

# Moler Barber College

## Drug and Alcohol Abuse Prevention Plan

Moler Barber College has established a Drug and Alcohol Abuse Prevention Program.

Drug and alcohol use impairs memory, alertness and achievement. It erodes the capacity to perform, think and act responsibly. It may be grounds for termination of your enrollment or employment with the institution or other legal action.

All students and employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of illicit drugs and alcohol is prohibited in the institution's learning environment. Any student or employee must notify the institution of any criminal drug and alcohol statute conviction for a violation occurring in the learning environment no later than five days after such conviction.

#### Health Risks:

The abuse of narcotics, depressants, stimulants, hallucinogens, or alcohol can cause serious detriment to a person's health. The health risks associated with the misuse of the previously mentioned drugs vary but include, and are not limited to: convulsions, coma, paralysis, irreversible brain damage, tremors, fatigue, paranoia, insomnia, and possible death. Drug and alcohol abuse is extremely harmful to a person's health, interferes with productivity and alertness, and working while under the influence of drugs or alcohol could be a danger to the employee, faculty, or student under the influence and fellow workers, faculty, and students.

Described below are some of the additional dangers and symptoms relative to use/abuse:

#### Marijuana

Commonly known as "pot", it is a plant with the botanical name of *cannabis sativa*. Pot is almost always smoked but can be ingested. Use causes the central nervous system to become disorganized and confused. Most users experience an increase in heart rate, reddening of eyes and dryness of the throat and mouth. Studies have proven that marijuana's mental effects include temporary impairment of short-term memory and an altered sense of time. It also reduces the ability to perform tasks requiring concentration, swift reactions and coordination. Feelings of euphoria, relaxation and bouts of exaggerated laughter are also commonly reported.

Smoking "pot" may cause: brain chemical changes, an altered reality, physically damaged lungs, emphysema, chronic bronchitis, lung cancer, a weakened immune system, damage to sperm in males, irregular menstrual cycles in females, reduced fertility and sex drive.

#### Cocaine/Crack

Cocaine is a stimulant drug, which is derived from the coca plant. Street cocaine is available in the form of a powder or a "rock" of crack and is most commonly inhaled or smoked. Cocaine increases the heart rate and blood pressure and is very addictive. Crack is a form of smokable cocaine named for the popping sound it makes when burned. It is a

mixture of cocaine, baking soda, and water. It is 5-10 times more

potent than cocaine and is extremely dangerous. It has been reported that addiction can occur with as few as two “hits”. Some of the symptoms of cocaine/crack abuse are: personality changes, unexplained weight loss, excess sniffing and coughing, insomnia, depression, irritability, neglect of responsibility toward work, school, family and friends, and panic attacks.

## Alcohol

In small doses, alcohol has a tranquilizing effect on most people, although it appears to stimulate others. Alcohol first acts on those parts of the brain that affect self-control and other learned behaviors; lowered self-control often leads to the aggressive behavior associated with those who drink. Alcohol use can also quickly cause dehydration, coordination problems, and blurred vision.

In large doses, alcohol can dull sensation and impair muscular coordination, memory and judgment. Taken in larger quantities over a long period of time, alcohol can damage the liver and heart and cause brain damage and a great number of other health, medical, and social issues.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

## Hallucinogens

These are also known as psychedelics. The effects vary; the same person may have different reactions on different occasions. Most users are affected by changes in time and space perception, delusions and hallucinations. The effects may be mild or overwhelming, depending on the dose and quantity of the drug. Physical reactions range from minor changes such as dilated pupils, a rise in temperature and heartbeat to tumors. High doses can greatly alter the state of consciousness.

After taking a hallucinogenic, the user loses control of thought processes. Although many perceptions are pleasant, others may cause panic or may make a person believe that he or she cannot be harmed. These delusions can be quite dangerous.

