



## **SUNY Morrisville Alcohol and Other Drugs Annual Notice**

### **Standards of Conduct**

SUNY Morrisville, in a compliant effort with the 1989 Drug-Free Schools and Campuses Amendment Act (U.S. Public Law 101-226), is committed to an environment that supports the academic success and the health of all students. The sale, purchase, distribution, possession and/or use of illicit drugs (defined below) or alcohol (except as permitted) is a violation of College regulations as well as State and Federal laws. Students and their guests are not allowed to possess or consume alcoholic beverages on College property or property operated for the benefit of the College. Exception to this policy is granted to the Morrisville Auxiliary Corporation. Upon approval by the College President, Vice President, or Dean of Students, alcohol may be served at College sponsored events or specifically approved student functions in the College restaurant, the Copper Turret. These functions must be serviced by the Auxiliary Corporation and operated in accordance with Federal, State and local laws under the license obtained by the Auxiliary Corporation.

It is the policy of SUNY Morrisville that no employee shall use, sell, distribute, dispense, possess, or manufacture any alcoholic beverage or illegal drug on the job site, on SUNY Morrisville property (including property leased or rented by SUNY Morrisville), while on duty, in a State vehicle, a vehicle leased or rented for State business, or a private vehicle being used for State business during the employees' work hours. An exception to the provision regarding alcoholic beverage manufacture will be made for classes requiring such or providing instruction on such. In this case, the manufacturing of alcoholic beverages will be permitted on campus property only in the classroom or educational setting. No employee shall report for work unfit for duty at the beginning of a shift or upon returning from any break, lunch or rest period, as a result of consuming alcohol and/or illegal drugs. No employee notified of being in a safety sensitive position as defined by the OTETA shall report to work in a condition that violates the Act and the corresponding rules. This policy is meant to assist employees in guiding their conduct which will increase productivity at work, and protect co-workers and students. These efforts will contribute to a safer work and learning environment for the SUNY Morrisville community.

It is the policy of Morrisville Auxiliary Corporation (MAC) to provide our employees and customers with a safe and productive workplace which is free of alcohol and drug abuse. MAC feels strongly that alcohol and drug abuse in the workplace can undermine individual performance, the security of other employees, and the company business. The establishment of a Drug-Free Workplace Policy is consistent with MAC’s desired culture and is in the best interest of MAC. For these reasons MAC is implementing a Drug-Free Workplace Program which applies to all employees as well as applicants for employment with MAC. Our policy formally states that the abuse of alcohol and/or illegal use of drugs by any of our employees while on MAC or College premises or on company business will not be tolerated.

**Legal Sanctions**

1. *NYS Alcoholic Beverage Control (ABC) Law: Article 5 – Special Provisions Relating to Liquor and NYS Vehicle and Traffic (VAT) Law: Article 31 – Alcohol & Drug-related Offenses & Procedures (from New York State Legislature web site: <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>)*

<b><u>NYS ABC Law</u> Special Provisions Relating to Liquor</b>	<b>Specifics</b>	<b>Sentence</b>
§ 65-a. Procuring alcoholic beverages for persons under the age of 21 years	Any person who misrepresents the age of a person under the age of 21 years for inducing the sale of any alcoholic beverage, as defined in the <a href="#">alcoholic beverage control law</a> , to such person.	A fine of not more than \$200, or imprisonment up to five days, or both.
§ 65-b. Offense for one under age of 21years to purchase or attempt to purchase an alcoholic beverage through fraudulent means.	No person under the age of 21 years shall present or offer to any licensee, or to the agent or employee of such licensee, any written evidence of age, which is false, fraudulent, or not actually his own, for the purpose of purchasing or attempting to purchase any alcoholic beverage.	<p>1<sup>st</sup> violation: a fine of not more than \$100 and/or up to 30 hours of community service. Also may order completion of an alcohol awareness program.</p> <p>2<sup>nd</sup> violation: a fine of \$50 to \$350 and/or up to 60 hours of community service. Also shall order completion of an alcohol awareness program if not previously completed.</p> <p>3<sup>rd</sup> and subsequent violations: a fine of \$50 to \$750 and/or up to 90 hours of community service, shall order evaluation by an appropriate agency to determine whether the person suffers from the disease of alcoholism or alcohol abuse. Payment for such evaluation shall be made by such person. If person elects to participate in recommended treatment, the court shall order that payment of such fine and community service be suspended pending the completion of such treatment.</p> <p>In addition to these penalties, the court may suspend such person's license to drive a motor vehicle and the privilege of an unlicensed person of obtaining such license: 1<sup>st</sup> violation: a three month suspension; 2<sup>nd</sup> violation: a six month suspension; 3<sup>rd</sup> or</p>

<u>NYS ABC Law</u> Special Provisions Relating to Liquor	<b>Specifics</b>	<b>Sentence</b>
		subsequent violation: a one year suspension or until the holder reaches the age of 21, whichever is the greater period.
§ 65-c. Unlawful possession of an alcoholic beverage with the intent to consume by persons under the age of 21 years.	No person under the age of 21 years shall possess any alcoholic beverage with the intent to consume such beverage.	A fine up to \$50 and/or completion of an alcohol awareness program and/or up to 30 hours of community service.

