



## Drug and Alcohol Abuse Prevention Program (DAAPP)

Drug-Free Schools and Communities Act of 1989 (Public Law 101-226, 20 U.S.C. § 1011i)  
and 34 C.F.R. Part 86 (EDGAR Part 86 Implementing Regulations)

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## ABOUT THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT AND PREPARATION OF THE DAAPP

The Drug-Free Schools and Communities Act (DFSCA) and its Part 86 implementing regulations pose ongoing, annual and biennial requirements for San José State University (SJSU) to comply as a condition of receiving federal funds. The purpose of the DFSCA is to prevent the unlawful possession, use and distribution of illicit drugs and alcohol by students and employees on institutional property, or as part of any of its activities.

SJSU is committed to providing a safe and welcoming environment conducive to learning, teaching and working for students and employees. Part of that commitment means understanding and taking seriously our obligations to inform the campus community of available resources as well as the disciplinary, health, and legal consequences of use and abuse of alcohol and illegal drugs. Accordingly, the university DFSCA/Part 86 Compliance Official is designated with the responsibility for establishing and maintaining procedures consistent with facilitating institutional compliance with the following requirements:

- Maintaining a comprehensive Drug and Alcohol Abuse Prevention Program<sup>1</sup> (DAAPP) document on behalf of the university that contains all required components.
- Annually distributing the DAAPP document to all students (excluding those enrolled in continuing education courses) and employees, and actively distributing to students and employees that join the university after the initial annual distribution.
- Completing a biennial review process of the DAAPP in order to determine its effectiveness and ensure that disciplinary sanctions imposed by the university are consistently enforced.

Please note that the university maintains this DAAPP separately from the university policy on Alcohol and Other Drugs, which is under revision at the time of this distribution.

University locations classified as a separate<sup>2</sup> campus for Clery purposes are also required to comply independently with the DFSCA and Part 86 regulations. As it is permissible under the Clery Act<sup>3</sup>, the university maintains this single DAAPP on behalf of all San José State University campus locations:

- Main Campus (San José, CA)
- Moss Landing Marine Laboratories (Moss Landing, CA)
- Reid-Hillview Airport (San José, CA)
- South Campus (San José, CA)
- Timpany Center (San José, CA)

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<sup>1</sup> [34 CFR 86.100\(a\)](#)

<sup>2</sup> Separate Campus as defined in [CSU Systemwide Clery Policy](#)

<sup>3</sup> [34 CFR 668.46\(b\)\(10\)](#)

SJSU's Biennial Review Report for all SJSU campus locations, which is in development at the time of this distribution, can be located at the following web address once finalized:

<https://www.sjsu.edu/clery/sjsu-clery-and-safety-reports/index.php>

An electronic or paper copy of the most recent Annual Security Report for all SJSU campus locations can be requested by contacting the Clery Compliance Office or visiting the website listed below:

Clery Compliance Office

(408) 924-1501

[clerycompliance@sjsu.edu](mailto:clerycompliance@sjsu.edu)

<https://www.sjsu.edu/clery/docs/SJSU-Annual-Security-Report.pdf>

An electronic or paper copy of the most recent Annual Fire Safety Report can be requested by contacting the University Housing Services Office or visiting the website listed below:

University Housing Services

350 S. 9th Street San José, CA 95112

408-795-5600

[uhs-frontdesk@sjsu.edu](mailto:uhs-frontdesk@sjsu.edu)

<https://www.sjsu.edu/clery/docs/SJSU-Annual-Fire-Safety-Report.pdf>

## STANDARDS OF CONDUCT

### San José State University Standards of Conduct

All SJSU students, faculty, staff, and visitors are subject to SJSU policies, as well as local, state, and federal laws regarding the unlawful possession, manufacturing, distribution, sale, or use of alcohol and illegal drugs. As a Title IV participating institution, the University does not recognize medical marijuana authorization cards because marijuana is classified as an illegal substance under federal law.

