

# **Drug-Free Workplace and Campus**

The use of illegal drugs and the abuse of alcohol on the campus of The Art Institute of New York City or in facilities controlled by The Art Institute of New York City are prohibited by college regulations and are incompatible with The Art Institute of New York City's goal of providing a healthy educational environment for students, faculty, staff and guests. The following information is provided in compliance with the Drug-Free Schools and Communities Act Amendments of 1989.

## **Effects of Drugs and Alcohol**

Although individuals often use drugs and alcohol to achieve a variety of effects on mind and body that are found to be temporarily useful or pleasurable, drugs can be highly addictive and injurious. A person can pay a price in terms of his or her physical, emotional, and social health.

This price can be paid in a number of ways. The risk of contracting sexually transmitted diseases, including AIDS, is increased through unwanted or unprotected sex when one is under the influence of drugs or alcohol. Drugs can be the trigger for violent crime. Economic and legal problems usually follow directly when one tries to support a drug habit by resorting to crime. The dependence, illness, loss of job, and loss of family or friends that can result from drug or alcohol use and abuse can be tragic.

In keeping with the mission of The Art Institute of New York City and the requirements of state and federal law, The Art Institute of New York City has adopted this program to ensure a drug-free campus and workplace and to prevent the use of controlled substances and the abuse of alcohol.

## **Health Risks Associated with the Use of Alcohol**

### **Short Term Risks**

- Increased risks of accidents and injuries
- Alcohol-related traffic accidents (the leading cause of death for teens)
- Alcohol slows reaction time, decreases muscle coordination, and impairs vision
- Fatal overdose
- Unconsciousness or blackout
- Death by aspiration of vomit
- Nausea
- Gastritis

### **Long-Term Risks**

- Increased blood pressure
- Increased risk of heart attack
- Brain damage resulting in permanent psychosis
- Cancer of the mouth, esophagus or stomach
- Liver damage (cirrhosis, alcohol hepatitis, cancer)
- Ulcers and Gastritis
- Pancreatitis
- Birth defects
- In males--testicular atrophy and breast enlargement
- In females--increased risk of breast cancer
- Prolonged, excessive drinking can shorten life span by ten to twelve years.

## **Health Risks Associated with the Use of Drugs**

### **Amphetamines (Speed, Uppers)**

- Malnutrition
- Hallucinations
- Dependence, psychological and sometimes physical

### **Deliriants (Aerosols, Lighter Fluid, Paint Thinner)**

- Permanent damage to lungs, brain, liver, bone marrow
- Loss of coordination, confusion, hallucinations

- Overdose causing convulsions, death

### **Depressants (Barbiturates, Tranquilizers, Methaqualone)**

- Confusion, depression, loss of coordination
- Dependence, physical and psychological
- Coma, death (caused by overdose)
- Can be lethal when combined with alcohol

### **Hallucinogens (LSD, PCP, DMT, STP, Mescaline)**

- Hallucinations, panic, irrational behaviors (which can lead to increased risk of accidents, injuries)
- Tolerance overdose leading to convulsions, coma, death
- Possible birth defects in children of LSD users

### **Intravenous Drug Use**

- Places one at risk for HIV infection (the virus causing AIDS) when needles are shared

### **Marijuana and Hashish**

- Chronic bronchitis
- Decreased vital capacity
- Increased risk of lung cancer
- In men lower levels of testosterone and increase in abnormal sperm count

### **Stimulants (Cocaine)**

- Painful nosebleeds and nasal erosion
- Intense "downs" that result in physical and/or emotional discomfort
- Tolerance and physical dependence can develop

### **Narcotics (Heroin, Morphine, Codeine, Opium)**

- Malnutrition
- Hepatitis
- Loss of judgment and self-control leading to increased risk of accidents, injuries
- Dependence
- Overdose leading to convulsions, coma, death

## **Sanctions**

### **The Art Institute of New York City Sanctions**

The Art Institute of New York City, in all of its actions, seeks to uphold local, state and federal laws. Insofar as permitted by these laws, The Art Institute of New York City will apply sanctions that could lead to a student being fined, suspended or expelled or an employee being disciplined, suspended or dismissed for violation of The Art Institute of New York City's standards of conduct. Students and employees may also be referred for prosecution. Disciplinary sanctions may include the completion of an appropriate rehabilitation program, at the student's or employee's expense, if necessary.

### **State and Federal Sanctions State of New York**

Enacted in 1973, with the active support of then Governor Nelson Rockefeller, the New York State drug laws institute harsh prison sentences for a wide range of drug offenses. The punishments required by this law for the possession or sale of heroin, cocaine, and other hard drugs still rank among the most severe in the nation.