2. *NYS Penal Law: Article 221 - Offenses Involving Marihuana*; (from New York State Legislature web site: <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>)

<u>NYS Penal Law</u> Offenses Involving Marihuana	<b>Specifics</b>	<b>Sentence</b>
§ 221.05 Unlawful possession of marihuana.	Knowingly and unlawfully possessing marihuana is a violation.	A fine of up to \$100.  A fine of up to \$200 if previously convicted of an offense defined in § 220 or § 221, committed within the 3 years immediately preceding such violation.  A fine of up to \$250 or imprisonment up to 15 days or both if previously convicted of two such offenses committed during such period.
§ 221.10 Criminal possession of marihuana (5th degree).	Knowingly and unlawfully possessing marihuana in a public place, as defined in section 240.00 of this chapter, and such marihuana is burning or open to public view; or one or more preparations, compounds,	<b>Class B misdemeanor:</b> imprisonment up to three months.

<b><u>NYS Penal Law</u></b> Offenses Involving Marihuana	<b>Specifics</b>	<b>Sentence</b>
	mixtures or substances containing marihuana (aggregate weight of more than 25 g).	
§ 221.15 Criminal possession of marihuana (4th degree).	Knowingly and unlawfully possessing one or more preparations, compounds, mixtures or substances containing marihuana (aggregate weight of more than 2 oz).	<b>Class A misdemeanor:</b> imprisonment up to one year.
§ 221.20 Criminal possession of marihuana (3rd degree).	Knowingly and unlawfully possessing one or more preparations, compounds, mixtures or substances containing marihuana (aggregate weight of more than 8 oz).	<b>Class E felony:</b> imprisonment 1 to 1 ½ years (may be sentenced to probation). For a 2 <sup>nd</sup> time offender: imprisonment for 1 ½ and 2 years (may be sentenced to parole supervision). For a 2 <sup>nd</sup> time offender previously convicted of a violent felony: imprisonment 2 to 2 ½ years.
§ 221.25 Criminal possession of marihuana (2nd degree).	Knowingly and unlawfully possessing one or more preparations, compounds, mixtures or substances containing marihuana (aggregate weight of more than 16 oz).	<b>Class D felony:</b> imprisonment for 1 to 2 ½ years (may be sentenced to probation). For a 2 <sup>nd</sup> time offender: imprisonment for 1 ½ to 4 years (may be sentenced to parole supervision). For a 2 <sup>nd</sup> time offender previously convicted of a violent felony: imprisonment for 2 ½ to 4 ½ years.
§ 221.30 Criminal possession of marihuana (1st degree).	Knowingly and unlawfully possessing one or more preparations, compounds, mixtures or substances containing marihuana (aggregate weight of more than 10 lbs).	<b>Class C felony:</b> imprisonment for 1 to 5 ½ years (may be sentenced to probation). For a 2 <sup>nd</sup> time offender: imprisonment for 2 to 8 years (may be sentenced to parole supervision). For a 2 <sup>nd</sup> time offender previously convicted of a violent felony: imprisonment for 3 ½ to 9 years.
	(aggregate weight of 2 g or less); or one cigarette containing marihuana.	
§ 221.40 Criminal sale of marihuana (4th degree).	Knowingly and unlawfully selling marihuana, except as provided in §221.35.	<b>Class A misdemeanor:</b> imprisonment up to one year.
§ 221.45 Criminal sale of marihuana (3rd degree).	Knowingly and unlawfully selling one or more preparations, compounds, mixtures or substances containing marihuana (aggregate weight of more than 25 g).	<b>Class E felony:</b> imprisonment 1 to 1 ½ years (may be sentenced to probation). For a 2 <sup>nd</sup> time offender: imprisonment for 1 ½ and 2 years (may be sentenced to parole supervision). For a 2 <sup>nd</sup> time offender previously convicted of a violent felony: imprisonment 2 to 2 ½ years.

<u>NYS Penal Law</u> Offenses Involving Marihuana	<b>Specifics</b>	<b>Sentence</b>
§ 221.50 Criminal sale of marihuana (2nd degree).	Knowingly and unlawfully selling one or more preparations, compounds, mixtures or substances containing marihuana (aggregate weight of more than 4 oz, or knowingly and unlawfully sells one or more preparations, compounds, mixtures or substances containing marihuana to a person less than 18 years of age.	<b>Class D felony:</b> imprisonment for 1 to 2 ½ years (may be sentenced to probation). For a 2 <sup>nd</sup> time offender: imprisonment for 1 ½ to 4 years (may be sentenced to parole supervision). For a 2 <sup>nd</sup> time offender previously convicted of a violent felony: imprisonment for 2 ½ to 4 ½ years.
§ 221.55 Criminal sale of marihuana (1st degree).	Knowingly and unlawfully sells one or more preparations, compounds, mixtures or substances containing (aggregate weight of more than 16 oz).	<b>Class C felony:</b> imprisonment for 1 to 5 ½ years (may be sentenced to probation). For a 2 <sup>nd</sup> time offender: imprisonment for 2 to 8 years (may be sentenced to parole supervision). For a 2 <sup>nd</sup> time offender previously convicted of a violent felony imprisonment for 3 ½ to 9 years.

