

HOSTOS COMMUNITY COLLEGE

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OF THE

August 6, 2009

MEMORANDUM

To: College Presidents
From: Frederick P. Schaffer *FPS*
Re: CUNY Policy on Drug and Alcohol

On June 22, 2009, the Board of Trustees adopted The City University of New York Policy on Drugs and Alcohol ("Policy"), a copy of which is enclosed. The Policy sets forth the standards of conduct the University requires of students, employees and visitors in connection with drugs and alcohol on CUNY property and in CUNY-sponsored activities (both on and off campus). The Policy also describes the range of sanctions to which students and employees who violate the Policy are subject, and the obligations of the CUNY colleges and units for disseminating this Policy, and other information about drug and alcohol abuse, to their students and employees. Many of the provisions of this Policy are required by federal law.

Under this Policy, each CUNY college/unit is required to make its best efforts to educate its students and employees about the Policy and about the risks associated with the unlawful possession, use, or distribution of illegal drugs and alcohol. In particular, each CUNY college/unit is required to distribute this Policy, together with information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and counseling, treatment or rehabilitation programs available to students or employees, annually to all students and employees. We have prepared the enclosed document entitled "Information for the CUNY Community on the Risks and Consequences of Drug and Alcohol Use," which contains the required information and should be distributed to fulfill this obligation. ✓

In addition, the Policy requires the Vice President for Administration, or person performing the equivalent function at each college or unit of CUNY, to conduct a biennial review to determine the effectiveness of CUNY's drug and alcohol program at its college or unit, and to ensure that sanctions for drug and alcohol violations are consistently enforced. The Policy summarizes the information that must be included in the biennial review. The first biennial review will be due on January 15, 2012 and will cover the 2010 and 2011 calendar years.

If you have any questions about this Policy, please contact Katherine Raymond at (212) 794-5759 or at katherine.raymond@mail.cuny.edu.

THE CITY UNIVERSITY OF NEW YORK POLICY ON DRUGS AND ALCOHOL

The City University of New York ("CUNY") is an institution committed to promoting the physical, intellectual, and social development of all individuals. As such, CUNY seeks to prevent the abuse of drugs and alcohol, which can adversely impact performance and threaten the health and safety of students, employees, their families, and the general public. CUNY complies with all federal, state, and local laws concerning the unlawful possession, use, and distribution of drugs and alcohol.

Federal law requires that CUNY adopt and implement a program to prevent the use of illicit drugs and abuse of alcohol by students and employees. As part of its program, CUNY has adopted this policy, which sets forth (1) the standards of conduct that students and employees are expected to follow; (2) CUNY sanctions for the violation of this policy; and (3) responsibilities of the CUNY colleges/units in enforcing this policy. CUNY's policy also (1) sets forth the procedures for disseminating the policy, as well as information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and available counseling, treatment, or rehabilitation programs, to students and employees; and (2) requires each college to conduct a biennial review of drug and alcohol use and prevention on its campus.

This policy applies to all CUNY students, employees and visitors when they are on CUNY property, including CUNY residence halls, as well as when they are engaged in any CUNY-sponsored activities off campus.

CUNY STANDARDS OF CONDUCT

The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including CUNY residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, is prohibited. In addition, CUNY employees are prohibited from illegally providing drugs or alcohol to CUNY students. Finally, no student may possess or consume alcoholic beverages in any CUNY residence hall, regardless of whether the student is of lawful age. For purposes of this policy, a CUNY residence hall means a residence hall owned and/or operated by CUNY, or operated by a private management company on CUNY's behalf.

In order to make informed choices about the use of drugs and alcohol, CUNY students and employees are expected to familiarize themselves with the information provided by CUNY about the physiological, psychological, and social consequences of substance abuse.

CUNY SANCTIONS

Employees and students who violate this policy are subject to sanctions under University policies, procedures and collective bargaining agreements, as described below. Employees and students should be aware that, in addition to these CUNY sanctions, the University will contact appropriate law enforcement agencies if they believe that a violation of the policy should also be treated as a criminal matter.

STUDENTS

Students are expected to comply with the CUNY and college policies with respect to drugs and alcohol. Any student found in violation may be subject to disciplinary action under Article 15 of the Bylaws of the Board of Trustees, which may result in sanctions up to and including expulsion from the University.

