

**University Policy Statement  
California State University, Fullerton**

**UPS 330.231**

**POLICY REGARDING THE ILLEGAL USE OF  
DRUGS BY STUDENTS**

As a member of the educational community, the college is concerned with the problems created by the misuse and illegal use of drugs\* by students. This concern extends to the physical pathologies created by the use of tobacco and to the physical and social problems created by the use of alcohol. Most especially, however, it is centered about the illegal use of the hallucinogens, marijuana, and the misuse of certain depressants and stimulants such as barbiturates and amphetamines. The formulation of this policy statement is a result of this concern.

As an institution dedicated to the pursuit of knowledge, the College has an obligation to view the use of these drugs objectively and rationally, and to assist its students in doing so. It is the educational responsibility of the College to provide students with the facts which are now available on the most commonly abused drugs, including the current laws on drugs and the consequences of their violation.

**LEGAL BACKGROUND**

The use, possession, and/or sale of marijuana, dangerous drugs, and LSD is unlawful under the California Health and Safety Code. It is, likewise, unlawful to be in the presence of a person using illegal drugs.

Persons who are arrested on this offense must face having a "police record" which they must report on many applications for employment, regardless of whether they are subsequently convicted. Conviction of a felony currently carries penalties of imprisonment for a minimum of one (1) year and a maximum of ten (10) years for the first offense.

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\*The illegal use of alcohol is covered in UPS 330.232

Fullerton police narcotics officers have full jurisdiction on the campus of the College and in College recognized student housing, including Othrys Hall. They may enter these premises, providing, of course, that their visit is conducted in a lawful manner.

### **COUNSELING FOR UNOBSERVED DRUG USERS**

The college acknowledges that the use of drugs can well lead to serious problems for some students. In order to encourage students with problems related to drug use to seek professional help within the College, it shall be the policy of the college, except as may be required by law, not to report to civil authorities students who voluntarily state that they have used such drugs if they have not also been observed using drugs on campus or in College recognized housing by a faculty or staff member.

The College neither advocates nor condones the breaking of the law. However, the confidential communication approach with regard to unobserved drug users recognizes the fact that voluntary admission to a College official by a student that he used drugs does not at present appear to constitute grounds for prosecution of a student by civil authorities. For the same reason, voluntary admission of use, unsupported by competent witnesses, will not subject a student to College disciplinary action. Local law enforcement personnel have been consulted in this matter and are in agreement.

### **OBSERVED USE OF DANGEROUS DRUGS OR NARCOTICS ON CAMPUS OR IN RECOGNIZED LIVING ORGANIZATIONS**

While it wishes to provide professional counseling and medical assistance to students having drug related problems, the College can not permit the illegal use or possession of drugs on campus or in College recognized student living organizations. In addition, such use or possession may cause the user's fellow students inadvertently to become involved in an illegal activity and would place the College in a position of disregard of the law.

Thus, while it will not violate the student's basic right to be protected against unreasonable search and seizure, the College will pursue every ethical means of locating illegal drug use or possession on campus and in recognized living organizations and will turn over to appropriate civil authorities any hard evidence (as opposed to hearsay evidence) it may find concerning the use of or possession of dangerous drugs or narcotics by students in these areas.

### **SALE OF DANGEROUS DRUGS OR NARCOTICS ON CAMPUS OR IN COLLEGE RECOGNIZED STUDENT LIVING ORGANIZATIONS**

Every reasonable effort will be made to identify persons who sell dangerous drugs or narcotics on campus or in College recognized living organizations. Hard evidence (as opposed to hearsay evidence) will be made available to civil authorities.

## **RESPONSIBILITY FOR DRUG EDUCATION**

The office of the Vice President for Student Services will regard it as its responsibility to continue to collect information regarding these drugs and to make this information readily available to its students.

**EFFECTIVE DATE: December 4, 1968**

Supersedes: FCD 68-145

Ed. Rev. 11-86