

**CITY UNIVERSITY OF NEW YORK  
STATEMENT ON DRUG, TOBACCO AND ALCOHOL EDUCATION**

**STANDARDS OF CONDUCT**

The City University of New York is a caring community committed to promoting the physical, intellectual, social, and ethical development of all individuals. The inappropriate use of alcohol, tobacco and illicit drugs threaten the health and safety of students, employees, their families, and the general public and adversely impairs performance. In addition to promoting health, safety and a positive learning and working environment, the City University is committed to preventing alcohol and other drug-related problems among all members of the University community.

The unlawful manufacture, possession, distribution, dispensation, possession or use of alcohol or other drugs by anyone, either on University property or at University-sponsored activities, is prohibited. Any person who is determined to have violated this policy will be subject to the appropriate penalties. (see Attachment B)

As a condition of employment, any employee of the City University must notify his or her supervisor if he or she is convicted of a drug-related offense involving the work place within five (5) days of conviction. Pursuant to the Drug-Free Workplace Act of 1988, 34 CFR § 85.635, the University is then required to notify the appropriate granting or contracting federal agency within ten (10) days of receiving notice of any such conviction.

These standards of conduct and policies are consistent with the City University's desire to promote health and safety and are in accordance with the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. The University will continue its efforts to maintain an environment free from the unlawful possession, use, and distribution of alcohol and other drugs.

**HEALTH RISKS ASSOCIATED WITH ABUSE OF ALCOHOL AND USE OF TOBACCO**

**Alcohol**

Alcohol (ethanol) is toxic to the human body. It is a central nervous system depressant that slows bodily functions such as heart rate, pulse and respiration. Taken in large quantities, it progressively causes intoxication, sedation, unconsciousness, and even death if consumed in large amounts. Alcoholics can often consume large quantities of alcohol without appearing to be drunk or uncontrolled. Nevertheless, alcoholism causes severe emotional, physical and psychological damage. Prolonged heavy drinking can damage various organs, resulting in disorders such as cirrhosis of the liver, heart disease, pancreatitis and cancer. It can also lead to gastrointestinal irritation (nausea, diarrhea, gastritis, ulcers), malnutrition, sexual dysfunction, high blood pressure, lowered resistance to disease, and possible irreversible brain and nervous system damage. Alcoholism can also lead to a wide variety of problems involving one's emotional, family, work and social life.

## **Tobacco**

The Department of Health and Human Services, the American Psychiatric Association and the World Health Organization have determined that nicotine, the chief component of tobacco, is a highly addictive drug. Forty years ago the first report of the Surgeon General of the United States was issued on the impact of tobacco use on health. This 1964 report presented stark conclusions: that cigarette smoking causes lung cancer and is the most significant cause of chronic bronchitis. The report linked tobacco smoking with emphysema and other forms of cancer. The health hazards of tobacco use are now well documented and directly linked to the death of an estimated 390,000 Americans a year.

Recent studies have shown that exposure to environmental tobacco smoke is associated with the occurrence of many diseases, such as lung cancer and heart disease in nonsmokers and low birthrate in the offspring of nonsmokers. Because environmental tobacco smoke represents one of the strongest sources of indoor air contaminants in buildings where smoking is permitted, The City University has adopted a policy that prohibits smoking inside all University facilities (buildings). College presidents are free to impose a total ban on smoking on their grounds, or provide for limited smoking areas outside of buildings, a set distance from a building's entrance.

## **FEDERAL AND STATE SANCTIONS FOR UNLAWFUL USE OF ALCOHOL AND DRUGS**

Both Federal and New York State law make it a criminal offense to manufacture, distribute, dispense or possess with intent to manufacture, distribute, dispense or simply possess a controlled substance, including marijuana. 21 U.S.C. § 801, *et. seq.*; New York State Penal Law, §§ 220, 221; New York State Public Health Law, § 3306. The sanctions for violation of these laws depend upon the particular offense and depend on aggravating factors such as the type and quantity of drugs involved. Sanctions range from monetary fines and community service to imprisonment.

Below are some additional and important New York State laws regarding the unlawful use of alcohol, tobacco and other drugs:

- Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity is a violation, punishable by a fine and imprisonment up to 15 days. New York State Penal Law § 240.40
- Giving or selling an alcoholic beverage to a person less than twenty-one years is a class A misdemeanor punishable by a sentence of imprisonment up to one year. New York State Penal Law §260.20(2)
- 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 up to one year. New York State Vehicle Traffic Law § 1192

- Selling tobacco products to any person under the age of eighteen is a class B misdemeanor and punishable by imprisonment up to three months. New York State Penal Law, §260.21(3)

## **UNIVERSITY SANCTIONS**

### **Students**

Students are expected to comply with the standards of conduct published and distributed by the college. Any student found in violation of University policy may be subject to disciplinary action. Sanctions may include admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection and arrest by civil authorities. The Chief Student Affairs Officer may take disciplinary action or recommend that a student meet with a counselor for appropriate referral or assistance through self-help organizations or other outside intervention agencies. A member of the instructional staff may refer any student who is experiencing difficulty with alcohol or illicit drugs to any Student Affairs Officer or to an appropriate Counseling and Advisement Center. Students should be encouraged to seek assistance directly from the available resources when necessary.

### **Employees**

Employees found in violation of the standards of conduct may be subject to penalties under the Henderson Rules and discipline under the provisions of their union contract. Sanctions that may be imposed in addition to those found in the various contracts include verified attendance and successful participation in an employee assistance program.