

ALCOHOL AND ILLEGAL SUBSTANCE POLICY

It is the policy of LCAD to provide a healthy, safe and productive workplace for all employees and the entire student body. The college has created this Alcohol and Drug Policy to prohibit the manufacture, sale, purchase, transporting, furnishing, possessing, of intoxicating liquor or illicit drugs by students and employees on College property or at any College sponsored student activity or event. Any student, regardless of age, performing any of the above, will be subject to disciplinary action under the Code of Conduct and may face local, state and federal charges.

There are times that the College may choose to serve alcohol at a school-sponsored event either on-campus or at events off-campus connected to the LCAD Gallery, Institutional Advancement, Alumni Relations, Graduate or Non-Traditional Student Programs, etc. In this case, the event will be monitored by College administration and will follow the local and state rules in the distribution of alcohol. All students in attendance must abide by local, state and federal regulations related to the possession and consumption of alcohol. Students will also be held accountable as it relates to the College Code of Conduct.

Consistent with the Drug-Free Schools and Communities Act (DFSCA) of 1989, enacted by the federal government, the policies and procedures apply to all members of LCAD and to all LCAD sponsored events and activities that occur on and off-campus. In addition, employees and students are reminded that LCAD considers it the responsibility of the members of this community, both individually and collectively, to comply with the applicable local, state, and federal laws controlling drug and alcohol possession, use, or distribution.

State Laws:

Below is a brief summary of Federal and California State Laws regarding Liquor Law and Drug Violations. Violation of the statutes below constitutes a misdemeanor and in some cases, a felony with a monetary penalty and/or mandatory community service and possible incarceration.

- Drug laws: The violation of laws prohibits the production, distribution, and/or use of certain controlled substances and the equipment or device utilized in their preparation and/or use.
- It is unlawful to cultivate, manufacture, distribute, sale, purchase, use, possess, transport or import any controlled drug or narcotic substance. These drugs include but are not limited to opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics, which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- No person may sell, furnish, give, or cause to be sold, furnished or given away, any alcoholic beverage to a person under the age of 21, and no person under the age of 21 may purchase alcoholic beverages. (CA Business and Professions Codes 25658a and b)
- It is unlawful for any person under the age of 21 to possess alcoholic beverages on any street or highway or in any place open to public view. (CA B&P Code 25662a)
- It is unlawful to sell alcoholic beverages any place in the state without a proper license from the Department of Alcoholic Beverage Control. (CA B&P Code 23301)
- It is unlawful for any person to drink while driving (Vehicle Code 23220) or to have an open container of an alcoholic beverage in a moving vehicle as a driver or passenger. (Veh. Codes 23222 and 23223)
- Individuals with a blood alcohol level of .08 or higher, a driver is presumed to be under the influence of alcohol. (Veh. Code 23152; sanctions vary with number and type of offenses but can include suspension or loss of driving privileges, alcohol education program and mandatory imprisonment with fine.

It is unlawful for any person under the age of 21 who has a blood alcohol level of .01 or greater to drive a vehicle. (“The Zero Tolerance Law” - Veh. Code 23136; blood alcohol level of .05 or greater- Veh. Code 23140; sanctions vary with number and type of offenses but can include suspension or loss of driving privileges and alcohol education program)

- It is unlawful to operate a bicycle on a highway while intoxicated. (Veh. Code 21200.5; this law provides that bicyclists enjoy the same rights and are subject to the same regulations as motor vehicle operators)
- It is unlawful to be intoxicated and disorderly, defined as being in a condition where you are unable to exercise care for your own safety or the safety of others, or if you interfere or obstruct any street, sidewalk, or public way. (“Disorderly Conduct” - CA Penal Code 647f)
- It is unlawful for a person under the age of 21 to possess or present fraudulent evidence of age and identity in order to obtain alcohol and unlawful to transfer any form of identification for the purpose of falsifying age in order to secure alcoholic beverages. (CA B&P Code 25661)

College Sanctions:

Those found in violation of LCAD’s alcohol and drug policy in accordance with state and federal drug and alcohol laws will follow the outline of LCAD’s Code of Conduct and Disciplinary Action. Possible Sanctions given to those found in violation are listed below:

- Permanent dismissal from the College, which may include permanently barring the student from the College premises;
- Suspension, which may include barring the student from the College premises;
- Restricting the student's right to participate in one or more College activities;
- Probation; or
- Such other sanctions as the Committee determines appropriate

Biennial Review:

LCAD complies with regulations that state institutes of Higher Education conduct a review of its Alcohol and Drug program to determine effectiveness and the consistency of sanction enforcement. It is also conducted to identify and implement any necessary changes.

