



HOBART AND WILLIAM SMITH
COLLEGES

ALCOHOL & OTHER DRUG INFORMATION

ANNUAL NOTICE

Drug and Alcohol Abuse Prevention Program (DAAPP)

2023-2024



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The Drug-Free Schools and Communities Act (DFSCA) requires institutions of higher education to certify that they have developed and implemented drug and alcohol abuse education and prevention programs. The programs should be designed to prevent the unlawful possession, use and distribution of drugs and alcohol on campus, and at recognized events and activities. On an annual basis, institutions of higher education must distribute their DAAPP notice to all students and employees. The distribution plan must make provisions for providing materials to students who enroll at a date after the initial distribution and for employees who are hired at different times of the year.



I) Introduction

Students and employees of Hobart and William Smith Colleges are subject to Federal Law, New York State law, local statutes and ordinances, and the Colleges' alcohol and drug policy. Students and employees who violate federal, state or local laws or policies of the Colleges will be subject to criminal and/or institutional disciplinary action, up to and including permanent separation and/or termination of employment. Ignorance of the law and the Colleges' policy is not an excuse for any violations.

As an institution dedicated to higher learning, service, and preparing students to live lives of consequence, HWS condemns the unlawful possession, use/abuse, or distribution of alcohol and other drugs. Because abuse of alcohol and other drugs is detrimental to the physical and psychological well-being of students, the Colleges seek to educate students about the dangers of drug and alcohol abuse and the importance of healthy and responsible choices. Repeated involvement with, or excessive use of, alcohol and/or other drugs will be viewed as a health concern as well as a disciplinary matter. The Colleges may mandate treatment for abuse of alcohol and other drugs, including, but not limited to, medical leaves of absences, suspensions, or permanent separation. Any sanction may be imposed for any violation.

The Campus Safety and Student Engagement staffs will report student violations of the Policy on Alcohol and Drugs to members of the Office of Campus Life. As the use of alcohol on-campus is permitted only by those who are 21 years of age or older, the responsibility for complying with all policies and procedures applying to the possession, use, sale, purchase, and service of alcohol lies solely with each individual community member.

II) The Colleges' Medical Amnesty Policy

The health and safety of every HWS student is of the utmost importance. The Colleges recognize that when alcohol or other drugs are used or abused, students may be hesitant to report such incidents or seek medical assistance due to fear of potential consequences for their own conduct or the conduct of others. The Colleges strongly encourage students to immediately seek medical assistance for students or individuals.

In situations where students call for help for themselves, or a student (or group of students or organization) seeks assistance for another student and individuals (or group), the student who needs assistance and individuals seeking assistance (for themselves or others) will not be subject to the Colleges' disciplinary actions for violations of alcohol and/or drug use policies based on ingestion occurring at or near the time of the incident. The Director of Community Values and Conflict Resolution or their designee may decide whether amnesty applies to other violations of the Community Standards on a case by case basis.

The student being transported and granted amnesty is expected to complete an assessment and, if compliant, will not be found responsible for violating the Community Standards or receive social probation or other sanctions. The specific assessment requirements are at the discretion of the Director of Community Values and Conflict Resolution or their designee. However, repeated calls for medical assistance due to intoxication may result in disciplinary actions. Supporting students toward being successful, we may notify parents when medical attention is necessary. This is part of our collaboration with the student, parents and necessary support services on campus and beyond.

For drug and alcohol violation amnesty in situations involving Sexual or Gender-based Harassment, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Physical Assault, Stalking, or Retaliation, please see the Colleges Amnesty Policy in the Sexual Misconduct Policy.

III) Notification and Outreach

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988, this notification is being sent to all Hobart and William Smith Colleges' students and employees. The purpose of this notification is to remind the campus community of: the Colleges' policies regarding Alcohol and Other Drugs (AOD); health risks associated with drug and alcohol abuse; the availability of treatment programs for drug or alcohol problems; and disciplinary sanctions under Colleges' policies, as well as penalties under federal, state, and local laws, for violations resulting from the illegal possession, use, or distribution of drugs and alcohol.

The Colleges are sharing this information to encourage responsible choices among the members of the Colleges' community, with the intention to encourage and support good judgment in the legal use of alcohol for those who choose to use it. The Colleges understand that alcohol abuse cannot be ended simply through strict rules and enforcement. We must establish reasonable policies, create programs that educate all members of the Colleges' community of the effects of alcohol use and abuse, and provide help for those who need it for themselves or others. We believe that environments that value moderation and responsible choice establish habits of respect for self and others in the use of alcohol and other substances that will likely carry forward throughout students' lives. It is toward this end that the following policies and guidelines have been established.

