

**Notice Regarding
Steroids**

Each public institution of higher education, including each college district, shall post in a conspicuous location in each gymnasium at the institution the notice described in Education Code 51.921. [See FLBE(EXHIBIT)] *Education Code 51.921*

**Alcohol and Drug
Abuse Programs**

Notwithstanding any other provision of law, no institution of higher education, including a college district, shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program, unless the institution certifies to the U.S. Secretary of Education that the institution has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees that, at a minimum, includes:

1. The annual distribution to each student of:
 - a. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the institution's property or as part of any of the institution's activities;
 - b. A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
 - c. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
 - d. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
 - e. A clear statement that the institution will impose sanctions on students and employees (consistent with local, state, and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required above.
2. A biennial review by the institution of the institution's program to:
 - a. Determine the program's effectiveness and implement changes to the program if the changes are needed;
 - b. Determine the number of drug- and alcohol-related violations and fatalities that occur on the institution's campus, as defined in 20 U.S.C. 1092(f)(6), or as part of any of

the institution's activities; and are reported to campus officials;

- c. Determine the number and type of sanctions described in 20 U.S.C. 1011i(a)(1)(E) that are imposed by the institution as a result of drug- and alcohol-related violations and fatalities on the institution's campus or as part of any of the institution's activities; and
- d. Ensure that the sanctions required by 20 U.S.C. 1011i(a)(1)(E) are consistently enforced.

20 U.S.C. 1011i(a); 34 C.F.R. 86.100

Binge Drinking

It is the sense of Congress that, in an effort to change the culture of alcohol consumption on college campuses, all institutions of higher education, including college districts, should carry out the following:

1. The president of the institution should appoint a task force consisting of school administrators, faculty, students, Greek system representatives, and others to conduct a full examination of student and academic life at the institution. The task force should make recommendations for a broad range of policy and program changes that would serve to reduce alcohol and other drug-related problems. The institution should provide resources to assist the task force in promoting the campus policies and proposed environmental changes that have been identified.
2. The institution should provide maximum opportunities for students to live in an alcohol-free environment and to engage in stimulating, alcohol-free recreational and leisure activities.
3. The institution should enforce a "zero tolerance" policy on the illegal consumption of alcohol by students at the institution.
4. The institution should vigorously enforce the institution's code of disciplinary sanctions for those who violate campus alcohol policies. Students with alcohol or other drug-related problems should be referred for assistance, including on-campus counseling programs if appropriate.
5. The institution should adopt a policy to discourage alcoholic beverage-related sponsorship of on-campus activities. It should adopt policies limiting the advertisement and promotion of alcoholic beverages on campus.

6. The institution should work with the local community, including local businesses, in a “Town/Gown” alliance to encourage responsible policies toward alcohol consumption and to address illegal alcohol use by students.

20 U.S.C. 1011h

Low-THC Cannabis

A municipality, county, or other political subdivision, including a college district, may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by Health and Safety Code Chapter 487.201. *Health and Safety Code 487.201*

Hemp

A municipality, county, or other political subdivision of this state, including a college district, may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, handling, transportation, or sale of hemp as authorized by Agriculture Code Chapter 122. *Agriculture Code 122.002*

Dextromethorphan

A political subdivision of this state, including a college district, may not adopt or enforce an ordinance, order, rule, regulation, or policy that governs the sale, distribution, or possession of dextromethorphan. An ordinance, order, rule, regulation, or policy described by this section is void and unenforceable. *Health and Safety Code 488.005*

**Alcohol Possession
and Use by Minors**

Except as provided in Alcoholic Beverage Code 106.05(b), a minor commits an offense if he possesses an alcoholic beverage.

A minor commits an offense if he consumes an alcoholic beverage.

Alcoholic Beverage Code 106.04, .05(a)

Exceptions

*Consumption
Related to
Reported Sexual
Assault*

The offenses of possession of an alcoholic beverage and of consumption of an alcoholic beverage do not apply to a minor who reports the sexual assault of the minor or another person, or is the victim of a sexual assault reported by another person, to:

1. A health-care provider treating the victim of the sexual assault;
2. An employee of a law enforcement agency, including an employee of a campus police department of an institution of higher education; or
3. The Title IX coordinator of an institution of higher education or another employee of the institution responsible for responding to reports of sexual assault.

A minor is entitled to raise the defense provided above in the prosecution of the offense of possession of an alcoholic beverage or the offense of consumption of an alcoholic beverage only if the minor is in violation at the time of the commission of a sexual assault that is reported by the minor as described above or committed against the minor and reported by another person as described above.

A minor who commits a sexual assault that is reported as described above is not entitled to raise the defense in the prosecution of the minor for the offense of possession of an alcoholic beverage or the offense of consumption of an alcoholic beverage.

Alcoholic Beverage Code 106.04(f)–(h), .05(e)–(g)

*Consumption as
Part of a Course*

Notwithstanding any other law, a minor may taste an alcoholic beverage if:

1. The minor is at least 18 years old and is enrolled:
 - a. As a student at a public institution of higher education that offers a program in culinary arts, viticulture, enology or wine technology, brewing or malt beverage technology, or distilled spirits production or technology; and
 - b. In a course that is part of the program;
2. The beverage is tasted for educational purposes as part of the curriculum for the course described by item 1b;
3. The beverage is not purchased by the minor; and
4. The service and tasting of the beverage is supervised by a faculty or staff member who is at least 21 years of age.

A public institution of higher education is not required to hold a license or permit to engage in the activities authorized under this section.

Alcoholic Beverage Code 106.16(b)–(c)