The unlawful manufacturing, distribution, possession, sale or use of illicit drugs and alcohol on university property or as any part of its activities is prohibited. Individuals in violation may be subject to arrest or citation. The University Police Department (UPD) enforces laws pertaining to alcohol and drugs at most SJSU owned, controlled and officially recognized locations. External law enforcement agencies also enforce laws pertaining to alcohol and drugs at activities and locations that may or may not be owned, controlled and officially recognized by the university. Students, faculty and staff in violation of alcohol and drug laws may also be referred to the Offices of Student Conduct or University Personnel for administrative discipline.

### University Alcohol and Drug Policy

The university policy on Alcohol and Other Drugs is under revision at the time of this distribution. The current version of the policy can be found at the following web address: <http://www.sjsu.edu/senate/docs/F10-1.pdf>.

On-campus housing is available at SJSU's Main Campus to students, faculty and staff. The Department of Housing Services maintains a community living handbook that outlines alcohol and drug policies for residents to follow. The handbook and other policy information provided to all residents can be viewed at the following web address: <https://www.sjsu.edu/housing/how-we-can-help/policies/index.php>.

### Student Organizations

Officially recognized student organizations that hold events where alcohol is served are required to register those events in advance with the Office of Student Involvement. The Office of Student Involvement maintains the relevant organization handbooks that outline requirements and expectations with events involving alcohol and can be accessed at the following web address: <https://www.sjsu.edu/getinvolved/resources.php>

### University Auxiliaries

The SJSU Research Foundation provides administrative and business support to the campus research enterprise. Their Human Resources department maintains a drug and alcohol policy that can be accessed in the Human Resources section of the following web address: <https://www.sjsu.edu/researchfoundation/resources/policies/index.php>

The Tower Foundation is SJSU's auxiliary organization dedicated solely to philanthropy. Their employee handbook outlines policies on tobacco, alcohol and drugs. Their employee handbook can be located in the employee section of the following website: <https://www.sjsu.edu/towerfoundation/>.

## California State University System Policies

The Chancellor's Office of the California State University System maintains various policies that establish oversight, guidelines and procedures for operations of the 23 institutions. The following list of systemwide policies relate to alcohol and drugs. This is by no means an exhaustive list.

- CSU Executive Order 930 governs the implementation and management of Drug-Free Workplaces at all CSU institutions. Employees violating this policy shall be subject to discipline, up to and including dismissal. Discipline shall be imposed in a manner consistent with the applicable labor agreements, CSU policies, and law. In addition to, or in lieu of discipline, CSU may, at its discretion, require employees violating the policy to participate satisfactorily in an appropriate drug abuse rehabilitation program. This policy defines an employee as "a person legally holding a position in the California State University". The full text of this policy can be located on the CSU System website at the following web address: <https://calstate.policystat.com/policy/6591887/latest/>.
- CSU Executive Order 1108 governs the implementation of smoke and tobacco free environments at all CSU institutions. All California State University campuses are required to be 100% Smoke Free and Tobacco Free. Smoking, the use or sale of tobacco products, and the use of designated smoking areas are prohibited on all California State University properties. Members of the CSU community are expected to fully comply with the policy. Any sponsorship and/or advertising in respect to any university activity or event by a tobacco product manufacturer is prohibited unless explicitly authorized by the University President or designee. The full text of this policy can be located on the CSU System website at the following web address: <https://calstate.policystat.com/policy/6591951/latest/>.
- California State University Executive Order 1109 governs all CSU institutions regarding the sale and service of alcoholic beverages at or in conjunction with University intercollegiate athletic events, and advertising of alcoholic beverages on campus and at University athletic facilities. The full text of Executive Order 1109 can be located on the CSU System website at the following web address: <https://calstate.policystat.com/policy/6716728/latest/>.

## APPLICABLE LEGAL PENALTIES, ADMINISTRATIVE DISCIPLINE AND SANCTIONS

### Summary of Drug Schedules

Controlled substances are classified into one of five numerical designation schedules in accordance with standards and procedures<sup>4</sup> under the federal Controlled Substances Act. The following provides a brief overview of the schedules<sup>5</sup> of controlled substances.

