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A. PURPOSE

The Culinary Institute of America is committed to the prevention of alcohol and drug abuse. In addition, the CIA is committed to supporting and adhering to local, state and federal laws regarding alcohol consumption and the prohibition on the use of illicit or controlled drugs and other substances.

B. POLICY STATEMENT

The Culinary Institute of America is committed to creating and maintaining a campus and work environment that is free of drug and alcohol abuse and complies with all federal, state and local laws governing the service and consumption of alcohol and the use and possession of illegal substances.

The CIA prohibits:

- The unlawful use, manufacture, distribution, dispensation, sale, transportation, purchase, or possession of any non-prescription drugs or controlled substances on its owned, operated, or controlled property or any other location;
- Possession of Drug Paraphernalia;
- The unlawful service, distribution, sale, possession, consumption, or other unlawful use of alcoholic beverages;
- Unlawful behaviors involving alcohol, drugs or controlled substances including, but not limited to, underage drinking, public intoxication which impacts the CIA, driving under the influence of alcohol or drugs, and manufacturing, distributing, and using false identification;
- The unlawful use, purchase and distribution of medication, including but not limited to, prescription and over-the-counter medications.

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C. AUTHORITY

Federal, state and local laws governing the use and possession of alcohol products, and the prohibition of use and possession of illegal drugs and substances, are required to be adhered to by The Culinary Institute of America.

D. DEFINITIONS

Alcohol –An intoxicating substance, usually found in wine, beer and spirits.

Alcohol and Drug Abuse – The consumption of alcohol, drugs or other substances in amounts or with methods that is harmful to an individual or others in their vicinity.

Campus Community – All students, faculty, staff, visitors and other individuals who are temporarily or permanently on campus grounds.

Common Area—Any space in a residential building to which all residential students have access and is not a specific student room. This includes, but is not limited to, kitchens, bathrooms, lounges, stairwells, hallways, computer labs, or laundry roomu3(a)-1(.5690)-5(a25 0 Tw ()-3.)4.99342y)3(-)un

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Students who violate the alcohol and drug policy will receive a sanction, under the

c) Visitors to Campus

Visitors found in violation of the alcohol and drug policy will be subject to immediate removal from the campus, and face possible arrest and prosecution by civil authorities.

F. RESPONSIBLE CABINET MEMBER

Associate Vice President and Dean of Student Affairs
Vice President – Administration & Shared Services

G. RELATED INFORMATION

Employee Handbook
Student Handbook & Planner
Higher Education Act, Section 34 C.F.R. Part 86

POLICY HISTORY

Policy Editorial Committee & Responsible Cabinet Member Approval to Proceed: 5/23/19

Policy Advisory Committee (PAG) Approval to Proceed: 5/30/19

Board Approval to proceed (if required): N/A

Cabinet Approval to Proceed: 6/18/19

Policy Revision Dates: 6/19/19

Scheduled Review Date:

APPENDIX A

Amphetamines Patterns of use and associated effects are similar to cocaine. Severe intoxication may produce confusion, rambling or incoherent speech, anxiety,8(u)-5(s)0 p0.3602 9.6(m)036 Tw

Damage from Intravenous Drug Use In addition to the adverse effects associated with the use of a specific drug, intravenous drug users who use unsterilized needles or who share needles with other drug users can develop HIV, hepatitis, tetanus (“lock jaw”), and infections in the heart. Permanent damage or death can result.

Alcohol and drug use increase the risk of sexual assault and other violence.

APPENDIX B

Availability of Counseling, Treatment and Rehabilitation

Use of alcohol or other substances may be the way one has learned to cope with personal stress. Yet, students may experience decreased academic performance, relationship dissatisfaction, health concerns, anxiety, and other negative side effects from the misuse of alcohol and other drugs. Counseling, treatment and rehabilitation resources are available at or through each of the CIA campuses. Counseling & Psychological Services (CAPS) on the Hyde Park and Greystone campuses can provide a confidential assessment to better understand patterns of use and the role alcohol or drugs are playing in an individual's life. The staff therapists can assist the individual with planning a broad approach to deal with substance misuse and related personal matters. As needed, the CAPS staff works in collaboration with community-based treatment centers and self-help resources. Personal counseling is also available for individuals who have been affected by a family member's or friend's alcohol or drug use. Please note that CAPS does not provide court-ordered assessment or treatment, but can refer the individual to appropriate providers for those situations.