Health Risks:

In addition to being a violation of the LCAD Code of Conduct, the use of alcohol and drugs can adversely affect one’s health and severely impacts one’s ability to achieve academic success. Long-term use of alcohol and drugs can also affect you in a variety of ways including but not limited to:

- Mental Disorders such as Depression, Anxiety, Memory Loss and Alcohol and Drug Dependency
- Certain forms of cancer
- Heart and Circulation Complications including High Blood Pressure, Stroke, etc.
- Osteoporosis
- Sexual Health including impotence and infertility
- Risk of birth defects
- Kidney Disease
- Liver Diseases including Cirrhosis

If you think that you have a problem with drugs or alcohol and would like to talk to someone, please stop by the Student Life Office or School Counselor. These offices can provide you with someone with whom you may speak with confidentially as well as a list of current resources and referrals to assist you. LCAD is committed to creating an environment for its students and employees free of drug and alcohol abuse. We provide counseling support or referral for those with drug- and alcohol-related issues. LCAD's concern for the individual, however, must be balanced with its need to provide for the safety and well being of the community as a whole.

National and Local Resources:

National Council on Alcoholism and Drug Dependence - Orange County (NCADD – OC) Community Alliance Network (CAN) CAN is the prevention arm of NCADD-OC and is dedicated to creating and implementing prevention strategies that reduce underage drinking. They can be reached at (949) 595-2288.

Alcohol and other drug impaired driving: Community Service Programs: Positive Actions Toward Health (CSP/PATH): CSP~PATH is a community-based prevention project that aims to create safe and healthy communities by reducing problems associated with alcohol and other drug (AOD) impaired driving. They can be reached at (949) 757-1096.

Prescription & Over-the-Counter Drug Abuse: Community Service Programs: Positive Actions Toward Health (CSP/PATH) CSP~PATH is a community-based prevention project that aims to create safe and healthy communities by reducing problems associated with prescription and over-the-counter (Rx/OTC) drug use.

The Canyon Club of Laguna Beach: Located at 20456 Laguna Canyon Road in Laguna Beach. The mission of The Canyon Club is to support the recovery and rehabilitation of alcoholics. To that end, The Canyon Club provides a facility for Alcoholics Anonymous and Al-Anon meetings, as well as a variety of educational, recreational, social and other activities and events that support the Club.

Residence Hall Policy for Drug and Alcohol Violations:

Illegal drugs and the consumption of alcohol are NOT allowed in the Residence Hall or any LCAD Campus. Any drug or alcohol paraphernalia found in the Residence hall will be confiscated. Those in possession of alcohol or an illegal substance will be disciplined according to the following sanctions. The same rules apply for those who hold medical marijuana cards and we encourage those students to choose to live somewhere other than the LCAD Residence Hall. Depending on the specific circumstances, sanctions could be much more severe. For instance, a serious first offense may result in immediate eviction. Furthermore, parents, guardians, and the local authorities may be notified if the situation warrants it.

1st Offense will result in \$100.00 immediate fine and may require an assessment/education class from a professional Alcohol and Drug Service Organization to be paid for by student.

2nd Offense will result in \$200.00 immediate fine and disciplinary probation, assigned community service and may result in other disciplinary action. The Disciplinary Committee will define probation terms and community service requirements. If service requirements or fines are not followed, the Disciplinary Committee will take further action based on individual case.

3rd Offense will result in immediate eviction from LCAD Housing and indefinite suspension. Resident will not receive a refund of the housing deposit nor the remaining housing fee for that semester. Student will not be allowed to visit the LCAD Residence Hall. Serious, on-going violations may also result in expulsion from Laguna College of Art + Design

