

Drug-Free Schools & Communities Act Guide

2022

ITHACA COLLEGE

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ABOUT

Annual Notification of Drug and Alcohol Policies and Programs

The Drug-Free Schools and Communities Act was passed in 1989 as part of the reauthorization of the Higher Education Act and require institutions of higher education that receive federal funding to execute a drug and alcohol abuse prevention program for their campus community. As part of this, the college is required to notify all members of the campus community on an annual basis about the various prevention and education programs, resources, policies, and laws.

The publication of the Drug-Free Schools and Communities Act Guide provides the campus community with information on standards of conduct, sanctions for violations, prevention programming, health risks associated with alcohol and drug use, and local, state, and federal laws related to drug and alcohol use, and on-campus and community resources that are available to students, faculty, and staff. Ithaca College policies related to alcohol and illicit drug use are informed by state and federal laws, such as Drug-Free Schools and Communities Act, Drug-Free Workplace Act, and Omnibus Transportation Employee Testing Act.



DRUG-FREE SCHOOLS AND COMMUNITIES ACT (1989) POLICY STATEMENT

Ithaca College Policy Manual 2.8.8.2

Ithaca College does not permit or condone the illicit or unauthorized possession, use, consumption, sale, or distribution of illicit drugs and/or alcohol by students or employees on College property or as part of any College-sponsored activity. Faculty and staff who are found in violation of this policy will be subject to appropriate disciplinary action consistent with local, state, and federal laws. Such disciplinary action may include counseling, mandatory participation in an appropriate rehabilitation program, a verbal or written warning, suspension from employment, or termination of employment. In addition, faculty and staff may be referred to appropriate law enforcement authorities for prosecution.

Students who violate this policy will be charged under the Ithaca College Student Conduct Code included in section 7.1.2 of Volume VII of the Ithaca College Policy Manual. If found responsible for their actions, students receive an appropriate sanction consistent with local, state, and federal laws, up to and including expulsion from the College. Disciplinary measures may include the required completion of an appropriate rehabilitation program. In addition, students may be referred to the proper law enforcement authorities for prosecution.

Although New York State law now permits the recreational and medical use of marijuana under certain conditions, federal law prohibits all use, possession, and/or cultivation of marijuana at U.S. educational institutions. Federal law also requires any institution of higher education which receives federal funding to have policies in place which prohibit possession and use of marijuana on campus. Therefore, the use, possession, and/or cultivation of marijuana for medical purposes is not allowed in any Ithaca College residence hall or on any other Ithaca College property. No exceptions can be made for any student based on their possession of a medical marijuana certification, registry ID card, or any other proof of medical marijuana eligibility.

DRUG-FREE WORKPLACE POLICY STATEMENT

(Employee Standards of Conduct)

Ithaca College Manual 2.8.8.1

Ithaca College takes seriously the need to enforce rules and laws prohibiting the illicit use of drugs and alcohol on campus and at College-sponsored events. In accordance with the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, and the Omnibus Transportation Employee Testing Act (OTETA) Ithaca College has adopted this anti-drug and alcohol abuse policy for its employees and students.

The College prohibits the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in or on Ithaca College-owned or controlled property. The College prohibits employees (and students) from being under the influence of illegal drugs on College-owned or controlled property. Any faculty member, staff member, or student employee who is found to be in violation of this policy will be subject to appropriate disciplinary action pursuant to College policies and consistent with local, state, and federal laws. Such disciplinary action may include counseling, mandatory participation in an appropriate rehabilitation program, a verbal or written warning, and suspension from or termination of employment.

Ithaca College offers supervisors the opportunity to participate in drug awareness education and provides for the dissemination of drug awareness information to all members of the Ithaca College community. Faculty and staff may seek a confidential referral, information on insurance coverage, and other information regarding support services from the Office of Human Resources.

Any faculty member, staff member, or student employee engaged in activities supported by a federal grant or contract must report any criminal conviction related to possession or use of a controlled substance in the workplace to the Office of Human Resources within five calendar days of conviction. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence or both by any judicial body charged with the responsibility to determine violations of state or federal criminal drug statutes. Ithaca College is obligated to notify the appropriate federal contracting agency within 10 days of receipt of notice of an employee conviction.

