NEW YORK LAW SCHOOL

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Drug and Alcohol Policy

New York Law School is committed to a learning environment free from the deleterious influences of drugs and alcohol. While recognizing that students and employees aged 21 and older are legally permitted to consume alcoholic beverages, the Law School requires them to do so responsibly while on campus and in accordance with applicable federal, state and local laws, as well as the New York Law School policy outlined below. New York Law School has zero tolerance for the use of illegal drugs, or the misuse of alcohol or drugs that may be legal, on campus or in connection with Law School-related events. Although consumption of marijuana is legal under New York State law, the smoking of marijuana (including vaping) is prohibited on the NYLS campus.

Drug and alcohol use can impair academic and professional performance and can lead to severe and even life-threatening health problems. Potential adverse health consequences of alcohol use include, but are not limited to, liver and heart disease, cancer, stroke, high blood pressure, and a higher incidence of birth defects. Drinking alcohol also can increase anxiety and depression and have other adverse mental health consequences. Different drugs are associated with different health risks. For example, the use of cocaine is associated with a higher risk of cardiac arrest; opioid use can stop a person's breathing, leading to death or permanent brain damage. Persons who inject drugs run a greater risk of contracting HIV or hepatitis C from contaminated needles. Significantly, many "street" drugs, such as heroin, methamphetamine, and cocaine, have been mixed with fentanyl, a synthetic opioid that can be fatal even in very small doses. According to the United States Centers for Disease Control, synthetic opioids like fentanyl currently are the primary driver of overdose deaths in the United States.

Drug and alcohol use also may be a factor in domestic violence and others forms of abusive behavior. The Law School is committed to supporting students, faculty, and staff dealing with substance use concerns, including by providing reasonable accommodations where possible. If you're worried about your own use or someone else's, the Law School encourages you to seek help from one of these resources:

- **For confidential support on campus**, NYLS students can request a meeting with a counselor by emailing counseling@nyls.edu. Your counselor can also help you find treatment programs and refer you to other community resources
- NYLS students have access to the Student Assistance Program, which offers 24/7 immediate support by calling 877-351-7889 and short-term counseling. For more information, visit https://www.resourcesforliving.com/login and utilize NYLAW for both the username and password
- Employees of NYLS may contact the Office of Human Resources at 212-431-2131 or seek assistance from the Employee Assistance Program
- NYLS faculty and staff, while not confidential, can provide support and help you find resources on and off campus. Visit the Office of Student Life (C532) to speak to a staff member
- Alcoholics Anonymous (AA): visit www.aa.org for community resources and local meetings
- Narcotics Anonymous (NA): visit www.na.org for community resources and local meetings
- Al Anon: visit www.al-anon.org for resources and local meetings for those who are worried about someone's alcohol use
- The NYC Lawyer's Assistance Program offers AA and NA meetings for the law community. Visit www.nyc.org/serving-the-community/lawyer-assitance-program/ or call the hotline at 212-302-5787 for more information

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Section I: Illegal Drugs

In accordance with federal law and state laws, no one may manufacture, possess, use, dispense, or distribute any illegal drug on New York Law School premises or at official Law School functions. (Please see Title 21 of the United States Code and articles 220-222 of the New York Penal Code.) Any instances of illegal drug manufacture, possession, use, dispensing, or distribution will be referred to the appropriate law enforcement authorities for possible prosecution. If a student is convicted of a drug-related offense, a permanent notation will be placed in the student's file and will be forwarded to the appropriate Bar Certification Committee. Students convicted of possession, use, or distribution of illegal drugs also may be subject to disciplinary action by the Academic Responsibility Committee. These actions include expulsion, suspension, reprimand, and permanent notation on the record of the violator. If a member of the faculty or a staff member violates this policy or is convicted of a drug-related offense, the Law School reserves the right to take appropriate action, which may include personnel action or mandatory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

In accordance with the terms of the Drug-Free Workplace Act of 1988, as implemented by Federal regulations, as a recipient of Federal funds, New York Law School requires each of its employees to (1) abide by the terms of this Section I of this Drug and Alcohol Policy; and (2) notify NYLS in writing if they are convicted for a violation of a criminal drug statute in the workplace, no more than five calendar days after such conviction.

Section II: Alcohol

The consumption of alcohol at Law School student-sponsored events may be permitted upon request and approval of the Office of Student Life for both on New York Law School premises or at official Law School functions off-premises. The Office of Student Life has broad discretion to approve or deny such requests. Failure to notify the Office of Student Life of an occasion where alcohol will be served at a student event can result in discipline.

Any approval of a request shall be in accordance with the following guidelines:

1. No person under 21 years of age may be served an alcoholic beverage.
2. No visibly intoxicated person may be served an alcoholic beverage. Staff serving alcohol are encouraged to err on the side of caution.
3. At each student-sponsored event at which alcohol is served, the sponsoring students or student organization must designate one or more students as responsible for the enforcement of this Policy and inform the Office of Student Life at least three (3) business days prior to the event of the identity of such "responsible student(s)," as well as the number of guests expected and the amount of alcohol to be purchased. A member of the Office of Student Life staff will meet with the responsible student(s) before each event where alcohol is to be served to ensure that such responsible student(s) understand this Policy. The Office of Student Life reserves the right to limit the amount of alcohol purchased for an event. For planning purposes, alcohol generally is limited to two drinks per person.
4. Food and non-alcoholic beverages must be served at any event at which alcoholic beverages will be served.
5. Alcoholic beverages may only be consumed on the Law School premises when an event is hosted by the Law School and approved to serve alcoholic beverages.
6. Alcoholic beverages may not be stored in Journal offices, Center offices, Clinic offices, Moot Court offices, or student organization offices.
7. Advertisements should not promote the availability or encourage the use of alcohol and if necessary, such materials will be removed from Law School property where they appear.
8. In general, events sponsored by faculty, campus centers, or non-student run organizations should endeavor to follow the same guidelines.