In addition, any student who resides in a CUNY residence hall and who is found to have violated any CUNY or college policy with respect to drugs and alcohol may be subject to sanctions under the CUNY Residence Hall Disciplinary Procedures, up to and including expulsion from the residence hall.

In lieu of formal disciplinary action, CUNY may, in appropriate cases, seek to resolve the matter through an agreement pursuant to which the student must see a counselor or successfully participate in a drug and alcohol treatment program.

In accordance with the Federal Educational Rights and Privacy Act ("FERPA"), CUNY may also choose—when appropriate—to contact parents or legal guardians of students who have violated the CUNY policy on drugs and alcohol.

EMPLOYEES

Any employee found to have violated this CUNY policy may be subject to disciplinary action, in accordance with the procedures set forth in applicable CUNY policies, rules, regulations, and collective bargaining agreements. Sanctions may include a reprimand, suspension without pay, or termination of employment. In lieu of formal disciplinary action, CUNY may, in appropriate cases, seek to resolve the matter through an agreement pursuant to which the employee must successfully participate in a drug or alcohol treatment program.

RESPONSIBILITIES OF CUNY COLLEGES/UNITS

Each college or unit of the University should make its best efforts to educate employees and students about this policy and the risks associated with the unlawful possession, use, or distribution of illegal drugs and alcohol. The President of each college or unit may choose to ban alcohol at on-campus functions or at any particular

function. This policy, together with information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and counseling, treatment, or rehabilitation programs available to employees or students, must be distributed annually to all employees and students. The Chief Student Affairs Officer shall be responsible for the distribution of this material to students, and the Director of Human Resources shall be responsible for the distribution of the material to employees.

The Vice President for Administration, or person performing the equivalent function at each college or unit of CUNY, shall be responsible for conducting a biennial review to determine the effectiveness of CUNY's drug and alcohol program at its college or unit, and to ensure that sanctions for drug and alcohol violations are consistently enforced. Upon completion, the biennial review must be sent to the University's Executive Vice Chancellor and Chief Operating Officer. This biennial review must include the number of drug and alcohol-related violations and fatalities that occur on the college's campus or as part of the college's activities, as well as the number and type of sanctions imposed as a result of drug and alcohol-related violations and fatalities that occur at the college as part of its activities.

Adopted by the CUNY Board of Trustees
June 22, 2009

INFORMATION FOR THE CUNY COMMUNITY ON THE RISKS AND CONSEQUENCES OF DRUG AND ALCOHOL USE

Background

The City University of New York's Policy on Drugs and Alcohol, adopted by the Board of Trustees on June 22, 2009, prohibits the unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by employees, students or visitors, on CUNY property, in CUNY buses or vans, or at CUNY-sponsored activities. It prohibits all students (regardless of their age) from possessing or consuming alcoholic beverages in CUNY residence halls. It also prohibits CUNY employees from illegally providing drugs or alcohol to CUNY students. As the Policy states, sanctions for violation of the Policy, following appropriate disciplinary proceedings, may include, in the case of students, expulsion from the university, and in the case of employees, termination of employment.

This document sets forth additional information required to be provided under federal law, including the legal sanctions for drug and alcohol use, health risks of such use, and information regarding available counseling, treatment, or rehabilitation programs.

Legal Sanctions

Federal and New York State laws make it a criminal offense to manufacture, distribute, dispense, possess with intent to distribute, or simply possess a controlled substance. Such substances include heroin, cocaine, methamphetamine, ecstasy, LSD, PCP, marijuana, and a number of common pharmaceutical drugs if unlawfully obtained. The sanctions for violation of these laws, ranging from community service and monetary fines to life imprisonment, depend upon the particular offense, the drug type, and the drug quantity. Students convicted under these statutes may also forfeit federal financial aid eligibility.

Note that an individual need not be in actual physical possession of a controlled substance to be guilty of a crime. The unlawful presence of a controlled substance in an automobile is presumptive evidence of knowing possession of such substance by each passenger unless the substance is concealed on the person of one of the occupants. Similarly, the presence of certain substances in plain view in a room can sometimes be presumptive evidence of knowing possession of such substance by anyone in close proximity.