#### Schedule I

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.

#### Schedule II

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.

#### Schedule III

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

#### Schedule IV

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

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<sup>4</sup> [21 U.S.C. 811](#)

<sup>5</sup> [21 U.S.C. 812](#)

## Schedule V

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.

## Federal Penalties

The following tables are not representative of all possible penalties in all circumstances. Tables of federal trafficking penalties are derived from the 2020 Edition of the Drug Enforcement Administration Drugs of Abuse Resource Guide<sup>6</sup>.

### Federal Penalties for Possession and Other Controlled Substance Related Violations

Offense	Penalties (Fine / Imprisonment)
Simple Possession <sup>7</sup>	First Offense: At least \$1000 / 1 year maximum Second Offense: At least \$2500 / Between 15 days and 2 years Third Offense: At least \$5000 / Between 90 days and 3 years
Use of Controlled Substance to Commit Crime of Violence <sup>8</sup>	\$250,000 / 20 years maximum
Endangering Human Life While Illegally Manufacturing a Controlled Substance <sup>9</sup>	\$250,000 / 10 years maximum
Attempt and Conspiracy <sup>10</sup>	Same as penalties prescribed for the underlying offense
Robberies and Burglaries Involving Controlled Substances <sup>11</sup>	Robberies Involving Controlled Substances: Up to \$250,000 / Up to any number of years or life
	Burglaries Involving Controlled Substances: Up to \$250,000 / Up to any number of years or life
	Conspiracy to Commit Robbery or Burglary Involving Controlled Substances: Up to \$250,000 / Up to 10 years

<sup>6</sup> See p.36-37 of the [2020 Edition of the Drug Enforcement Administration Drugs of Abuse Resource Guide](#)

<sup>7</sup> [21 U.S.C. 844](#)

<sup>8</sup> Crime of Violence as defined by [18 U.S.C 16](#)

<sup>9</sup> [21 U.S.C. 858](#)

<sup>10</sup> [21 U.S.C. 846](#) and [21 U.S.C. 963](#)

<sup>11</sup> [18 U.S.C. 2118](#)



Federal Trafficking Penalties - Other Drugs

Substance / Quantity	Schedule	Penalty
Cocaine / 500 - 4999 grams mixture	II	<p><b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>
Cocaine Base / 28 - 279 grams mixture	II	
Fentanyl / 40 - 399 grams mixture	II	
Fentanyl Analogue / 10 - 99 grams mixture	I	
Heroin / 100 - 999 grams mixture	I	
LSD / 1 - 9 grams mixture	I	
Methamphetamine / 5 - 49 grams pure or 50 - 499 grams mixture	II	
PCP / 10 - 99 grams pure or 100 - 999 grams mixture	II	

Substance / Quantity	Schedule	Penalty
Cocaine / 5 kilograms or more mixture	II	<p><b>First Offense:</b> Not less than 10 yrs and not more than life. If death or serious bodily injury, not less than 20 yrs or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
Cocaine Base / 280 grams or more mixture	II	
Fentanyl / 400 grams or more mixture	II	
Fentanyl Analogue / 100 grams or more mixture	I	
Heroin / 1 kilogram or more mixture	I	
LSD / 10 grams or more mixture	I	
Methamphetamine / 50 grams or more pure <u>or</u> 500 grams or more mixture	II	
PCP / 100 grams or more pure <u>or</u> 1 kilogram or more mixture	II	

Substance / Quantity	Penalty
Other Schedule I & II Drugs / Any Amount	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>
Any Drug Product Containing Gamma Hydroxybutyric Acid / Any Amount	
Flunitrazepam (Schedule IV) / 1 gram	
Other Schedule III Drugs / Any Amount	<p><b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>
All Other Schedule IV Drugs / Any Amount	
Flunitrazepam (Schedule IV) / Other than 1 gram or more	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p>

	<b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
<b>All Schedule V Drugs / Any Amount</b>	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

