



**Fashion Institute
of Technology**
State University of New York

Drug and Alcohol Abuse Prevention

Policy EM010

Volume 2, College

Responsible Administrator: Vice President for Enrollment Management and Student Success and Vice President for Human Resource Management and Labor Relations

Responsible Office: Enrollment Management and Student Success and Human Resource Management and Labor Relations

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Policy Statement

FIT (inclusive of all associated auxiliary corporations) is committed to a drug-free environment. Unlawful possession, distribution, dispensation, manufacture, sale, or use of controlled and/or illegal substances and related paraphernalia on the FIT campus, or as part of any FIT activity, is prohibited and will not be tolerated.

Alcoholic beverages and related paraphernalia must not be brought into or consumed on the FIT campus or as part of any FIT activity, except where specifically authorized by the President, or President's designee, for college events. Under no circumstances are alcoholic beverages to be served to any students on campus or as part of any FIT activity, with the exception of specifically authorized college events as outlined in this policy. Employees must not work or come onto the FIT campus impaired by alcohol.

Cannabis remains illegal as a matter of federal law and therefore the use and possession of cannabis and cannabis products is prohibited on the FIT campus. Individuals who use cannabis for medical reasons in accordance with New York State law will be accommodated to the extent required by law and consistent with FIT's goal of providing a safe workplace, but in no case may any individual use or possess cannabis or cannabis products during work time or on the FIT campus, and individuals are never authorized to work if intoxicated or impaired.

The college strictly enforces these policies, and violators may be sanctioned as explained in this policy. Resources are available to assist members of the FIT community to prevent and recover from drug and alcohol abuse, and we encourage anyone in need to take advantage of those resources if they have substance abuse concerns.

Reason for the Policy

FIT's people are its most valuable resource and their health and safety are matters of serious concern. The abuse of drugs and alcohol is potentially a grave danger to the college and its educational mission, and to the well-being of the community as a whole. Because of FIT's concern for the health and safety of

students and employees, and our intent to comply with applicable federal, state, and local laws regarding substance abuse, the college has formulated the following policy.

Who is Responsible for this Policy

- Associate Vice President for Enrollment Management and Student Success/Dean of Students
- Vice President for Human Resource Management and Labor Relations
- Director of Public Safety
- Event Management and Facilities Rentals

Who is Affected by this Policy

- All members of the FIT community

Definitions

- **FIT activity:** an FIT activity includes any event, function, that is sponsored, organized or financed in whole or in part by the college or by any FIT office, department, division, course, program, or organization, including student organizations/clubs/teams, whether occurring on campus or elsewhere.
- **Illegal drug:** any drug that is unlawful to use or possess as a matter of federal, state, or local law. Illegal drugs include prescription medications used other than as prescribed or by someone other than for whom prescribed. Cannabis remains illegal as a matter of federal law.
- **Paraphernalia:** any equipment, product or material of any kind which is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body an illegal drug.

Principles

- **Prohibition on Alcohol**
FIT is a dry campus. The possession, sale, use, or distribution of alcoholic beverages or related paraphernalia¹ (e.g. flasks, beer bongs, shot glasses, empty bottles or cans, or other similar items) by any person on the FIT campus or as part of any FIT activity is prohibited. Exceptions to this policy will be made in limited circumstances. An exception may be granted to permit the use or possession of alcohol when: (1) a request to serve or possess alcohol at a particular event is specifically approved by the President or the President's designee (requests must be submitted in writing to the President's Office or designee at least three business days prior to the event); (2) it is not purchased with FIT funds; (3) alcohol is served only by someone who is not an FIT employee and who is appropriately licensed/trained, such as the college's catering vendor; and (4) students are not present, unless a specific request is made and approved to permit students of legal drinking age to responsibly consume alcohol at the event. Events governed by the Event Management and Facilities Rental policies should submit policy exception requests directly to the Office of Event Management and Facilities Rental.

¹ For purposes of academic study, materials connected to the packaging and/or marketing of alcoholic beverages may be permitted in the classroom. However, in no instances is alcohol consumption permitted as part of an academic course or course of study.

Other than as approved above, no alcoholic beverages are to be served to, or consumed by, students on campus or as part of any FIT activity.

Even if the consumption of alcohol at FIT, or at an FIT activity, is specifically authorized under this policy, all persons at such events continued to be governed by applicable FIT conduct policies, and FIT specifically prohibits reckless, excessive, disruptive, or dangerous drinking on campus or at the FIT activity by all persons. Persons who appear to be under the influence of alcohol may be denied entry, or removed from, the FIT campus or FIT activities and may be subject to discipline.