In compliance with the Omnibus Transportation Employee Testing Act, all "safety-sensitive" employees at Ithaca College (those employees who are required to hold a commercial driver's license to fulfill their job responsibilities) are subject to drug and alcohol testing. The details of this program are included in section 2.8.8.7. Compliance with the Drug-Free Workplace Act policy, and with the reporting requirement in the case of employees engaged in federally supported activities, is a condition of employment at Ithaca College.



STANDARDS OF CONDUCT: *STUDENTS*

All students must adhere to policies and guidelines regarding the use of alcohol and/or illicit drugs that are contained within the Ithaca College Student Conduct Code, Ithaca College Campus Event Policy, and the Residential Life Rules and Regulations. Available below is a summary of policies, and all readers are encouraged to read the aforementioned policy statements in their entirety. Further, Ithaca College adheres to all local, New York State, and federal laws regarding drugs and alcoholic beverages.

Regulations for Residence Halls

Every effort is made to develop an atmosphere where students may learn and develop positive academic and social habits. Residential Life rules and regulations have been established to ensure that the rights of the individual, as well as those of the community, are upheld. All students residing in residential housing should review 7.5.2 Rules and Regulations and all applicable publications.

Alcoholic Beverages

Persons under the age of 21 are prohibited from purchasing, possessing, or consuming any type of alcoholic beverage anywhere on campus at any time, including all residence hall rooms and apartments. Students age 21 or older may possess and consume alcohol in any residence hall room or apartment, but are prohibited from purchasing alcohol for or providing alcohol to minors. The following are prohibited in residence halls and apartments, for all persons, regardless of age: high-risk drinking paraphernalia, including but not limited to beer pong tables and beer bongs/funnels; and all drinking games, with or without alcohol.

Cannabis (Marijuana)

As mentioned above in the Drug-Free Schools and Communities Act policy statement, the use, possession, and/or cultivation of marijuana for any purpose is not allowed in any Ithaca College residence hall or on any other Ithaca College-owned, controlled, or leased property. No exceptions can be made for any student based on their possession of a medical marijuana certification, registry ID card, or any other proof of medical marijuana eligibility.

Illicit and Other Drugs

The unlawful possession, use, manufacture, purchase, distribution, or sale of prohibited and controlled substances-including, without limitation, illegal drugs or drug paraphernalia, or prescription drugs without a prescription, is prohibited and is cause for disciplinary action.

Public Safety is authorized to investigate alleged violations of state, federal, or local laws concerning the possession, use, manufacture, purchase, or sale of drugs.

Medical Amnesty Policy

MAP is intended to encourage students to seek medical assistance related to drug and alcohol use without worrying about the Student Code of Conduct consequences. Individuals are strongly encouraged to call for medical assistance for themselves, friends, acquaintance, or anyone who is suffering from the effects of alcohol or other drugs. The policy was created and endorsed by Students for a Sensible Drug Policy (SSDP), Student Governance Council (SGC), Residential Life and Student Conduct and Community Standards, Public Safety, Counseling and Wellness, and Student Affairs and Campus Life.



SANCTIONING GUIDELINES

The following are guidelines utilized to determine minimum sanctions and interventions for students who violate drug and alcohol consumption policies.

- Sanctions may accelerate based on the progression, severity, or frequency of the violation, particularly when the sale or distribution of alcohol or other drugs, or threatening, violent, and/or destructive behavior is present.
- Accelerated sanctions may include removal from campus housing, suspension, or expulsion. Criminal prosecution may also occur in cases that rise to the level of crime.
- Violations accrue throughout a student's entire matriculation period. Once a student commits a Level 2 violation, future violations within a year of the date of that violation will be considered Level 2, even if the violation is Level 1. If a full year passes without incident, then a Level 1 violation will be considered as such.
- 1 alcohol violation + 1 marijuana violation = 2 violations.
- Failure to complete conduct requirements may result in accelerated charges, fees, and sanctions including a hold placed on the student's record. The hold will prevent the student from registering for or adding/dropping classes until the conduct requirement is completed and the hold is cleared.
- If the violation qualifies under the Medical Amnesty Policy (MAP), only the timely completion of the BASICS I program is required, and the fee will be waived. Any future violation will be considered a 1st Violation.