#### Federal Trafficking Penalties - Marijuana

Substance	Schedule	Quantity	First Offense Penalty	Second Offense Penalty <sup>12</sup>
Marijuana	I	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana	I	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana	I	More than 10 kg hashish; 50 to 99 kg marijuana mixture  More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana	I	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants	Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual

<sup>12</sup> The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

		regardless of weight) marijuana plants;		
		1 to 49 marijuana plants;		
Hashish	I	10 kg or less		
Hashish Oil	I	1 kg or less		

### State Penalties

The State of California maintains more than 200 laws regarding unlawful possession, manufacturing, distribution, sale and use of drugs and alcohol for individuals and businesses. These laws are organized into code types that include but are not limited to the following:

- Business and Professions Code
- Harbors and Navigation Code
- Health and Safety Code
- Penal Code
- Public Utilities Code
- Vehicle Code
- Welfare and Institutions Code

A document summarizing the penalties for violations of these laws are can be accessed at <https://www.sjsu.edu/clery/docs/SJSU-DAAPP-State-Penalties-List.pdf> and is derived from information provided by the California Department of Justice<sup>13</sup>. The full text of these state laws and their associated penalties can be found in the code search section of the following California Legislative Information website: <https://leginfo.legislature.ca.gov/faces/codes.xhtml>.

The sale and service of alcoholic beverages must be conducted in accordance with all local and state laws, including but not limited to the California Alcoholic Beverage Control Act and any regulations under the auspices of the California Department of Alcoholic Beverage Control. Additional information about penalties that may be imposed on entities in violation of state drug and alcohol laws can be found at the following website: <https://www.abc.ca.gov/law-and-policy/penalty-guidelines/>

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<sup>13</sup> <https://oag.ca.gov/law/code-tables>

## Local Ordinances

Cities and counties in California can establish ordinances and pose penalties pertaining to possession, manufacturing, distribution, sale and use of drugs and alcohol.

Applicable ordinances and penalties posed by the city of San José can be found at the following website: [https://library.municode.com/ca/san\\_jose/codes/code\\_of\\_ordinances](https://library.municode.com/ca/san_jose/codes/code_of_ordinances)

Applicable ordinances and penalties posed by Santa Clara County can be found at the following website: [https://library.municode.com/ca/santa\\_clara\\_county/codes/code\\_of\\_ordinances](https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances)

Applicable ordinances and penalties posed by Monterey County can be found at the following website:

[https://library.municode.com/ca/monterey\\_county/codes/code\\_of\\_ordinances?nodeId=ORLIDIT](https://library.municode.com/ca/monterey_county/codes/code_of_ordinances?nodeId=ORLIDIT)  
[A](#)

## Administrative Discipline and Sanctions Involving Students

Students and student organizations alleged to have violated university policy or local, state or federal law pertaining to alcohol and drugs are subject to university administrative discipline procedures and/or referral to the appropriate authorities for legal action. Administrative disciplinary proceedings for students are independent from court or other legal proceedings. Accordingly, administrative discipline may still be instituted against a student that is also charged in civil or criminal courts for alleged violation of laws. The university may proceed before, simultaneously with, or after any judicial or other administrative proceedings, except in cases involving Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking. In such cases, the university shall proceed without delay pursuant to Article IV in the CSU Systemwide Student Conduct Procedures.

Consistent with the [CSU Systemwide Student Conduct Procedures](#), [SJSU Student Conduct Procedures](#), and [SJSU Student Organization Code of Conduct](#), the university will impose sanctions (consistent with local, state and federal law) upon students and student organizations found to violate the standards of conduct outlined above and in applicable SJSU policies. Sanctions can be imposed on applicants, enrolled students, students between academic terms, graduates awaiting degrees, and students who withdraw from school while a disciplinary matter is pending.

In alignment with the [learning outcomes for students](#) established by the Office of Student Conduct and Ethical Development, potential sanctions may include, but are not limited to those described below:

1. **Restitution.** Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.
2. **Loss of Financial Aid.** Scholarships, loans, grants, fellowships and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, canceled or denied.
3. **Educational and Remedial Sanctions.** Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from

participation in recognized student clubs and organizations (e.g., fraternities and sororities), and/or University events, or other remedies intended to discourage similar misconduct or as deemed appropriate based upon the nature of the violation.