- **Prohibition on Illegal Drugs**

The possession, sale, use, manufacture, or distribution of illegal drugs by any person on the FIT campus or as part of any FIT activity is prohibited and may lead to criminal prosecution as well as consequences to employment or enrollment. This prohibition includes the illegal sale or distribution of prescription drugs. Persons who appear to be impaired by, or under the influence of, drugs may be denied entry, or removed from, the FIT campus or FIT activities and may be subject to discipline. FIT may enlist the assistance of law enforcement to respond to individuals who appear to be under the influence of drugs on campus, are disrupting campus operations, are creating a health or safety concern for themselves and/or other community members, or to investigate apparent illegal drug activity. Additionally, such matters may be referred to law enforcement for potential criminal prosecution.

The unauthorized consumption of alcohol or illegal drugs at any college work location is prohibited. While prescription drug use is not prohibited by this policy, an employee's prescription drug use should not render the employee impaired or unable to perform his or her job duties. Impairment, whether by alcohol or drugs, whether legal or illegal, is prohibited while an employee is performing in a work capacity and at any college work location.

Additionally, FIT employees who appear to be working or present on FIT property while intoxicated or impaired may be subject to reasonable suspicion drug/alcohol testing as outlined below.

Students and employees who are concerned about substance abuse have access to confidential referral and assistance resources, as described below, and are encouraged to utilize these resources.

Responsibilities

N/A

Procedures

FIT operates in accordance with the Federal Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act of 1989, as well as New York State law governing state-operated workplaces. This section is intended to clarify the health risks associated with substance abuse, and provide resources for you or someone else who may need intervention or assistance with substance abuse. This section also details the procedures at FIT in the event an employee appears to be impaired by drugs or alcohol or otherwise apparently in violation of this policy while performing in a work capacity or in the workplace.

- **Drug and Alcohol Testing for Employees**

- The SUNY policy on Alcohol and Controlled Substances in the Workplace provides that upon "reasonable suspicion" an employee may be required to undergo drug/alcohol testing. Reasonable suspicion must be based upon specific and reliable observation concerning the employee's conduct or behavior, or other articulated evidence such as the odor of alcohol or drugs on the breath or about the person, disorientation, slurring of speech, or unsteady gait. Human Resources shall review such reports to determine whether a reasonable suspicion drug/alcohol test is appropriate, and will coordinate the testing process, in confidence, if deemed necessary.

- **Health Risks**

The following summaries are from federal government resources on health risks of alcohol and drugs. More information can be found on the [Centers for Disease Control and Prevention](#) and the [National Institute on Drug Abuse](#).

- **Alcohol**

Alcohol consumption causes a number of 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 of alcohol also increase the incidence of a variety of aggressive acts, including domestic violence and date rape. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal systems, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics.

- **Drugs**

Drug use can have a wide range of short- and long-term, direct and indirect effects. These effects often depend on the specific drug or drugs used, how they are taken, how much is taken, the person's health, and other factors. Short-term effects can range from changes in appetite, wakefulness, heart rate, blood pressure, and/or mood to heart attack, stroke, psychosis, overdose, and even death. These health effects may occur after just one use.

Longer-term effects can include heart or lung disease, cancer, mental illness, HIV/AIDS, hepatitis, and others. Long-term drug use can also lead to addiction. Drug addiction is a brain disorder. Not everyone who uses drugs will become addicted, but for some, drug

use can change how certain brain circuits work. These brain changes interfere with how people experience normal pleasures in life such as food and sex, their ability to control their stress level, their decision-making, their ability to learn and remember, etc. These changes make it much more difficult for someone to stop taking the drug even when it's having negative effects on their life and they want to quit.

Drug use can also have indirect effects on both the people who are taking drugs and on those around them. This can include affecting a person's nutrition; sleep; decision-making and impulsivity; and risk for trauma, violence, injury, and communicable diseases. Drug use can also affect babies born to women who use drugs while pregnant. Broader negative outcomes may be seen in education level, employment, housing, relationships, and criminal justice involvement.

- **Drug and Alcohol Programs and Resources**

All students and employees are encouraged to seek help if they feel they have a problem with alcohol and/or other drugs, and to learn how to recognize and assist others with substance-abuse problems. With early assistance, it is less likely that serious consequences will result from an alcohol or other drug problem. There are many resources on campus and in the community for individuals or for others to report a concern about a fellow student or employee who may need assistance. Neither employees nor students will be disciplined for seeking help for alcohol or drug problems or addictions.

College resources for students include the Counseling Center (Room A212; 212 217-4260) and Health Services (Room A402; 212 217-4190). These services are confidential and free of charge for students. Students may also contact the Dean of Students for assistance in obtaining resources. Employees may contact the Employee Assistance Program (Room A 608D, 212 217-5600), a joint program of FIT and the UCE that provides free, confidential assistance to employees and their family members. All members of the FIT community may also contact Public Safety, 212 217-7777 in an emergency or for assistance in obtaining resources.