Hyde Park:

- CAPS may be contacted at 845-905-4241, or at the CAPS office, Roth Hall Room E-371.
- Alcoholics Anonymous and Narcotics Anonymous groups in the Hyde Park area can be located online at: www.ny-aa.org or at www.newyorkna.org

Greystone:

- CAPS may be contacted at 707-967-2443, or at the CAPS office in the main entryway of the Greystone building in the Rhodes Room.
- The Napa County help line for substance abuse may be reached at 707-253-4771; and the Napa County Crisis Hotline may be reached at 707-253-4711.
- Alcoholics Anonymous and Narcotics Anonymous groups in the St. Helena area can be located online at: www.aanapa.org or at www.sonomacountyaa.org

San Antonio:

- Bexar County Mental Health may be contacted at 210-207-2581, 24 hours a day. Individuals should check with their insurance provider for a list of therapists and psychiatrists in Bexar County who accept your insurance.

- Alcoholics Anonymous and Narcotics Anonymous groups in the San Antonio area can be located online at: www.aasanantonio.org or at

APPENDIX C

Sanctions Under Applicable Laws

New York:

The following is not a comprehensive list of all state and municipal statutes and penalties. This is an overview summary of some statutes and attendant penalties for violation of such statutes. Statutes may also have enhanced penalties for subsequent offenses. The penalties described below are based on applicable New York State statutes and are subject to change at any time by the Legislature and the Governor.

Alcohol:

- Anyone engaged in the illegal manufacture or sale of alcoholic beverages, without obtaining the necessary and proper permits from federal alcohol authorities, is subject to fines of up to \$1,000.
- Anyone who acquires alcoholic beverages for someone under 21 years old is subject to a fine and imprisonment.
- Anyone under 21 years old who purchases or attempts to purchase alcoholic beverages through fraudulent means is subject to a fine, community service, and/or loss of driver's license.
- Anyone under 21 who possesses any alcoholic beverage with the intent to consume such beverage is subject to a fine.

Controlled Substances:

- Articles 220 and 221 of the New York State Penal Law are directly aimed at unlawful traffic in mind-affecting drugs. These articles set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug or amount held or sold.
- Section 220.45 makes criminal possession of a hypodermic instrument a Class A misdemeanor.
- Section 220.46 makes criminal injection of another person with a narcotic drug with consent of that person a Class E felony.
- Section 220.50 makes possession or sale of Drug Paraphernalia, the use of substances that dilute drugs (like dextrose or mannite), and the use of commercial drug preparation

materials (such as gelatin capsules or plastic envelopes) or scales/balances used for drug weighing a Class A misdemeanor.

- Section 220.60 makes criminal possession of certain “precursors” of controlled substances used in their preparation and manufacture (such as ergot or diethyl amide), without possession of the drugs themselves, a Class E felony.
- Under the Penal Law, a gift of drugs, including marijuana, is treated as a sale.

New York State Penal Law defines a misdemeanor as a crime punishable by imprisonment for more than 15 days but not more than one year. A felony is a crime punishable by imprisonment for more than one year.

- Section 220 Controlled Substance Offenses and Sentences:
Criminal Possession of a Controlled Substance:
 - 7th degree: Class A misdemeanor (up to one year in prison)
- Criminal Possession or Sale of a Controlled Substan

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- Consumption or Possession of Alcohol by a Minor. Th

imprisonment for not more than 20 years nor less than five years and a fine of not less than \$5,000 plus costs of investigation & prosecution.

- Distribution of Drugs to a Person Under 21 Years of Age. The minimum penalty is double the federal penalty for distribution of drugs. The maximum penalty is triple the federal penalty for distribution of drugs.

The federal penalties described above are based on applicable federal statutes and are subject to change at any time by Congress and the President. There are additional factors in the federal sentencing guidelines, including various enhancement provisions for prior offenses. Title 21 U.S.C. Section 860 provides that the federal statutory penalties double (and in some cases triple)