4. **Denial of Access to Campus or Persons.** A designated period of time during which the Student is not permitted: (i) on University Property or specified areas of Campus, or (ii) to have contact (physical or otherwise) with the Complainant, witnesses or other specified persons.
5. **Disciplinary Probation.** A designated period of time during which privileges of continuing in Student status are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a current Student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the Student is found to violate the Student Conduct Code or any University policy during the probationary period.
6. **Suspension.** Temporary separation of the Student from active Student status or Student status.
  - a. Student who is suspended for less than one academic year shall be placed on inactive Student (or equivalent) status (subject to individual Campus policies) and remains eligible to re-enroll at the University (subject to individual Campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.
  - b. Student who is suspended for one academic year or more shall be separated from Student status but remains eligible to reapply to the University (subject to individual Campus application policies) once the suspension has been served. Conditions for readmission may be specified.
  - c. Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the Student's transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.
7. **Expulsion.** Permanent separation of the Student from Student status from the California State University system. Expulsion, withdrawal in lieu of expulsion, and withdrawal with pending misconduct investigation or disciplinary proceeding shall be entered on the Student's transcript permanently, without exception; this requirement shall not be waived in connection with a resolution agreement.
8. **Administrative Hold and Withholding a Degree.** The University may place an administrative hold on registration transactions and release of records and transcripts of a Student who has been sent written notice of a pending investigation or disciplinary case concerning that Student, and may withhold awarding a degree otherwise earned until the completion of the process set forth herein, including the completion of all sanctions imposed.
9. **Record of Discipline.** A record of disciplinary probation or suspension is entered on a Student's transcript, with beginning and end date, for the duration of the sanction. A record of expulsion or suspension for one academic year or more shall note the effective date of discipline and remains on the transcript permanently, without exception. A record

of withdrawal in lieu of suspension or expulsion and withdrawal with pending misconduct investigation or disciplinary proceeding remains on the transcript permanently, without exception. These requirements shall not be waived in connection with any resolution agreement.

Sanctions for student organizations may include but are not limited to those described below:

1. **Event Restriction(s):** Limitations placed on student organizations ability to host events.
2. **Restitution of Damages:** Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.
3. **Report of Violation(s) to Organization Headquarters:** Consultation and/or referral of violations to applicable local, national or international organization headquarters.
4. **Required Alcohol and/or Other Drugs Education Program:** Online or in-person training module or counseling provided by university offices such as Student Conduct and Ethical Development or Student Counseling and Psychological Services.
5. **Loss of University Recognition:** Removal from participation in recognized student clubs and organizations (e.g., fraternities and sororities), and/or University events. Depending on the circumstances, such removal may also include temporary or permanent loss of access to on-campus space, funds, other campus resources or ability to be a recognized organization on campus.

Note that more than one sanction may be imposed for a single violation. Disciplinary procedures may also be initiated by the National Collegiate Athletic Association (NCAA) and/or other institutions of higher education where SJSU students have additional enrollment/affiliation. More information about university policies that can inform potential disciplinary sanctions for students can be accessed on the [SJSU Student Conduct and Ethical Development website](#).

## Administrative Discipline and Sanctions Involving Employees

Employees alleged to have violated university policy or local, state or federal law pertaining to alcohol and drugs are subject to university administrative discipline procedures and/or referral to the appropriate authorities for legal action. Administrative disciplinary proceedings for university personnel are independent from court or other legal proceedings. Additionally, the University Police may be consulted on referral of cases for criminal prosecution. Accordingly, administrative discipline may still be instituted against an employee that is also charged in civil or criminal courts for alleged violation of laws. Pursuant to [California Education Code Section 89535](#), [CSU Collective Bargaining Agreements](#) and CSU Systemwide policies where applicable, the university will impose sanctions (consistent with local, state and federal law) upon employees found to violate the standards of conduct outlined above and in applicable SJSU policies. Potential sanctions imposed by the university may include, but are not limited to those described below. One or more sanctions may be imposed upon review and analysis of the severity of the infraction(s).