3. Summary of Federal Drug Law (available at [http://www.dea.gov/druginfo/ftp\\_chart1.pdf](http://www.dea.gov/druginfo/ftp_chart1.pdf))

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. <b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. <b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more	
II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture		
<b>Substance/Quantity</b>		<b>Penalty</b>		
Any Amount Of Other Schedule I & II Substances		<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid		<b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		

Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>

## **Health Risks**

<https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>, <https://www.cdc.gov/marijuana/health-effects.html>

Alcohol	<p><b>Short term:</b> Injuries, such as motor vehicle crashes, falls, drownings, and burns; Violence, including homicide, suicide, sexual assault, and intimate partner violence; Alcohol poisoning, a medical emergency that results from high blood alcohol levels; Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV; Miscarriage and stillbirth or <a href="#">fetal alcohol spectrum disorders (FASDs)</a> among pregnant women</p> <p><b>Long term:</b> High blood pressure, heart disease, stroke, liver disease, and digestive problems; Cancer of the breast, mouth, throat, esophagus, liver, and colon; Learning and memory problems, including dementia and poor school performance; Mental health problems, including depression and anxiety; Social problems, including lost productivity, family problems, and unemployment; Alcohol dependence, or alcoholism</p>
Marijuana	<p><b>Short term:</b> Problems with attention, memory, and learning, which can affect relationships and mood; Increased heart rate; Increase risk of bronchitis, cough and lung infections; Disorientation, unpleasant thoughts or feelings, anxiety, paranoia</p> <p><b>Long term:</b> Permanent problems with memory and learning; Increased risk of stroke and heart disease; Damage lung tissue and cause scarring; Temporary psychosis (not knowing what is real, hallucinations, and paranoia), schizophrenia, depression, anxiety, suicide</p>

## Drug and Alcohol Programs

Students	<p><b>On campus:</b> RSAES in Counseling Services (Referral for Substance Assessment and Education Services)</p> <p><b>Off campus:</b> Family Counseling Services (Chemical Dependence Outpatient Services), Bridges (Madison County Council on Alcoholism), Alcohol Anonymous 24 hour hotline, Narcotics Anonymous Hotline</p>
Employees	<p><b>On campus:</b> EAP (Employee Assistance Program)</p> <p><b>Off campus:</b> Family Counseling Services (Chemical Dependence Outpatient Services), Bridges (Madison County Council on Alcoholism), Alcohol Anonymous 24 hour hotline, Narcotics Anonymous Hotline</p>

## Disciplinary Sanctions

1. **Legal:** The unlawful possession, use, or distribution of a controlled sub-stance or alcohol on the college premises or as a part of any college activity is prohibited. Students and employees who unlawfully manufacture, distribute, dispense, possess, or use a controlled substance or alcohol will be subject to disciplinary procedures consistent with applicable laws, rules, regulations, and collective bargaining agreements.
  
2. **Institutional:** The unlawful possession or use of any drug in any degree may result in sanctions as outlined in Article VI of the Student Handbook. Incidents are reviewed individually and students may be held accountable by both University Police and College Judicial Affairs for violations. Depending on severity and the circumstances of a case, College Judicial Affairs staffs have some discretion and options. Sanctions can be assigned together and may deviate from this progression. SUNY Morrisville reserves the right to furnish written notification disclosing any violation involving the use or possession of alcohol or drugs to the parents and/or guardians of students who are under the age of 21 at the time of such notification. Using their knowledge of a case and judgment, sanctions assigned are generally consistent with this progression:
  - **First offense.** Student Development Module - A student may be directed to complete one or more development modules by a specific deadline. Campus Probation - Campus Probation jeopardizes housing privileges [residency and visitation in Residence Halls]. The sanction emphasizes that future violations may result in more serious disciplinary action including expulsion from the Residence Halls or the College.
  - **Second offense.** Extended Campus Probation or College Probation. College Probation jeopardizes continued attendance at SUNY Morrisville. Again, the sanction emphasizes that future violations may result in more serious disciplinary action including expulsion from the Residence Halls or the College. Referral for Substance Assessment and Education Services (RSAES), by a specific deadline. Such referrals require a student to report to the Student Health Center for a consultation with a counselor regarding substance use.
  - **Third offense.** Residence Hall Expulsion and/or College Probation. Residence Hall Expulsion carries a ban from all Residence Halls and no refund of housing charges.