

## **Annual Drug-Free Workplace Notification**

Cal State Fullerton is committed to promoting the health of its campus community members by preserving an environment free from drug and alcohol abuse. All campus community members should be aware that the unlawful possession, use, manufacture, dispensation, or distribution of alcohol or drugs on University property or as part of any University-related activity is prohibited by both law and University policy. All federal and state alcohol and drug law offenses committed on Cal State Fullerton property are investigated by CSUF Police Department.

In accordance with the [CSU Drug-Free Workplace Policy](#), the following outlines the dangers of drug and alcohol abuse in the workplace; drug and alcohol counseling, treatment, or rehabilitation programs available to employees; and penalties that may be imposed for drug and alcohol abuse violations occurring on University property or as part of a University-related activity.

### **Dangers of Drug and Alcohol Abuse**

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. Chronic health problems may arise from long-term abuse, and acute, traumatic reactions may arise even from one-time or moderate use. In addition to the toxicity of specific drugs, mixing drugs can compound toxic effects.

Illegal, “counterfeit,” or “designer” drugs may be toxic, contaminated, or have impurities, causing poisoning, and can be lethal. Acute health problems may include a heart attack, stroke, and sudden death (even first-time use of cocaine or GHB). Long-term effects include heart and/or lung damage, high blood pressure, blood vessel leaks in the brain, brain cell destruction, permanent memory loss, infertility, impotency, immune system impairment, kidney failure, and cirrhosis of the liver. Substance abuse is correlated with high-risk behavior that could lead to accidents and injury, increased risk of contracting a sexually transmitted infection, or unwanted pregnancy. Drugs and alcohol might also be used to incapacitate individuals, resulting in sexual assault and other crimes. Using alcohol or other drugs while pregnant can cause fetal damage, birth defects, miscarriage, and infant death.

For additional information concerning the health risks of substance abuse, please review the following:

- [Alcohol Use and Your Health](#)
- [Health Consequences of Drug Misuse](#)
- [Fetal Alcohol Spectrum Disorders \(FASDs\)](#)

## Substance Abuse Education, Prevention Programs, and Assistance Services

- Employees can access resources via the [Employee Assistance Program \(EAP\)](#) through [MyLifeMatters](#) by Empathia.
  - (800) 367-7474 (24 hours a day, 7 days a week).
  - Counseling up to 6 sessions, for each area of concern, to assist in resolving issues, including chemical dependency.
  - All calls and referrals made by Empathia are strictly confidential.
- For additional information about the EAP, please contact Human Resources and Inclusive Excellence to discuss services or continuation of care at (657) 278-2824 or review the [Employee Assistance Program \(EAP\) website](#).
- For information concerning drug or alcohol counseling, treatment, rehabilitation, and re-entry programs, employees should contact their health care provider.
- [Orange County Health Care Agency](#)
  - The Orange County Health Care Agency provides a range of resources designed to reduce or eliminate the abuse of alcohol and other drugs within the community.

## Penalties and Sanctions

### Federal Penalties and Sanctions

Under Federal law, it is a felony offense to sell or intend to sell, manufacture, or distribute DEA scheduled drugs or mixtures containing them (e.g., cocaine, methamphetamines, heroin, Ecstasy, GHB, Ketamine, LSD, PCP, and so-called “designer drugs”, as well as “counterfeits” purported to be such drugs), or to traffic in marijuana or hashish. Depending upon the quantity of drugs involved, penalties for first offenses range from 5 years to life (20 years to life if death or serious injury involved) and fines up to \$10 million or more, and for second offenses from 10 years to life (life if death or serious injury involved) and fines up to \$20 million.

Federal law also prohibits the illegal possession of a controlled substance. Penalties for first offenses range up to prison sentences up to one year and a minimum fine of \$1,000; penalties for second offenses range up to prison sentences up to two years and a minimum fine of \$2,500; and penalties for third offenses range up to prison sentences up to three years and a minimum fine of \$5,000. Special sentencing provisions apply for possession of flunitrazepam, including imprisonment of three years as well as the fine schedule referenced above.

It is important to note that illegal trafficking in over-the-counter or prescription drugs (including anabolic steroids) which are listed as DEA Schedules II–V are included in the above penalties and fines.

Those convicted of possession or distribution of controlled substances can be barred from receiving benefits of federal programs, including student grants and loans, contracts, ability to conduct teaching and research using controlled substances, and professional and commercial licenses; may be subject to forfeiture of property used in or traceable to illegal controlled substance transactions; and, if non-citizens, subject to deportation.

### State Penalties and Sanctions

California law prohibits furnishing and selling alcoholic beverages to underage (younger than 21) or obviously intoxicated individuals. Underage persons may not buy alcoholic beverages or possess them on campus, in public, or in places open to public view; the penalties for violations of these laws may include substantial fines and jail. Alcohol may not be sold without a license or permit. State law also prohibits driving a motor vehicle under the influence (a blood alcohol level of .08 percent or higher creates a presumption of intoxication, but can be charged with lower blood alcohol levels); drinking or possessing an open container of alcohol while driving; and operating a bicycle while intoxicated. Drunk driving penalties include jail or prison, fines of \$1,000 or more, driver's license suspension or revocation, and required drug/alcohol treatment programs. Refusing to submit to a test for blood alcohol can result in suspension of driver's license for up to 3 years.

Sale or possession for sale of controlled substances such as cocaine, methamphetamines, heroin, Ecstasy, GHB, Ketamine, LSD, PCP, marijuana, and "designer drugs" is a felony with terms of 3 years or more; manufacture results in terms of 3 years or more; possession alone is punishable by up to 4 years in prison. Sentences are enhanced for previously convicted felons, for distribution within 1,000 feet of a school or University or within 100 feet of a recreational facility, and for distribution to a pregnant woman or to someone under 18 by one over 18. Property used in drug transactions can be seized.

### University Discipline

The University strives to maintain communities and workplaces free from the illegal use, possession, or distribution of alcohol and controlled substances. The use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia (except as expressly permitted by law and University regulations) or the misuse of legal pharmaceutical drugs is prohibited. Similarly, the use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and University regulations), or public intoxication while on University property or at a University-related activity is prohibited.

Employees found to be in violation of federal or state laws, or CSU or University policies, may be subject to disciplinary action, up to and including dismissal, under applicable University policies and/or collective bargaining agreements. Employees may also be required to participate in an appropriate treatment program, in addition to any potential criminal or civil penalties resulting from violating a local, state, or federal law.

## **CSU System and University Policies**

### Systemwide

In addition to the [CSU Drug-Free Workplace Policy](#), the [CSU Policy on Systemwide Smoke and Tobacco Free Environment](#) establishes a smoke and tobacco-free environment on every CSU campus, including Cal State Fullerton.

### University

The University has three policies related to alcohol and drug use. The full text of these policies can be located by clicking on each link:

- [President's Directive No. 1](#): University Policy Regarding the Possession, Manufacturing, Sale, Furnishing Without Charge, and Consumption of Alcoholic Beverages and Other Drugs in a University Workplace or Residence Facility.
- [University Policy Statement 330.231](#): Policy Regarding the Illegal Use of Drugs by Students.
- [University Policy Statement 330.232](#): Policy on the Use of Alcoholic and Malt Beverages by Students and by Student Organizations.

Questions concerning this notification, alcohol and drug assistance programs, interventions, and/or CSU or University policies may be directed to [hr@fullerton.edu](mailto:hr@fullerton.edu).