1. **Reprimand:** A disciplinary document detailing the infraction, expectations moving forward, and inclusion of the document in the official personnel file.
2. **Demotion:** A demotion is a reduction in rank or job title with associated reduction in salary and/or benefits.
3. **Suspension:** A temporary separation, without pay and/or benefits, of the employee from the university. The length of the separation would be determined by the severity of infraction and/or prior infractions.
4. **Termination:** Permanent separation of the employee from the university with complete cessation of pay and benefits.
5. **Participation in Treatment Program:** May be utilized, for example, as part of a disciplinary action as described above, in a last chance agreement, or in any other appropriate action as determined by the University.

## HEALTH RISKS ASSOCIATED WITH USE AND ABUSE OF ALCOHOL AND OTHER DRUGS

Incoming students are required to complete an online alcohol and substance use awareness training through an external vendor. The Student Wellness Center's Wellness and Health Promotion Team also offers an optional online training on substance use education. Both of these online awareness programs offered through external vendors include behavioral interventions covering education on alcohol, cannabis, nicotine, and prescription drug use. The programs provide students with awareness of issues related to drug use and abuse, skills to manage their behaviors around substances, and the health and behavioral impacts of substances.

A table providing an overview of the health risks associated with use and abuse of alcohol and other drugs can be viewed at <https://www.sjsu.edu/clery/docs/SJSU-DAAPP-List-of-Associated-Health-Risks.pdf>.

## AVAILABLE TREATMENT AND SUPPORT PROGRAMS

### Resources Provided by SJSU

Counseling and Psychological Services (CAPS) provides supportive counseling sessions to students who may be struggling with alcohol and substance use concerns. Students receive 8 individual sessions per year for cases where clinicians have identified that treatment at CAPS is appropriate. For cases where the treatment is out of CAPS' scope of practice, students are referred to community resources and treatment facilities. Referrals are provided by clinicians through a case manager or an online referral service called Thriving Campus. For referrals that are coordinated through Thriving Campus, clinicians and students access [sjsu.thrivingcampus.com](https://sjsu.thrivingcampus.com).

LifeMatters® by Empathia, San José State University's confidential Employee Assistance Program (EAP), is dedicated to employee well-being. From emotional and family counseling to providing geriatric care management, LifeMatters® offers both online and in-person support. Employees can visit [LifeMatters®](#) online for more information. Password: SPARTANS. Employees who want to speak to someone from LifeMatters® confidentially can call 800-367-7474.

### Community - Based Resources

SJSU's Main Campus, South Campus, Timpany Center and portion of Reid-Hillview Airport are located in Santa Clara County. The most common referrals to community-based resources are aligned with the student's health insurance status. The following examples provide a sense of the referral resources provided by SJSU:

- For students who are uninsured or have Medi-Cal, CAPS typically refers students to contact the Gateway Call Center: <https://bhsd.sccgov.org/information-resources/substance-use-resources-information>.



- For students who have Kaiser, Kaiser-specific services are provided: <https://thrive.kaiserpermanente.org/care-near-you/northern-california/santaclara/departments/chemical-dependency-recovery-program-cdrp/>
- If students are interested in an abstinence model without treatment, CAPS refers students to Anonymous: <https://aasanjose.org/>
- For students who are queer-identified, CAPS refers students to the Billy DeFrank Center recovery focused groups for students: <https://www.defrankcenter.org/hidden-content/hidden-recovery-groups>
- More community resources can be found at <https://www.sjsu.edu/clery/docs/SJSU-DAAPP-Community-Resources-List.pdf>

The Moss Landing Marine Laboratories Campus is located in Monterey County. SJSU does not offer in-person services from CAPS staff in Monterey County. Referrals to services are provided by clinicians through a case manager or an online referral service called Thriving Campus. For referrals that are coordinated through Thriving Campus, clinicians and students access [sjsu.thrivingcampus.com](https://sjsu.thrivingcampus.com).