Level 1 Behavior: Unlawful possession or use of alcohol, marijuana, or related paraphernalia.

Level 2 Behavior: Unlawful possession or use of alcohol, marijuana, and/or marijuana accompanied by one or more of the following: significant impairment of functioning, medical transport, behavior that is disruptive, destructive, or disorderly, and/or any other evidence of problematic use.

Student Sanctioning Guidelines

	Level 1 Behavior	Level 2 Behavior
First Violation	• Meeting with Hearing Officer • Official Letter of Written Warning • Web-based Education ($50 fee)	• Meeting with Hearing Officer • Disciplinary probation for one (1) semester • BASICS I - $75 fee • Parental notification based on the severity of the incident
Second Violation	• Meeting with Hearing Officer • Disciplinary Probation for one year • Final warning before the loss of campus housing • Parental Notification • BASICS I - $75 fee	• Meeting with Hearing Officer • Disciplinary Probation for one year • Final warning before the loss of campus housing • Parental Notification • BASICS II - $125 fee
Third Violation	• Meeting with Hearing Officer • Disciplinary Probation or Deferred Suspension • Removal from campus housing • Parental Notification • BASICS II - $125 program fee	• Meeting with Hearing Officer • Deferred Suspension • Removal from campus housing • Parent Notification • BASICS III with $150 program fee and formal substance abuse evaluation by a licensed provider
Fourth Violation	• Deferred suspension or suspension	• Suspension

Employee-Specific Sanctioning Guidelines

Verbal Warning	The supervisor should discuss the matter with the employee privately and in a positive manner. The first objective is to find out whether the employee understands the rules involved or the standard expected. The supervisor should consider whether special circumstances may have been involved.
Written Warning	A more serious infraction or a problem that continues despite a verbal warning(s) may require a written warning. A formal meeting should be held with the employee and confirmed by a letter to the employee indicating a reference to earlier verbal warning(s); how the employee has failed to meet department or College standards; a suggested course of action; and a time period for checking progress. The employee also should be informed that, unless the situation is corrected, it will lead to more severe disciplinary action up to and including dismissal.
Disciplinary Suspension	Disciplinary suspension involves removal from the payroll for a prescribed period of time. Before suspending an employee, the supervisor must discuss the situation with their department head and the associate vice president for human resources or director of employee relations. A supervisor may remove the employee from the workgroup for the remainder of the shift, pending such discussion. If a serious incident or difficulty occurs which may warrant discharge or a disciplinary suspension, an employee may be placed on an investigatory leave of absence, that is, the employee may be told not to report to work pending a review of the situation. The leave will be unpaid unless the matter is resolved without a suspension or dismissal.
Demotion	A demotion to a lower-level position may be appropriate when an employee is unable to satisfactorily perform her/his present job and another type of position is available. In rare situations, a demotion may occur because of inappropriate action in the current job, such as misuse of supervisor authority. This action assumes that the demoted employee is judged able to operate effectively in the new position and the College reserves the right to terminate the employee at any time in the future as the circumstances warrant.
Dismissal	Except in cases of serious offenses, discharge from employment should be used only as a last resort. When it becomes necessary to dismiss an employee, it should be clear by the record established that the employee will have, in effect, caused the employee's dismissal.

HEALTH RISKS ASSOCIATED WITH ALCOHOL AND OTHER DRUG USE

There are serious health risks associated with the use of illicit drugs or the abuse of alcohol. Some of those health risks are summarized below. For more information about the health risks associated with drug or alcohol abuse, or for support or treatment, contact one or more of the available resources listed at the end of this publication.

Alcohol

Alcohol consumption causes several marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses also increase the incidence of aggressive acts. Moderate to high doses impair higher mental functions, severely altering the ability to learn and remember information. Very high doses of alcohol can be fatal.