The following is a summary of first offense penalties for some of the drug offenses in New York State (Article 220 of the New York Penal Code):

#### **POSSESSION**

##### **Narcotics and Cocaine (pure or any mixture containing)**

- 0-1/8 oz. – up to 1 year, \$1,000 fine
- 500 mg. = of pure weight cocaine – up to 7 years
- 1/8 oz.-1/2 oz. – up to 15 years
- 1/2 oz.-2 oz. – min. 1 year, max. 25 years
- 2 oz.-4 oz. – min. 3 years, max. life

4 oz.+ - min. 15 years, max. life

**LSD**

0-1 mg. – up to 1 year  
1-5 mg. – up to 15 years  
5-25 mg. – min. 1 year, max. 25 years  
25 mg.+ - min. 3 years, max. life

**PCP**

0-50 mg. – up to 1 year, \$1,000 fine  
50-250 mg. – up to 7 years  
250-1250 mg. – min. 1 year, max. 25 years

**Marijuana**

25 grams or less: non-criminal violation; \$100; 2<sup>nd</sup> offense, \$200  
Subsequent offenses: \$250; 0-15 days  
25 grams or any amount possessed in public and the marijuana is burning or open to public view: 0-3 months; \$500 fine  
2 oz. or less: 0-1 year; \$1,000 fine  
8 oz. or less: 0-4 years; \$5,000 fine  
1 lb.: 0-7 years; \$5,000 fine  
10 lbs.: 0-15 years; \$5,000 fine

**SALE**

**Narcotics and Cocaine**

0-1/2 oz – min. 1 year, max. 25 years  
1/2-2 oz. – min. 3 years, max. life  
2 oz.+ - min. 15 years, max., life

**LSD**

0-5 mg. – up to 7 years  
5 mg.+ - min. 3 years, max. life

**PCP**

0-50 mg. – up to 7 years  
50-250 mg. – up to 15 years  
250 mg. + min. 1 year, max. 25 years

**Marijuana**

2 grams or less for no consideration: 0-3 months; \$500 fine  
25 grams or less: 0-1 year; \$1,000 fine  
25 grams +: 0 – 4 years; \$5,000 fine  
4 oz. +: 0 – 7 years; \$5,000 fine  
1 lb.+: 0 – 15 years; \$5,000 fine

Federal penalties and sanctions for illegal possession of a controlled substance include the following:

**First conviction:** up to 1 year in prison, fine of \$1,000 to \$100,000, or both.

**Second conviction:** at least 15 days and up to 2 years imprisonment, \$5,000 to \$250,000 fine, or both

**After two drug convictions:** at least 90 days and up to 3 years in prison, \$5,000 to \$250,000 fine, or both. Special federal sentencing provisions for possession of crack cocaine include a mandatory prison term of at least 5 years and up to 20 years, fine of up to \$250,000, or both, for a first conviction if the amount of crack exceeds 5 grams, for a second conviction if amount exceeds 3 grams, and for a third or subsequent conviction if the amount exceeds 1 gram.

Additional federal sanctions may also apply including forfeiture of vehicles used to transport controlled substances, denial of federal benefits including student loans, grants, and contracts and denial or revocation of certain federal licenses and benefits.

### **What is DWI?**

Driving While Intoxicated (DWI) is a crime. In New York State, the penalties include the loss of driving privileges, fines, and a possible jail term.

Your judgment, coordination and ability to drive a vehicle change when you consume any amount of alcohol. The level of impairment depends on five conditions:

1. the amount of alcohol you drink,
2. the amount of food you eat before or while you drink alcohol,
3. the length of time you drink alcohol,
4. your body weight, and
5. your gender.

There is no quick method to become sober. The best method is to wait until your body absorbs the alcohol. The average rate that your body processes alcohol is approximately one drink per hour.

### **What are the alcohol and drug-related violations in New York State?**

BAC = blood alcohol concentration

- **DWI:** Driving While Intoxicated; .08 BAC or higher or other evidence of intoxication.
- **DWAI:** Driving While Ability Impaired (by alcohol); .05 BAC to .07 BAC, or other evidence of impairment.
- **DWAI / Drugs:** Driving While Ability Impaired (by a drug that is not alcohol).
- **Chemical Test Refusal:** A driver who refuses to take a chemical test (normally a test of breath, blood or urine) can receive a driver license revocation and must pay a \$300 civil penalty (\$350 for a driver of commercial vehicles) to apply for a new driver license. A driver who refuses a chemical test during the five years after a DWI-related charge will have their driver license revoked for one year and must pay a \$750 civil penalty to apply for a new driver license.
- **Zero Tolerance Law:** A driver who is less than 21 years of age and who drives with a .02 BAC to .07 BAC violates the Zero Tolerance Law.

