

Anti-Drug and Alcohol Policy

The College of Westchester maintains a zero-tolerance policy regarding the unlawful use, possession, manufacture or distribution of drugs and alcohol on its property or surrounding property, including the building, parking lot, sidewalks, and any location where College-sponsored activities occur.

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or an illegal drug by a student or employee on property at The College of Westchester or as part of any College activity is strictly prohibited.

New York and Federal law prohibit the unlawful use, manufacture, possession, control, sale, and dispensation of any illegal narcotic or dangerous drugs. Both State and Federal laws carry penalties for violations, including monetary fines and/or imprisonment.

Although certain uses of marijuana/cannabis may be permitted under New York State law, marijuana remains prohibited under federal law and may not be used or possessed on the College's property or as part of any College activity. As a recipient of federal funding, The College of Westchester prohibits the possession, use, manufacture or distribution of marijuana, including medical marijuana, on College property or during College-sponsored activities.

In addition to the possession, use, manufacture and distribution of alcohol or illegal drugs, behavior resulting from the use of alcohol or drugs that jeopardizes the health, safety, welfare, or learning environment of students, employees, or visitors may result in disciplinary action.

The unlawful use of vaping devices, controlled substance delivery systems, or related paraphernalia in violation of College policy, federal law, or New York State law may also result in disciplinary action.

Legal Sanctions

Violations of federal and New York State drug and alcohol laws may result in significant criminal penalties. Possible penalties may include:

- Monetary fines
- Imprisonment
- Probation
- Mandatory substance abuse treatment programs
- Suspension or revocation of driving privileges

Additional penalties may apply for the distribution of drugs, possession with intent to distribute, distribution near schools, distribution to minors, driving while intoxicated or impaired, or providing alcohol to individuals under the legal drinking age.

Federal law, including the Controlled Substances Act, and New York State Penal Law impose penalties that vary based upon the type and quantity of substance involved, prior criminal history, and the nature of the offense. Convictions may also result in permanent criminal records, loss of federal benefits, and enhanced penalties for repeat offenses.

Institutional Sanctions

Individuals whose performance is impaired as a result of the use or abuse of drugs and alcohol, who illegally use or abuse drugs and alcohol on campus or at college events, or who have been convicted of violating any criminal drug statute while on The College of Westchester property or at College events may be subject to disciplinary action and/or referral for criminal prosecution.

Violations by students will be charged and adjudicated according to the *Disciplinary Grievance Policies and Procedures* available in the Student Handbook. Violations by employees will be adjudicated according to the Employee Handbook and applicable employment policies.

Sanctions may include, but are not limited to, the required completion of an appropriate rehabilitation program, disciplinary probation, suspension, dismissal, termination of employment, and referral for prosecution by law enforcement authorities.

As a condition of enrollment and employment, each student, faculty member and staff member will abide by the terms of this policy and will notify the College no later than five days after the conviction for a criminal drug offense committed on The College of Westchester property. Students will notify Maria Gangi, Vice President of Student Services and Retention, at mgangi@cw.edu or 914-831-0433. Employees will notify Anna Bravo, Manager of Human Resources, at abravo@cw.edu or 914-831-0353.

Policy for Alcohol and/or Drug Use Amnesty

The health and safety of every student at The College of Westchester is of utmost importance. The College recognizes that students who have been drinking and/or using drugs at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

A bystander acting in good faith or a reporting individual acting in good faith who discloses an incident of domestic violence, dating violence, stalking, or sexual assault to College officials or law enforcement will not be subject to Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident.

The amnesty policy does not preclude the College from offering supportive interventions, educational conversations, referrals, or other appropriate health and wellness measures.

Additional information regarding reporting rights and resources is available in the College's Title IX Policy, Policy Prohibiting Sexual Harassment and Sexual Misconduct and Annual Security Report.

Parental/Guardian Notification Policy for Violations Involving Alcohol and Controlled Substances

The College of Westchester is committed to supporting the health, safety, and success of its students. In accordance with New York Education Law § 6438-d (Beau's Law) and the federal Family Educational Rights and Privacy Act (FERPA), the College may notify a parent, guardian, or emergency contact regarding certain violations of alcohol and drug policies involving students under the age of 21. Notification may occur under the following circumstances:

- When a student under the age of 21 has been found responsible for an alcohol or controlled substance violation.
- When the violation is a repeat offense, or presents a risk to the health, safety, or welfare of the student or campus community.
- When a student experiences an alcohol- or drug-related hospitalization, overdose, or requires emergency medical response on College premises.
- When the College determines that a significant health or safety emergency exists, regardless of age.