Additionally, non-college resources in the community include the following:

- **Community/Self-Help Resources**

- 1-800 LIFENET (English: 1-800-543-3638; Spanish: 1-877-298-3373). Depression, suicide, and information and referrals for emotional and substance abuse programs for New York City residents (24 hours per day, 7 days per week)
- [Alcoholics Anonymous](http://www.aa.org), (212) 870-3400, www.aa.org. The closest AA program to FIT is Inter-Group Association of A.A. of New York, Inc., (212) 647-1680, 307 Seventh Avenue, Suite 201. Open 365 days a year from 9 a.m. to 10 p.m.; phone volunteers are available from 9 a.m. to 2 a.m.
- [Narcotics Anonymous](http://www.nahelp.org), Regional Helpline (212) 929-6262.
- [Al-Anon](http://www.al-anon.alateen.org), (212) 941-0094, www.al-anon.alateen.org. For friends, relatives, and domestic partners who are coping with a loved one's alcohol or drug use.
- [Children of Alcoholics Foundation](http://www.childrenofalcoholics.org), (646) 505-2061.
- [Cocaine Anonymous](http://www.cocaineanonymous.org), (212) 262-2463.
- National Drug & Alcohol Treatment Referral Service hotline, 1-800-662-4357
- New York State Addiction Hotline, 1-800-522-5353
- Alcoholism Council of New York Helpline, 1-800-567-6237

- **Alcohol and Other Drug Treatment**
 - [Addiction Institute of Mount Sinai West](#), (332) 243-1750 / (212) 523-6491
45 Rivington Street, New York, NY 10002
 - [Hazelden New York](#), (212) 420-9522, 322 Eighth Avenue, 12 floor (outpatient alcohol and drug rehab)
 - [The Addiction Institute at Mount Sinai](#) - West, (212) 523-6491 (alcohol and drug evaluation and inpatient, outpatient, and residential treatment) 1000 Tenth Avenue, New York, NY 10019 (two blocks from Columbus Circle)
- **General Mental Health Services**
 - Beth Israel Hospital Outpatient Clinic, (212) 420-4135, Bernstein Building, 9 Nathan Place (between East 15th and 16th Streets)
- **Emergency Resources**
 - FIT Public Safety, (212) 217-7777 (24 hours a day)
 - NYC Police/Ambulance, 911
 - Beth Israel Medical Center, (212) 420-2000, First Avenue at 16th Streets

Violations

- **Sanctions and Consequences**

All violators are subject to both FIT's policy and all applicable drug and alcohol laws and may face disciplinary sanctions from the college and/or legal sanctions under federal, state, or local law. Any individual who is in violation of this policy will immediately be asked to cease the behavior, may have the contraband confiscated, and may be asked to leave FIT premises and/or the premises of the FIT activity. All violators are subject to removal and/or arrest.

- **FIT Sanctions**

- **Students**

Student violators are subject to disciplinary procedures and sanctions as set forth in the Code of Student Conduct and, for students living in FIT residence halls, the FIT Resident Handbook. Sanctions for students may include, but are not limited to, course change/removal, protective measures, admonition, disciplinary probation, reprimand, restitution, fines, educational sanctions, restriction/revocation of privileges, suspension, expulsion, administrative holds (for failure to comply with disciplinary sanctions), and transcript notations (for suspension or expulsion). Sanctions for residential students may also include loss of visitation privileges, educational sanctions, resident hall probation or dismissal, ineligibility for future housing lotteries, and additional sanctions at the discretion of the Director of Residential Life. Exceptional measures, as described in the Code of Student Conduct, may also be imposed in appropriate cases. FIT may, consistent with the Family Educational Rights and Privacy Act, disclose to parents the student's violation of any federal, state, local law, or FIT policy regarding use or possession of alcohol or a controlled substance if FIT determines the student has committed a disciplinary violation and is under the age of 21 at the time of disclosure.

Students should be aware that FIT has a Good Samaritan/Drug and Alcohol Amnesty policy. The details of this policy are set forth in the Code of Student

Conduct. The policy generally provides that students who seek out medical assistance for themselves or assist others who may be intoxicated or under the influence of drugs, both will be granted amnesty from formal disciplinary charges at FIT if the situation meets certain criteria as set forth in the Code of Student Conduct.

- **Student Clubs and Organizations/Athletics Teams**

All student organizations, clubs, and teams must adhere to all college rules and Regulations, including events taking place away from FIT. The Code of Student Conduct prohibits hazing, including the forced consumption of liquor or drugs. See Student Code of Conduct (section on Hazing).