## Heroin

Heroin is a narcotic, which relieves pain and induces sleep. Commonly known as “junk” or “smack”, heroin is a highly addictive depressant and has been attributed as the cause of many deaths. Obvious symptoms include “pin point pupils”, drowsy, lethargic, slurred speech and an inability to concentrate. Related medications used to treat pain include oxycontin and oxycodone, methadone, and codeine. The abuse of painkillers ranks second only to the abuse of marijuana in the United States.

Heroin users experience a high rate of infectious diseases due to a weakened immune system and dirty needles shared by users. Children can be born addicted or can become addicted from heroin in the mother's milk.

### Crystal Methamphetamine

Crystal methamphetamine is a colorless, odorless powerful and highly addictive synthetic (man-made) stimulant. Crystal methamphetamine typically resembles small fragments of glass or shiny blue-white "rocks" of various sizes. Like powdered methamphetamine), crystal methamphetamine produces long-lasting euphoric effects. Crystal methamphetamine, however, typically has a higher purity level and may produce even longer-lasting and more intense physiological effects than the powdered form of the drug. Crystal methamphetamine use is associated with numerous serious physical problems. The drug can cause rapid heart rate, increased blood pressure, and damage to the small blood vessels in the brain – which can lead to stroke. Chronic use of the drug can result in inflammation of the heart lining. Overdoses can cause hyperthermia (elevated body temperature), convulsions, and death.

Individuals who use crystal methamphetamine also may have episodes of violent behavior, paranoia, anxiety, confusion, and insomnia. The drug can produce psychotic symptoms that persist for months or years after an individual has stopped using the drug.

Crystal methamphetamine users who inject the drug expose themselves to additional risks, including contracting HIV (human immunodeficiency virus), methamphetamine also risk scarred or collapsed veins, infections of the heart lining and valves, abscesses, pneumonia, tuberculosis, and liver or kidney disease.

### Depressants

Depressants are addictive. They are usually known as "downers". A user may be drowsy, suffer from memory loss and have slurred speech. Many lawful drugs that have a depressant feature are from the family of drugs called barbiturates. More effects of downers are liver damage, paradoxical anxiety and excited rage, coma and death.

### Ecstasy

(MDMA) Also known as XTC, X and E, Ecstasy is a mind altering drug with hallucinogenic and speed like side effects. Often used at raves it is taken to promote loss of inhibition, excited-ness, euphoria, energy, and sexual stimulation. Ecstasy increases the amounts of serotonin in a person's brain, which causes increased energy and cheerfulness; it also contains anti-coagulative properties, which can cause a person to bleed to death if injured. Ecstasy can also cause serious brain damage in a short time. Side effects of ecstasy are: depression, increase in heart rate and blood pressure, muscle tension, nausea, blurred vision, faintness, chills, brain damage, organ damage, and death. Similar "designer drugs" include MDEA and MDA (also known as "Adam" and "Eve")

## Ritalin

Methylphenidate (Ritalin) is a medication prescribed for individuals (usually children) who have an abnormally high level of activity or attention-deficit hyperactivity disorder (ADHD). It contains amphetamines and can be abused as a stimulant by those other than for who prescribed. When abused, the tablets are either taken orally or crushed and snorted. Some abusers dissolve the tablets in water and inject the mixture – complications can arise from this because insoluble fillers in the tablets can block small blood vessels.

## GHB

Gamma-hydroxyl butyrate is an intoxicating chemical with medical, recreational, and potentially dangerous uses. Its use is illegal for any purpose in the United States. Nicknamed the “date rape drug,” it is a clear liquid often mixed in drinks to promote relaxation or increased sociability. When taken, side effects can be: drowsiness, dizziness, vomiting, amnesia, decreased motor skills, slurring of speech, unrouseable sleep (coma) and death. GHB was used as a dietary supplement until banned by the FDA. GHB is now illegal in the United States. Common slang names for GHB are: G, Liquid X, GBH, Gamma- oh, Blue Verve, Grievous Bodily Harm, Goop, and EZLay.

### Drug Conviction Notification and Imposed Sanctions:

An employee or student must notify Moler Barber College of any criminal drug statute conviction for a violation occurring no later than five days after such a conviction.