Repeated use of alcohol can lead to dependence. Alcohol withdrawal can result in severe anxiety, tremors, hallucinations, and convulsions, which may be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can lead to permanent damage to vital organs such as the brain, heart, pancreas, and liver, as well as the immune system. Drinking too much, on a single occasion or over time, has been linked to cardiomyopathy, stroke, high blood pressure, fibrosis, cirrhosis, pancreatitis, and cancer. Alcohol consumption during pregnancy may result in fetal alcohol syndrome, which causes irreversible physical and/or mental abnormalities at birth.

Researchers from the National Institute on Alcohol Abuse and Alcoholism provided the following information that is representative of reported experiences from the 18 – 24-year-old college population (yearly):

Academic Problems	• ~1:4 students reported academic consequences from drinking, including missing class, falling behind, poor grades of exams/papers, and lower grades overall.
Assault	• ~696,000 students are assaulted by another student who has been drinking.
Sexual Assault	• ~97,000 students experience alcohol-related sexual assault
Alcohol Use Disorder (AUD)	• ~ 20 percent of college students meet the criteria for AUD
Death	• ~1,825 college students die from alcohol-related unintentional injuries, including motor-vehicle crashes

Common Drugs and Symptoms of Use

Stimulants

- Drugs that stimulate the central nervous system
- Examples: Amphetamine, Dextro-Amphetamine, Methamphetamine, Nicotine, Cocaine
- Symptoms of Use: Restlessness, anxiety, nervousness, irritability, mood swings
- Hazards of Use: Addiction, sleeplessness, anxiety, loss of appetite, brain damage

Depressants

- Drugs that slow down the central nervous system
- Examples: Barbiturates, Pentobarbital, Secobarbital, Quaalude, Sopor, Alcohol
- Symptoms of Use: Drowsiness, confusion, impaired judgment, slurred speech
- Hazards of Use: Addiction with severe withdrawal symptoms

Narcotics

- Drugs that stimulate the central nervous system
- Examples: Demerol, Dilaudid, Methadone, Percodan, Codeine, Heroin, Morphine
- Symptoms of Use: Drowsiness, lethargy
- Hazards of Use: Addiction, impaired memory, and perception

Hallucinogens

- Drugs that alter the perception of reality
- Examples: PCP, LSD, Mushrooms, Ketamine
- Symptoms of Use: Slurred speech, blurred vision, lack of coordination, confusion, aggression
- Hazards of Use: Anxiety, depression, impaired memory

Inhalants

- Substances abused by inhalation
- Examples: Gasoline, Airplane Glue, Paint Thinner, Dry-Cleaning Fluid, Nitrous Oxide, Amyl Nitrate, Butyl Nitrate
- Symptoms of Use: Impaired judgment, poor motor coordination, impaired vision, memory, and thought
- Hazards of Use: Addiction, organ failure, muscular damage

Cannabis (Marijuana)

- Does not have a specific substance classification, but can have properties of depressants, stimulants, and hallucinogens
- Symptoms of Use: increase heart rate; impaired reaction time, coordination, concentration and memory, and time distortion; lack of energy; drowsiness
- Hazards of Use: Addiction, can increase anxiety and depression, increase odds of developing psychotic disorders

DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS

Balancing Alcohol & Substance Use to Improve College Success (BASICS):
Ithaca College's BASICS program is a confidential service that provides students with an opportunity to explore their alcohol and other drug use. BASICS is designed to assist students in examining their substance use patterns and experiences in a non-judgmental setting. The goal of BASICS is to help students reduce high-risk behaviors and harmful consequences from substance use so that they can improve their success in college, both personally and academically.

BASICS I	BASICS II	BASICS III
$75 program fee	$125 program fee	$150 program fee

Alcohol Edu

Ithaca College expects all incoming first-year students to complete Alcohol Edu, an online alcohol education program, before arriving on campus. The course must be completed on a computer, iPad, or tablet with access to the internet and audio capabilities.

Alcohol Edu for Sanctions

Alcohol Edu for Sanctions is IC's sanctions course which is required for students who are referred for the first time, Level I (possession or use) incident involving alcohol.

Marijuana 101: This course is designed to educate students on ways to reduce the harmful use of marijuana and associated problems among students who use marijuana. Students who are referred to student conduct for a first marijuana violation will be required to take the Marijuana 101 online module.