## **DRIVER LICENSE**

In general, the license penalties described in this publication result from convictions for violations committed while driving vehicles that do not require a Commercial Driver License (CDL). However, drivers of certain non-commercial motor vehicles may be subject to other, more severe penalties. For example, a person convicted of driving while intoxicated or impaired while operating a truck (18,001 to 26,000 pounds), or a taxi or livery vehicle carrying a passenger for compensation would face a 1-year license revocation instead of six

months.

### DRIVING WHILE INTOXICATED

DWI (.08 and higher Blood Alcohol Content [BAC] or other evidence of intoxication)

	<b>FINE</b>	<b>JAIL SENTENCE</b>	<b>LICENSE ACTION</b>
1st Offense (misdemeanor)	Minimum \$500 Maximum \$1,000	Up to 1 Year	Minimum 6-Month Revocation
2nd Offense Within 10 years Class E felony	Minimum \$1,000 Maximum \$5,000	Up to 4 Years	Minimum 1 -Year Revocation*
3rd Offense Within 10 years Class D felony	Minimum \$2,000 Maximum \$10,000	Up to 7 Years	Minimum 1 -Year Revocation*

### DRIVING WHILE ABILITY IMPAIRED

DWAI (more than .05 up to .07 Blood Alcohol Content [BAC])

	<b>FINE</b>	<b>JAIL SENTENCE</b>	<b>LICENSE ACTION</b>
1st Offense (traffic infraction)	Minimum \$300 Maximum \$500	Up to 15 Days	90-Day Suspension
2nd Offense Within 5 years (traffic infraction)	Minimum \$500 Maximum \$750	Up to 30 Days	Minimum 6-Month Revocation*
3rd Offense Within 10 years (misdemeanor)	Minimum \$750 Maximum \$1,500	Up to 180 Days	Minimum 6-Month Revocation* (if current violation occurred within 5 years of previous violation)

### ZERO TOLERANCE

Drivers Under 21 (DMV administrative finding of .02 to .07 Blood Alcohol Content [BAC])

	<b>CIVIL PENALTY</b>	<b>LICENSE ACTION</b>	<b>ADDED FEE</b>
1st Offense	Minimum \$125	6-Month Suspension	\$100 Suspension Termination Fee
2nd Offense	Minimum \$125	1 -Year Revocation or until age 21, whichever is longer	\$100 Re-Application Fee

\* The Department of Motor Vehicles decides when your license can be returned. Its return or reinstatement, based on state law or regulation, is not automatic. You must reapply for your license and may have to take a test.

### Convictions for Drug-Related Offenses

Any student convicted of any drug-related criminal statute must notify the Dean of Student Affairs, in writing, no later than five (5) days after such conviction regardless of where the offense occurred. This is because under federal and state laws, any student convicted of a drug-related felony offense must be denied all federal and state assistance, including Pell Grants and the Tuition Assistance Program (TAP). However, a criminal conviction shall not be necessary to find that a student has violated these standards of conduct, and The Art Institute of New York City need not, and ordinarily will not, defer its own actions and sanctions pending the outcome of any criminal proceeding.

### Danger Signals Indicating a Drug or Alcohol Problem

Following is a listing of classic danger signals that may indicate the presence of a drug or alcohol problem:

- abrupt changes in mood or attitude
- decreased efficiency at work or at school
- frequent absences, tardiness, and/or early departures
- relationship problems with family, friends, and co-workers

- unusual outbursts of anger and hostility
- social withdrawal

### **Counseling**

If you observe any of these changes in yourself or another student, you are encouraged to talk with a Counselor in the Student Affairs Office.

Abuse of alcohol or drugs can lead to dependency and addiction, with serious consequences for personal health and overall quality of life. There are drug and alcohol counseling, treatment, and rehabilitation facilities available in our area where students and employees may seek advice and treatment. The College Counselor can refer you to one that meets your needs.

### **New York City-Area Resources**

There are also organizations that may be contacted for help including Phoenix House (212.831.1555 or 718.789.4616). The National Institute on Drug Abuse Hotline (1.800.662.4357) is available from 8:00 a.m. to 2:00 a.m., Monday through Friday and from 11:00 a.m. to 2:00 a.m. on weekends.

A list of emergency and sliding-fee scale resources is available from the counselor.