages.
- **Event Sponsor:** The registered campus (student, faculty, and staff) organization, University department, University Club, recognized University support group, or off-campus "renters" or vendors organizing an event in University facilities or for official University events. Off campus renters/vendors of campus facilities must comply with this policy at their events.

- **Definition of a Drink:**

A standard drink is 12 grams of pure ethanol, which equals:

12 ounces of beer

10 ounces of wine cooler

8 ounces of malt liquor

4 ounces of wine

1 ounces of 80 proof hard liquor (whiskey)

1 ounce of 100 proof hard liquor

- **Other drugs and drug paraphernalia:** Other drugs and drug paraphernalia used in this document refers to controlled substances and items as defined by federal and state laws.

- **Drinking Contests:** Drinking Contests constitute individuals or groups of individuals participating in activities with the intent to encourage increased consumption of alcohol beyond safe and legal limits.

Appendix G

Alcohol, Tobacco and Other Drugs Prevention Program

The California State University, East Bay Alcohol, Tobacco and Other Drugs Advisory Council was established during Fall of 2001 in response to the Chancellor's directive that CSU campuses provide special attention to the development of alcohol, tobacco and other drugs (ATOD) policies and prevention programs. The Alcohol, Tobacco and Other Drugs Advisory Council consists of thirteen members, including representation from the campus, students, staff, faculty and the community and is divided into five subcommittees: Policy, Assessment, Education & Prevention, Community/Treatment and Funding. The Alcohol, Tobacco and Other Drugs Advisory Council meets once per quarter and each subcommittee meets as often as needed to complete objectives and evaluate compliance with state and federal laws.

The Alcohol, Tobacco and Other Drugs Education & Prevention subcommittee is responsible for dissemination and communication of the CSUEB AOD Policy to students, parents, staff and faculty. The subcommittee is also responsible for training CSUEB staff on ATOD issues, providing educational programming and initiating a social norms campaign on campus. In addition, the university currently collaborates with local agencies in the community to further ATOD prevention and enforcement activities.

CSUEB participates in the following campus alcohol education/awareness activities:

- Fall Welcome Week
- Homecoming Week
- Spring Break
- "Soberfest" - Alcohol Awareness Day
- Alcohol Awareness Evening at the Residence Halls
- "Alcohol Jeopardy" at the Residence Halls
- Resident Advisor (RA) alcohol training
- Date rape programming

Contact the Health Promotions Department located in the Student Health Services at (510) 885-2356 for additional information on existing ATOD prevention activities.

Approved by President Qayoumi on June 2, 2008