Within 30 days after receiving notice of an employee or student conviction, Moler Barber College will impose corrective measures on the employee or student convicted of drug abuse violations by:

1. Taking appropriate action against the employee or student up to and including expulsion or termination and referral for prosecution and/or
2. Requiring such employee or student to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes be it a federal, state or local health, law enforcement, or other appropriate agency.

### Federal Penalties and Sanctions relating to Drug Violations:

This is a list of federal penalties and sanctions associated with the unlawful manufacture, distribution, dispensing, possession or use of any controlled substance. Any employee, or student violating any of the described laws of the Health and Safety Code or the Business and Professional Code could be subject to fines and imprisonment.

#### 21 U.S.C. 844

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 or both.

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

Provisions relating to increased penalties in cases of certain serious crack possession offenses, making offenders subject to fines under Title 18 or imprisonment to terms not exceed less than 5 years and no more than 20 years, or both.

Possession of flunitrazepam shall be imprisoned for not more than 3 years, shall be fined as otherwise provided in this section, or both after mixture or substance exceeds 1 gram.

21 U. S. C. 844a

Civil fine up to \$10,000

21 U. S. C. 847 Additional Penalties

Any penalty imposed for violation of this subchapter shall be in addition to, and not in lieu of, any civil or administrative penalty or sanction authorized by law.

21 U. S. C. 854 Investment of illicit drug profits

Whoever violates this section shall be fined no more than \$50,000 or imprisoned not more than 10 years, or both.

21 U. S. C. 862

- a. Drug Traffickers - Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 5 years for the first offense, up to 10 years for second and permanently ineligible for subsequent offenses.
- b. Drug Possessors – 1<sup>st</sup> offense is up to 1 year and 2<sup>nd</sup> and subsequent offenses is up to 5 years.
- c. Suspension of period of ineligibility (A) (B) (C)

21 U. S. C. 862a

Denial of assistance and benefits for certain drug related convictions, i.e., state program funded under the Social Security Act or food stamp program or state program under the Food Stamp Act.

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

## STATE LAW

### State Sanctions

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 y 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 U.S.C Section 862. There are additional custodial and financial ramifications, for the 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, Sections 11350 et seq. Penalties for individual convicted of violating these statutes includes 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 substances.

- **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.

## SUMMARY OF STATE LAWS ABOUT ALCOHOL POSSESSION/CONSUMPTION

The following is not a comprehensive list of statutes and penalties.

California Business and 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 results from 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 and 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 for this statute constitutes a misdemeanor and is punishable by a minimum fine of \$200.00.

## **Driving Under Influence of Alcohol or Drugs**

23152. (a) It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

(e) This section shall ( )<sup>1</sup> remain in effect only until January 1, ( )<sup>2</sup> 2014, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2014, deletes or extends that date.

### **Rehabilitation:**

Moler Barber College will reasonably accommodate any student or employee who volunteers to enter an alcohol or drug rehabilitation program, provided the reasonable accommodation does not impose undue hardship on Moler Barber College.

#### **Drug Abuse & Addiction Information & Treatment Centers**

- Harm Reduction Therapy Clinic 415.863.4282
- National Institute on Drug Abuse 888.644.6432
- Al-Anon Alcohol Abuse Hot Line 800.356.9996
- Alcoholics Anonymous World Services 212.870.3400
- National Institute of Alcohol Abuse and Alcoholism 415.292.3241
- Rapid Detox 800.996.3784
- Treatment Access Services 415.522.7100 or 800.750.2727
- Alcoholics Anonymous (AA) 415.674.1821
- ACOA (Adult Children of Alcoholics) 415.442.7998
- AL-NON (Family & Friends of Alcoholics) 415.626.5633
- The Center for Substance Abuse Treatment and Referral Hotline 800.662.HELP

#### **More Oakland and Alameda County Drug and Alcohol Treatment Resources**

B.A.T.S.