Further, pursuant to New York State law:

- Any person under age 21 who is found to be in possession of alcohol with the intent to consume it may be punished by a fine and/or required to complete an alcohol awareness program and/or to provide up to 30 hours of community service. Alcoholic Beverage Control Law, § 65-c.
- Giving or selling an alcoholic beverage to a person less than age 21 is a class A misdemeanor punishable by a sentence of imprisonment up to one year. Penal Law § 260.20
- Any person who operates a motor vehicle while intoxicated or while his ability to operate such vehicle is impaired by the consumption of alcohol or drugs, is subject to suspension or revocation of driving privileges in the State, monetary fines up to \$1,000, and imprisonment for up to one year. Vehicle and Traffic Law § 1192
- A person under 21 who presents false written evidence of age for the purpose of purchasing or attempting to purchase any alcoholic beverage may be punished by a fine, community service and/or completion of an alcohol awareness program. Alcoholic Beverage Control Law § 65-b(1). Possessing such false evidence may also be criminal possession of a forged instrument, which is a felony in New York, punishable by a fine of up to \$5000, imprisonment up to 7 years, or both. Penal Law § 170.25.
- Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that a person may endanger him or herself or other persons or property, or annoy persons in his vicinity, is a violation, punishable by a fine and imprisonment up to 15 days. Penal Law § 240.40

Health Risks

The following is a brief summary of some of the health risks and symptoms associated with use of many of the most-publicized drugs, including alcohol and tobacco. This information was obtained from the National Institute on Drug Abuse (part of the National Institutes of Health of the U.S. Department of Health and Human Services), and the Mayo Clinic. Please note that individuals experience such substances in different ways based on a variety of physical and psychological factors and circumstances.

LSD (Acid)

LSD is one of the strongest mood-changing drugs, and has unpredictable psychological effects. With large enough doses, users experience delusions and visual hallucinations. Physical effects include increased body temperature, heart rate, and blood pressure; sleeplessness; and loss of appetite.

Cocaine

Cocaine is a powerfully addictive drug. Common health effects include heart attacks, respiratory failure, strokes, and seizures. Large amounts can cause bizarre and violent behavior. In rare cases, sudden death can occur on the first use of cocaine or unexpectedly thereafter.

MDMA (Ecstasy)

Ecstasy is a drug that has both stimulant and psychedelic properties. Adverse health effects can include nausea, chills, sweating, teeth clenching, muscle cramping, and blurred vision.

Heroin

Heroin is an addictive drug. An overdose of heroin can be fatal, and use is associated – particularly for users who inject the drug – with infectious diseases such as HIV/AIDS and hepatitis.

Marijuana

Effects of marijuana use include memory and learning problems, distorted perception, and difficulty thinking and solving problems.

Methamphetamine

Methamphetamine is an addictive stimulant that is closely related to amphetamine but has long lasting and more toxic effects on the central nervous system. It has a high potential for abuse and addiction. Methamphetamine increases wakefulness and physical activity and decreases appetite. Chronic, long-term use can lead to psychotic behavior, hallucinations, and stroke.

PCP/Phencyclidine

PCP causes intensely negative psychological effects in the user. People high on PCP often become violent or suicidal.

Prescription Medications

Prescription drugs that are abused or used for nonmedical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opioids (often prescribed to treat pain),

central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity). Long-term use of opioids or central nervous system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures and irregular heartbeat.

Tobacco/Nicotine

Tobacco contains nicotine, which is highly addictive. The tar in cigarettes increases a smoker's risk of lung cancer, emphysema, and bronchial disorders. The carbon monoxide in smoke increases the chance of cardiovascular diseases. Secondhand smoke causes lung cancer in adults and greatly increases the risk of respiratory illnesses in children.

Steroids

Adverse effects of steroid use in males may include shrinking of the testicles and breast development. In females, adverse effects may include growth of facial hair, menstrual changes, and deepened voice. Other adverse effects can include severe acne, high blood pressure and jaundice. In some rare cases liver and kidney tumors or even cancer may develop.

Alcohol

Excessive alcohol consumption can lead to serious health problems, including cancer of the pancreas, mouth, pharynx, larynx, esophagus and liver, as well as breast cancer, pancreatitis, sudden death in people with cardiovascular disease, heart muscle damage leading to heart failure, stroke, high blood pressure, cirrhosis of the liver, miscarriage, fetal alcohol syndrome in an unborn child, injuries due to impaired motor skills, and suicide.