AL-ANON: Al-Anon, the twelve-step group for friends and family members of alcoholics and addicts, meets weekly at Ithaca College. The group, officially called the South Hill Higher Ground Al-Anon Family Group, is not affiliated with Ithaca College and is open to students, faculty, staff, and members of the Ithaca community beyond the campus who seek support. The purpose of the meeting is to establish ongoing on-campus support for those who have loved ones contending with addiction. Everything shared by individuals at these meetings will be kept confidential.

THRIVE @ IC: Resiliency Workshop & Wellness Coaching: THRIVE at IC is a program offered by the Center for Health Promotion with the goal of helping students increase their resiliency, and as a result, improve their overall wellbeing and personal success. Students have an opportunity to engage in various activities to learn about the THRIVE Resilience Pyramid and how different aspects of health and wellness interact to allow them to grow from mistakes, connect with others, and find their purpose.

THRIVE Wellness Coaching is available as a one-on-one personal wellness coaching session in the Center for Health Promotion and as a group workshop. In a private wellness coaching session, the student has an opportunity to discuss their concerns in a range of personal wellness areas such as nutrition, sleep, exercise, stress management, and substance use. They can set practical goals and identify strategies for change that they feel are most relevant.

Opioid Overdose Prevention Workshop: During the Opioid Overdose Prevention Workshop, participants gain knowledge of harm reduction principles, systems of overdose, how to administer naloxone (Narcan) to an opioid overdose victim, and the naloxone access initiative at Ithaca College. This program is offered to faculty, staff, and students in-person and virtually.

Employee Assistance Program: One of the many benefits Ithaca College offers employees is the Employee Assistance Program (EAP). EAP offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems. EAPs address a broad and complex body of issues affecting mental and emotional well-being, such as alcohol and other substance abuse, stress, grief, family problems, and psychological disorders.

CENTER FOR HEALTH PROMOTION

Mission of the Center for Health Promotion

The mission of the Center for Health Promotion is to support Ithaca College students in developing the skills and identifying the resources necessary for making healthy lifestyle choices. The Center utilizes evidence-based tools and personalized information to empower students to make their own decisions for optimizing their well-being. The Center's primary content areas include harm reduction for alcohol and other drug use, building resiliency, and finding balance in order to thrive during college and beyond.

Mission of Alcohol and Other Drugs Committee (AOD Team)

The mission of the AOD Prevention Team is to reduce substance use and related harm among students in order to maximize student health, safety, learning, and success. Toward this goal, the AOD Prevention Team works in an interdisciplinary and collaborative manner to create policies, practices, and programs that align with best practices.

Areas of focus: 1) campus culture, 2) harm reduction, 3) peer intervention, 4) helping resources, 5) policies and procedures, and 6) social activities

The Center for Health Promotion is located on the lower (basement) level of Hammond Health Center, just down the hallway from Counseling and Psychological Services.
The Center is open Monday to Friday from 8:30 a.m. to 5:00 p.m.

Program Director: Michelle Goode
Health Promotion Specialist: Kaiden Girouard

Email: healthpromotion@ithaca.edu
Phone: 607-274-3177

LOCAL, STATE AND FEDERAL LAWS

In addition to the standards and sanctions on alcohol and other drug abuse set forth above, members of the campus community are also required to abide by local, state, and federal laws governing consumption, sale, or possession of alcohol and other drugs.

Local Laws and Ordinances

The City of Ithaca Alcoholic Beverage Code contains a number of provisions, those most applicable to college students include:

§ 128-1. Findings and purpose

The Common Council finds that the unrestricted consumption of alcoholic beverages in certain public places often leads to disorders and related problems as well as the littering of such public places and the development of unsanitary conditions and is disturbing to the public and threatens peace and good order.

The purpose of this article is to prohibit the consumption of alcoholic beverages in certain public places in order to prevent disorderly behavior, the development of unsanitary conditions, and the littering of public places and to protect the public health, safety and welfare and to promote the public good.

The Legislature of the State of New York has determined that, since the New York State drinking age is 21, underage persons should be held responsible for their conduct and be prohibited from possessing alcoholic beverages in public. The consumption of alcoholic beverages in public places by persons under the legal drinking age is an aggravating factor.