2975 Sacramento Street, Berkeley, CA 94702  
(510) 644-0200

East Bay Community Recovery Project – Project Pride  
2551 San Pablo Avenue, Oakland, CA 94612

(510) 446-7150

Residential/Recovery Long Term (over 30 days)

H.A.A.R.T. Inc.  
10850 MacArthur Blvd, Ste 200, Oakland, CA 94605  
(510) 875-2300

H.A.A.R.T. Inc.  
20094 Mission Blvd, Hayward, CA 94541  
(510) 727-9755

Healthy Babies Project, Inc

The Harriet Tubman  
Recovery Center 2  
3328 Elm Street, Oakland, CA 94609  
(510) 450-0881

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Residential/Recovery Long Term (over 30 days)

Healthy Babies Project, Inc

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Maudell Shirek Recovery Village  
471 34thStreet, Oakland, CA 94609  
(510) 450-0881

Rehabilitative/Ambulatory Intensive Outpatient (Daycare Rehabilitative)

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The Harriet Tubman  
Recovery Center  
1004 36thStreet, Oakland, CA 94608  
(510) 547-9740

Residential/Recovery Long Term (over 30 days)

Highland Hospital

1411 E. 31st Street, Oakland, CA 94602  
(510) 437-4688

Rehabilitative/Ambulatory Intensive Outpatient (Daycare Rehabilitative)

- Case Management

Latino Commission – Mujeres Con Esperanza  
3315 International Blvd., Oakland, CA 94601  
(510) 536-4764  
Perinatal Outpatient Services  
Magnolia Women's Recovery Program, Inc.  
682 Briergate Way, Hayward, CA 94544  
(510) 487-2910

Residential/Recovery Long Term (over 30 days)

Orchid Women's Recovery Center  
1342 E. 27th Street, Oakland, CA 94606  
(510) 535-0611

Residential/Recovery Long Term (over 30 days)

Second Chance – Phoenix Women's Center  
4673 Thornton Avenue, Ste P, Fremont, CA 94536  
(510) 792-4357

Perinatal Outpatient Services

Solid Foundations - Mandela I  
6939 Mac Arthur Blvd, Oakland, CA 94605  
(510) 553-9973

Residential/Recovery Long Term (over 30 days)

Solid Foundations - Keller House  
353 Athol Avenue, Oakland, CA 94606  
(510) 251-2001

Residential/Recovery Long Term (over 30 days)

Solid Foundations - Mandela II  
3408 Andover Street, Oakland, CA 94609  
(510) 428-0457

Residential/Recovery Long Term (over 30 days)

Solid Foundations - Women's Center  
4778 International Center, Oakland, CA 94601  
(510) 533-5317

Successful Alternatives For Addiction And Counseling Service

795 Fletcher Lane, Hayward, CA 94544  
(510) 247-8300

NRT - All Services

West Oakland Health Council, Inc.  
3007 Telegraph Avenue, Oakland, CA 94609  
(510) 433-1500

Moler Barber College's Drug and Alcohol Abuse Prevention Plan Distribution Procedures:

Moler Barber College's Drug and Alcohol Abuse Prevention Plan will be distributed to all students and employees using the following procedure.

Students will receive a copy on their initial enrollment. Employees will receive a copy with the initial agreement of employment. It will be read, and the signature page will be returned with the enrollment or employment agreement. Annually, the Human Resources Department will be responsible for distributing the plan to current employees and the School Director will be responsible for distributing the plan to current students.

By signing this document the student or employee agrees to abide by Moler Barber College's Drug and Alcohol Abuse Prevention Plan and understands the sanctions associated with violating such plan.