Substance Abuse

You or someone you know may have a problem with drugs and alcohol if you/they are:

- Using drugs and/or alcohol on a regular basis.
- Losing control of the amount of drugs and/or alcohol used after being high or drunk.
- Constantly talking about using drugs and/or alcohol.
- Believing that drugs and/or alcohol are necessary in order to have fun.

- Using more drugs and/or alcohol to get the same effects as in the past.
- Avoiding people in order to get high or drunk.
- Pressuring others to use drugs and/or alcohol.
- Foregoing activities that were once priorities (i.e. work, sports, spending time with family and sober friends).
- Getting into trouble at school, at work, or with the law.
- Taking risks, including sexual promiscuity and driving while intoxicated.
- Lying about things, including the amount of drugs and/or alcohol used.
- Feeling hopeless, depressed, or even suicidal.

If you suspect that you or someone you know has a problem with drugs and/or alcohol, please utilize the resources listed below.

Resources

RESOURCES ON CAMPUS

For assistance and referrals, **students** should (1) consult the relevant college website; or (2) contact their Student Affairs Office and/or Counseling Center.

For assistance and referrals, **employees** should consult with their Human Resources office. Assistance is also available through union employee assistance programs or through the CUNY Work/Life Program.

CUNY Work/Life Program (800) 833-8707
<http://www.cuny.edu/worklife/>

RESOURCES OFF CAMPUS

12 Step Recovery Programs

Narcotics Anonymous (212) 929-6262
<http://www.newyorkna.org/>

Cocaine Anonymous (212) 262-2463
<http://www.ca-ny.org/>

Marijuana Anonymous (212) 459-4423

<http://www.ma-newyork.org/>

Alcoholics Anonymous (212) 647-1680
<http://www.nyintergroup.org/>

Nicotine Anonymous (631) 665-0527
<http://www.nicotine-anonymous.org/>

Al-Anon/Alateen (888) 425-2666
<http://www.al-anonny.org/>

Detoxification and Outpatient/Inpatient Rehabilitation Facilities

New York County

Bellevue Hospital Center
462 First Ave.
New York, NY 10016
(212) 562-4141

St. Luke's-Roosevelt Hospital Center
1000 Tenth Ave.
New York, NY 10019
(212) 523-6491

Greenwich House, Inc.
50B Cooper Square
New York, NY 10003
(212) 677-3400

Kings County

Kings County Hospital Center
606 Winthrop St.
Brooklyn, NY 11203
(718) 245-2630

Interfaith Medical Center
1545 Atlantic Ave.
Brooklyn, NY 11213
(718) 613-4330

Bridge Back to Life Center, Inc.
175 Remsen St., 10th Floor
Brooklyn, NY 11201
(718) 852-5552

Queens County

Flushing Hospital Medical Center
4500 Parsons Blvd.
Flushing, NY 11355
(718) 670-5078

Samaritan Village, Inc.
144-10 Jamaica Ave.
Jamaica, NY 11435
(718) 206-1990

Bronx County

St. Barnabas Hospital
4535 East 183rd St.
Bronx, NY 10457
(718) 960-6636

Montefiore Medical Center
3550 Jerome Ave., 1st Floor
Bronx, NY 10467
(718) 920-4067

Daytop Village, Inc.
316 Beach 65th St.
Far Rockaway, NY 11692
(718) 474-3800

Bronx-Lebanon Hospital Center
1276 Fulton Ave., 7th Floor
Bronx, NY 10456
(718) 466-6095

Richmond County

Nassau County

Staten Island University Hospital
375 Seguin Ave.
Staten Island, NY 10309
(718) 226-2790

Long Beach Medical Center
455 East Bay Dr.
Long Beach, NY 11561
(516) 897-1250

Richmond University Medical Center
427 Forest Ave.
Staten Island, NY 10301
(718) 818-5375

North Shore University Hospital
400 Community Dr.
Manhasset, NY 11030
(516) 562-3010

Camelot of Staten Island, Inc.
263 Port Richmond Ave.
Staten Island, NY 10302
(718) 981-8117

Nassau Health Care Corporation
2201 Hempstead Tpke.
East Meadow, NY 11554
(516) 572-9402

Other Resources

New York State Office of Alcoholism and Substance Abuse Services
Tel: (877) 846-7369
<http://www.oasas.state.ny.us/>

New York State Smokers' Quitline
Tel: (866) 697-8487
<http://www.nysmokefree.com/>