- **Employees**

Bargaining employees may be subject to disciplinary action or other action under the applicable collective bargaining agreement, and other employees may be subject to disciplinary action including dismissal, demotion, reassignment, suspension, reprimand, removal of privileges, mandatory treatment, and/or training.

- **Other Violators**

All other violators may be directed to leave the FIT campus or property of an FIT activity. FIT may issue a persona non grata for such persons with respect to the FIT campus and FIT activities and may be barred from entry onto FIT premises and/or to FIT activities. Any individual who violates a persona non grata is subject to arrest for trespass. The names of any individuals with persona non grata on file will be noted and kept in the records of the Department of as Public Safety and any other relevant administrative office.

- **Federal and State Legal Sanctions**

The unlawful possession, use, manufacture, or distribution of illegal drugs and alcohol are subject to serious criminal penalties by federal and state government, in addition to any sanctions imposed by the college. The crimes and sanctions outlined in this policy are only examples and general information about penalties that may be assessed. It is the college's policy to discourage violations of all laws.

- **Federal law** prohibits a variety of criminal acts involving unlawful controlled substances, including but not limited to trafficking and possession. Federal penalties for illegal drugs generally depend on the type and amount of drug involved, the circumstances of the crime, and whether prior offenses have occurred. Federal convictions may result in penalties including imprisonment, fines, forfeiture of property, the denial of federal benefits (such as student loans – see below), and a criminal record. For example, federal penalties for possession of illegal drugs include imprisonment for up to one to three years and minimum fines of \$1,000 to \$5,000, depending on prior offenses. The U.S. Drug Enforcement Administration publishes [current federal drug trafficking penalties](#) on its website.

- **State law** also prohibits a variety of criminal acts involving unlawful controlled substances, including but not limited to, possession and sale. It is important to

note that under state law, selling a drug includes exchanging or even giving an illegal drug to another person. State penalties for illegal drugs generally depend on the type and amount of drug involved, as well as the circumstances of the crime. State law categorizes drug crimes from Class B Misdemeanors (for example, criminally using drug paraphernalia) to Class A-I Felonies (for example, selling two ounces or more of a narcotic drug). State convictions may result in penalties including imprisonment, fines, and probation. Relevant laws include Article 220 of the NY State Penal Law, which concerns Controlled Substance Offenses; Article 221, which concerns Offenses Involving Cannabis; and Article 178, which concerns Criminal Diversion of Prescription Medications and Prescriptions.

State criminal penalties may also result from unlawful use of alcoholic beverages. It is prohibited to sell or otherwise provide alcohol to any person under age 21. Such conduct is regulated both by the state Alcohol Beverage Control Law (Article 5) and the New York Penal Law (Article 260) and may, depending on the circumstances, be a Class A Misdemeanor, which are punishable by jail time and/or a fine. The Alcohol Beverage Control Law Article 5 also prohibits possession of alcohol with intent to consume by persons under age 21, with violations subject to a fine, completion of alcohol awareness program, and/or community service.

State law also prohibits operating a motor vehicle while intoxicated, either by alcohol or other drugs. The penalties include loss of driving privileges, fines, and possible jail time. [The New York State Department of Motor Vehicles](#) publishes a summary of current penalties on its website. For more information on state laws, visit the [New York Legislature's website](#), which maintains a database of all laws. Potential sentences are set forth in Part 2, Title E of the Penal Law.

FIT students, faculty, and staff studying or otherwise traveling abroad are advised that while still subject to FIT policies, they are also subject to the national and local laws of the country and city where they are travelling or residing. Some nations have severe penalties for violating their laws on alcohol and controlled substances. Students are strongly cautioned to be familiar with local laws where they will be traveling and living abroad.

- **Additional Sanctions**

Under the Higher Education Act, a student may become ineligible for federal student aid upon conviction of any offense involving the possession or sale of illegal drugs while receiving Title IV federal financial aid. Federal aid includes Federal Direct Loans, Federal Direct PLUS Loans, Federal Direct Graduate PLUS Loans, Federal Pell Grants, Federal Supplemental Educational Opportunity Grants, Federal ACG Grants, Federal SMART Grants, Federal TEACH Grants, Federal Work Study, and Perkins Loans. For more information see Drug Conviction and Financial Aid Eligibility.

Related Policies

- [Code of Student Conduct](#)

- [Employee Code of Ethical Conduct](#)
- [Event Management and Facilities Rental – External](#)
- [Event Management and Facilities Rental - Internal](#)
- [Tobacco-Free Campus](#)

Related Documents

- [New York State Policy on Alcohol and Drugs in the Workplace](#)

Contacts

- **Vice President for Human Resource Management and Labor Relations**
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