\_\_\_\_\_ Name (Print)

\_\_\_\_\_ Signature

\_\_\_\_\_ ID or SS#

\_\_\_\_\_ Date

Moler Barber College  
Policy For a Drug-Free Workplace

As Required by the Federal Drug-free Workplace Act  
of 1988 (Public Law 101-690)

## **Drug & Alcohol Policy For a Drug-Free Workplace**

The following Drug-Free Workplace Policy is to notify all employees that pursuant to the Federal Drug-Free Workplace Act of 1988 (Public Law 101-690) and California Drug-Free Workplace Act of 1990, Moler Barber College prohibits the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace, on school property, or as part of any school activity. Moler Barber College similarly prohibits the unlawful use, possession, and distribution of alcohol in the workplace, on school property, or as part of any school activity, as well as any other unlawful conduct involving alcohol.

For the purpose of this statement, the site for performance of work done in connection with grants, and thus the drug-free workplace, consists of all locations where Moler Barber College does business. This includes, but is not limited to all lecture classrooms, parking lot, all administrative offices, storage rooms, and any space to be added in the future.

### Rehabilitation:

Moler Barber College will reasonably accommodate any employee who volunteers to enter an alcohol or drug rehabilitation program, provided the reasonable accommodation does not impose undue hardship on Moler Barber College. Reasonable accommodation could include time off without pay and adjustment of working hours. The employee may use whatever sick time he/she is entitled. However, Moler Barber College is not obligated to offer an accommodation for any employee who has violated any school policy that in Moler Barber College's sole discretion merits termination of the relationship before asking for assistance. Moler Barber College will take reasonable measures to safeguard the privacy of the employee concerning enrollment in an alcohol or drug rehabilitation program. If an employee enters into a state approved rehabilitation program, the employee shall sign an agreement with Moler Barber College, which will include the following:

1. Enroll in and complete a company approved rehabilitation program at the employee's cost.
2. Execute the appropriate release of medical information forms to the company in order to monitor the compliance with the rehabilitation program.
3. Ensure the treatment facility provides the company with the necessary documentation to establish compliance.
4. Abstain from any illegal drug misconduct.
5. Acknowledge that any future violation of company drug prohibitions shall result in immediate discharge.
6. Failure to comply with any provision of the agreement shall result in immediate

discharge.

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- Al-Anon Alcohol Abuse Hot Line 800.356.9996
- Alcoholics Anonymous World Services 212.870.3400
- National Institute of Alcohol Abuse and Alcoholism 415.292.3241
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Residential/Recovery Long Term (over 30 days)

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(510) 247-8300

NRT - All Services

West Oakland Health Council, Inc.  
3007 Telegraph Avenue, Oakland, CA 94609  
(510) 433-1500

Moler Barber College's Drug-Free Workplace Policy Distribution Procedures:

Moler Barber College's Drug-Free Workplace Policy will be distributed to all employees, on an annual basis using the following procedure:

Employees will receive a copy of the Drug-Free Workplace Policy with the initial agreement of employment. It will be read, and the signature page will be returned with the employment agreement. Annually, the Human Resources Department will be responsible for distributing the policy to current employees.

Acknowledgement of Receipt of Moler Barber College's Drug-Free Workplace Policy.

By signing this document the employee agrees to abide by Moler Barber College's Drug-Free Workplace Policy and understands the sanctions associated with violating such policy.

\_\_\_\_\_ Name (Print)

\_\_\_\_\_ Signature

\_\_\_\_\_ ID or SS#

\_\_\_\_\_ Date

## Moler Barber College

Biennial Review of:

Drug and Alcohol Abuse Prevention Program

Moler Barber College will review the effectiveness of its plan by the following.

- Moler Barber College will review the plan to make sure it is up to date with the health risks, rehabilitation sources, drugs listed and sanctions associated with drug and alcohol abuse.

- Moler Barber College will review the number of drug and alcohol related violations and fatalities that occur on a school's campus or as part of any of the school's activities and that were reported to campus officials.

- Moler Barber College will review the number and type of sanctions imposed by the school as a result of drug and alcohol related violations and fatalities on the school campus or as part of any of the school's activities.

- Moler Barber College will review the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse.

Moler Barber College will make any necessary changes to the Drug and Alcohol Abuse Prevention Plan as a result of its biennial review.