§ 128-3. Public consumption prohibited

No person shall, within the City of Ithaca, drink or otherwise consume liquor, wine, beer, or other alcoholic beverages while such person is in or upon any public place as defined herein.

§ 128-4. Possession of open containers; presumption

No person shall carry or have in his/her possession within or upon any public place in the City of Ithaca any open container containing liquor, wine, beer, or other alcoholic beverage

with the intent of the possessor or another to consume the same in any public place defined herein.

The possession of an open container unwrapped or with the top exposed in a public place as herein defined shall be presumptive evidence that the contents of such open container are intended to be consumed in a public place as herein defined.

For the purposes of this chapter, any container labeled as a container of an alcoholic beverage, such as a can of beer or a bottle of wine, shall be presumed to contain at least some amount of the alcoholic beverage specified.

For the purposes of this chapter, all beer, and all wine, regardless of alcoholic content, shall be presumed to be alcoholic beverages.

§ 128-6. Penalties for offenses

The violation of any of the provisions of this article shall be punishable by a fine not greater than $250 and/or not more than 15 days in jail and not less than $100 or 25 hours of community service; provided, however, that a person who violates this article after having been convicted of a violation of this article within the preceding three years shall be punishable by a fine not greater than $500 and/or not more than 15 days in jail and not less than $100 or 25 hours of community service; and further provided that a person who violates this article after having been convicted two or more times of a violation of this article within the preceding three years shall be punishable by a fine not greater than $750 and/or not more than 15 days in jail, and not less than $100 or 25 hours of community service.

NEW YORK STATE LAWS

Alcohol

Alcohol offenses and penalties in New York State are defined by the Alcoholic Beverage Control Law and Penal Law. These laws include possession with intent to consume while under age 21, driving while intoxicated, driving while ability is impaired by alcohol, driving after consuming alcohol while under age 21, furnishing alcohol to a person under age 21, selling alcohol to an intoxicated person, or providing false identification. In addition, New York State General Obligations Law imposes personal injury liability for damages resulting from furnishing alcohol to persons under age 21 or selling alcohol to an intoxicated person. While not exhaustive, a summary of offenses and penalties is provided below:

Offense	Penalty
Serving Alcohol to Persons Under 21	Up to 1 year in jail, $1,000 fine.
Fraudulent Attempt to Purchase Alcohol (using false ID or ID of another person):	Fine up to $100, community service up to 30 hours, and/or completion of an alcohol awareness program, 90 days license suspension if a New York State driver's license is used as the false ID Possession of Alcohol by Person Under 21: Up to $50 fine and/or completion of an alcohol awareness program and/or up to 30 hours of community service
Driving While Intoxicated (DWI) (≥.08 blood alcohol content)	First offense: up to 1-year prison, $500 to $1,000 fine, minimum 6 months license revocation Second offense in 10 years: up to 4 years prison, $1,000-$5,000 fine, minimum 1-year license revocation.
Driving While Ability Impaired (DWAI) (.05-.07 blood alcohol content)	First offense: up to 15 days jail, $300-$500 fine, 90-day license suspension. Second offense in 5 years: up to 30 days jail, $500 to $750 fine, minimum 6 months license revocation Third offense in 10 years: up to 180 days jail, $750-$1,500 fine, minimum 6 months license revocation

Operating a Motor Vehicle after Consuming Alcohol While Under 21	License suspension or revocation and $125 charge
Possession of Open Container in Public Place	Up to 15 days in jail, up to $500 fine or both

Cannabis (Marijuana)

On March 31, 2021, New York State legalized adult-use cannabis (also known as marijuana, or recreational marijuana) by passing the Marijuana Regulation & Taxation Act (MRTA). The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law. The MRTA modifies criminal violations and penalties relating to the sale and possession of cannabis.

- The Marijuana Regulation and Taxation Act (MRTA) legalizes cannabis for adults 21 years of age or older.
- It's illegal for anyone under age 21 to buy, possess or use cannabis.
- The use, possession, and/or cultivation of marijuana for any purpose is not allowed in any Ithaca College residence hall or on any other Ithaca College-owned, controlled, or leased property.