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Students found to be in violation of this Policy will be referred to the Academic Responsibility Committee for disciplinary action in accordance with that committee's procedures. These actions include but are not limited to one or more of the following: expulsion, suspension, reprimand, and permanent notation on the record of the violator, as well as law enforcement action. Student organizations found to have been involved in violation of this Policy are also subject to appropriate sanctions, such as rescission of permission to operate on campus, loss of funding, and loss of office space.

Employees (which for purposes of this Policy includes contract staff and vendors) are required to act responsibly at any such event. The consumption of alcohol by employees in a manner that affects job performance or may adversely reflect on the reputation of the Law School is not acceptable. Employees are expected to report to and remain at work in a condition to perform assigned duties free from the deleterious effects of alcohol and drugs. Employees are reminded of their obligations and responsibilities under other Law School policies, including, without limitation, the Law School's policies on harassment and sexual misconduct.

Section III: Forced Alcohol or Drug Consumption

Forced alcohol or drug consumption for initiation into or affiliation with any organization is strictly prohibited by this Policy, as well as the **NYLS Anti-Hazing Policy**.

Students found to be in violation of this Section will be referred to the Academic Responsibility Committee for disciplinary action in accordance with that committee's procedures. Possible sanctions include but are not limited to one or more of the following: expulsion, suspension, reprimand, and permanent notation on the record of the violator. Possible sanctions for student organizations include rescission of permission to operate on campus, loss of funding, and loss of office space.

Section IV: Amnesty for Alcohol and/or Drug Use

The health and safety of every student and employee of New York Law School is of utmost importance. New York Law School recognizes that individuals who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence occurs – including but not limited to domestic violence, dating violence, stalking, or sexual assault – may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

New York Law School strongly encourages members of the community to report domestic violence, dating violence, stalking, or sexual assault to Law School officials and local law enforcement. A bystander acting in good faith who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to New York Law School officials or law enforcement will not be subject to New York Law School's code of conduct for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault. New York Law School's Title IX officers, Nina Jody, 212.431.2344, njody@nyls.edu, and Florence Hutner, 212.431.2876, fhutner@nyls.edu, are specially trained to handle reports of domestic violence, dating violence, stalking, or sexual assault.

Section V: Suggested Actions for Handling Impairment at NYLS Events

1. If a community member observes that another individual is impaired by the use of drugs or alcohol at a New York Law School event, that community member immediately should bring the matter to the attention of a member of the NYLS Security Staff, either personally or by calling x-2123.
2. No impaired individual should be allowed to leave the Law School premises (or whatever location a Law School-sponsored event may be taking place) by themself. If no funds for a taxi or car service are available, the responsible student(s) should contact a member of the NYLS Security Staff either personally or by calling x-2123. Security Staff will make arrangements to handle the matter. Under no circumstances should an impaired individual be allowed to drive.

3. If an individual is impaired to the point where medical attention may be required, a community member should contact a member of the NYLS Security staff, either personally or by calling x-2123, or call 9-1-1 directly.

4. If a community member has reason to believe that an individual is experiencing an opioid-induced overdose, NYLS Security Staff, in addition to being trained in First Aid, CPR, and the use of an AED, is trained and equipped with Narcan (naloxone), an over-the-counter drug that can potentially reverse an opioid overdose. For assistance, immediately notify a member of NYLS Security Staff in person or by calling x-2123, or call 9-1-1 directly.

Section VI: Safe Disposal of Sharps and Medication

1. According to the New York State Department of Health, there are many individuals with serious health conditions who manage their own care and use syringes. For example, people with diabetes use syringes to inject their own insulin and use lancets every day to test their blood glucose. In addition, people who use drugs also need to dispose of used syringes and needles. Safe disposal of sharps is critically important to optimize health, safety, and protection of the environment and the community. Information about the proper containment of "sharps" syringes, needles and lancets and other safer disposal practices may be found on the Department of Health's website, **www.health.ny.gov/diseases/aids/consumers/prevention/needles_syringes/sharps/**.

2. The New York State Department of Environmental Conservation has guidelines on its website, **www.dec.ny.gov/environmental-protection/water/water-quality/drugs-in-new-york-waters/safe-medication-disposal**, for the safe disposal of household medications. In addition, the Drug Takeback Program website, **www.health.ny.gov/professionals/narcotic/drug_take_back.htm**, allows users to find locations where they may safely dispose of medication at pharmacies. Two such locations near the Law School are Walgreens, at 352 Greenwich Street, and CVS, at 38 Warren Street.

Section VII: Beau's Law

In accordance with the provisions of Beau's Law, should a NYLS student under the age of 21 be found to have used or possessed alcohol or a controlled substance in violation of this Policy, the Law School will notify the student's parent(s), guardian(s) or emergency contact(s) of such violation.

The Law School reserves the right to take any and all appropriate and lawful actions necessary to enforce this Policy, including, but not limited to, the inspection of suspected areas of concealment, as well as employees' personal property in certain circumstances. Full compliance with this Policy is a condition of employment and continued employment.

Consistent with our policies, and as required under applicable laws, the Law School maintains a policy of non-discrimination and reasonable accommodation with respect to rehabilitated substance abusers and those having a medical history reflecting treatment for this condition.