Controlled Substance

The State of New York Penal Law defines a wide range of offenses and penalties for possessing or distributing marijuana and other controlled substances. These sanctions can include imprisonment, fines, assigned community service, and loss of federal student financial aid eligibility. In addition, driving a motor vehicle with ability impaired by drugs is subject to the same New York State law and sanctions as driving while intoxicated.

The State of New York Public Health Law prohibits selling or possessing a hypodermic needle without a doctor's written prescription; or manufacturing, selling, or possessing with intent to sell an imitation controlled substance.

FEDERAL LAWS

Federal Sanctions for Sale of Marijuana

- A first offense of trafficking in marijuana in amounts of less than 50 kg may result in imprisonment of not more than 5 years and a fine not to exceed $250,000. Imprisonment and fine minimums are doubled for a second offense
- Trafficking in marijuana in quantities greater than 1,000 kg may result in not less than 10 years and not more than life imprisonment and/or a fine not to exceed $4 million (minimums double for a second offense)

Federal Sanction for Possession of a Controlled Substance

Possession, use, or distribution of Controlled Substances is prohibited by federal law. Controlled Substances include, for example, heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), cocaine, methamphetamine, and certain steroids and prescription drugs. Federal penalties for possessing, using, or distributing Controlled Substances often include fnes and prison sentences.

- First conviction: Up to one-year imprisonment and/or fine of at least $1,000 but not more than $100,000, or both
- After one prior drug conviction: At least 15 days in prison, not to exceed 2 years and /or fine of at least $2,500 but not more than $250,000, or both
- After two or more prior drug convictions: At least 90 days prison, not to exceed 3 years and fine of at least $5,000 but not more than $250,000, or both.
- Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years, and fine of up to $250,000, or both if:
    - First conviction and the amount of crack possessed exceeds 5 grams;
    - Second convection and the amount of crack possessed exceeds 3 grams;
    - Third or subsequent conviction and the amount of crack exceeds 1 gram.
    - Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment.
    - Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
    - Civil fine up to $10,000 (pending adoption of final regulations).

• 853a: Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for a first offense, up to 5 years for second and subsequent offenses.
• 922(g): Ineligible to receive or purchase a firearm.
• Miscellaneous: Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

Federal Sanctions for Sale of Controlled Substances

- Penalties range from imprisonment for less than one year and/or a fine of less than $100,000 for a first offense involving a small quantity of a controlled substance.
- For a large quantity, second offense, the penalty may be as severe as 20 years to life imprisonment and a fine of not more than $8 million.

In addition, Section 484(r) of the Higher Education Act of 1998 (20 U.S.C. §1091) provides that a student's eligibility for federal student aid be suspended upon conviction under federal or state law for any offense involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance under this subchapter shall not be eligible to receive any grant, loan, or work assistance. Eligibility may be regained upon completion of a drug rehabilitation program that meets statutory and regulatory requirements or if the conviction is overturned.

RESOURCES

On-Campus Resources	Community Resources
Center for Health Promotion Lower Level, Hammond Health Center 607-274-7933	Alcoholics Anonymous 607-274-1541
Counseling & Psychological Services Lower Level, Hammond Health Center 607-274-3136	Alanon/Alateen -- 888-4ALANON
Office of Public Safety General Services Building 607-274-3333	Alcohol & Drugs Council for Tompkins County 607-274-6288
Office of Residential Life East Tower Lobby 607-274-3141	Alcohol Treatment 24-hour help line 800-314-8292
Office of Student Conduct and Community Standards West Tower Lobby 607-274-3375	Cayuga Addiction Recovery 607-273-5500
Human Resources Peggy Ryan Williams Center Garden Level 607-274-8000	Narcotics Anonymous 607-274-6200

REFERENCES

Ithaca College Policy Manual

Ithaca College Human Resources

Ithaca College Student Code of Conduct

Ithaca College Center for Health Promotion Annual Report

Ithaca College Alcohol and Other Drug Sanction Guide

Complying with DFSCA Regulations, Campus Prevention Network

Complying with DFSCA: A Guide for University and College Administrators, Higher Education Center

20 U.S. Code § 1091 Student Eligibility, Legal Institution at Cornell Law School