IV) Alcohol Policy

PROHIBITED ACTIVITIES

The following actions/activities are prohibited:

A) Activities That Promote Irresponsible or Binge Drinking:

Engaging in activities, whether alcohol is present or not, that promote irresponsible or binge drinking (e.g. drinking games, use of funnels, chugging contests, or any means where alcohol is consumed as part of a competition) is prohibited.

B) Allowing Underage Consumption/Possession: Permitting an underage guest or other individual in their presence (i.e. a guest) to possess or consume alcohol on campus property is prohibited. *Visitors and guests who violate the Colleges' Policy on Alcohol and Drugs or New York State or federal law may be removed and/or banned from Colleges' property and/or subject to criminal action. Students may be held responsible for the behavior of their guests, and for any incidents or disruptions, which result from possession, use, or distribution of alcohol or other drugs by guests.*

C) Coercion: Coercing individuals to drink alcohol or use other drugs is prohibited.

D) Display of Alcohol/Drug-Related items:

- 1) Students may not display advertisements or items (i.e. signs, posters, photographs, bottles) that promote illegal

drug and/or alcohol products in the public spaces of the campus, i.e. hallways, lounges, bathrooms, exterior windows of residence halls, their residence hall room including shared common spaces within suites.

2) Alcohol bottles and containers (full or empty) are not permitted as decorations in the interior or exterior (including windows) of any college-owned or operated residence hall or apartment. Alcohol bottles and containers may be confiscated during routine health and safety inspections or at the discretion of Student Engagement.

F) Open Containers: Possession of open containers of alcohol is prohibited on and immediately adjacent to public roads, parking lots, and in the common areas in and around residence halls on the campus is prohibited. Possession or transportation of open alcohol containers in public areas of the Colleges is prohibited.

F) Possession of Alcohol at College Functions: Possession of alcohol is prohibited at all College functions in which students are in attendance, including (but not limited to) dances, concerts, athletic events, and dinners, without proper approval from the Social Host Event Committee. Consistent with NCAA policy, the use of alcohol is prohibited at all athletic events. The possession or consumption of alcohol on any college owned, leased, or contracted van, bus, boats, or other vehicle travelling to or from, on or off-campus events is prohibited.

G) Providing Alcohol to Underage Individuals: Providing alcoholic beverages to any person who is under 21 years of age is prohibited.

H) Public Intoxication or Drunken Behavior: Public intoxication and/or drunken behavior, which result in the destruction of property, or conduct that is disorderly, disruptive, and/or disrespectful to any member of the campus community is prohibited.

I) Underage Possession or Consumption: The possession or consumption of alcohol by any student under the age of 21 is prohibited.

J) Other Alcohol Regulations:

1) Alcohol-Free Residence Halls: Students of legal drinking age may possess and consume alcohol in all colleges-owned or operated residence hall rooms or apartments except for Jackson, Potter, Rees, Sherrill, Durfee, or Hirshon, as these are primarily first-year only areas, and other residential areas determined to be Substance Free. However, the student(s) of legal drinking age assume full responsibility for preventing any underage students from possessing or consuming alcohol in that room/apartment.

2) Alcohol Moderation: The Colleges' reserve the ability to limit the amount of alcohol an individual or group may possess as follows:

a. Alcohol Amount: The allowable amount of alcohol allowed in any college-owned or operated residence hall room or apartment by a single student who is of legal drinking age is limited to:

- Twenty-four (24) 12-ounce containers of beer/malted beverage, hard cider or hard seltzer,
- OR two (2) one-liter bottles of wine,
- OR a reasonable combination of these types.

b. Bulk Containers: Possession of large quantities/bulk containers of alcohol, including, but not limited to, beer balls, kegs, alcoholic punch in excess of one gallon, in any residence hall room, college-owned or operated apartment, or other college property.

3) False Identification: Possession of a fictitious ID, fraudulent ID or another person's driver's license is prohibited.

4) Hard Liquor: Possession of hard liquor is prohibited, regardless of age of the student, in the Colleges' residences. Generally, this excludes beer, malt beverages, wine, champagne, hard cider, hard seltzer and mixes.

5) Identification: Students or guests of legal drinking age must have valid forms of identification of age (e.g., Driver's License, Sheriff's ID card, etc.) showing their date of birth any time they possess or consume alcohol in any College-owned or operated residence hall room or apartment.

- 6) **Off-Campus Behavior:** Socially irresponsible or illegal alcohol-related conduct that occurs off campus (e.g., off-campus arrest or citation for underage drinking, an incident in which local or state police are involved in association with alcohol, or alcohol-related conduct, etc.).
- 7) **Paraphernalia:** Possession of alcohol-related paraphernalia (funnels, bars, etc.) is prohibited.
- 8) **Social Hosting Violation:** Failure to abide by the directives outlined in the Social Hosting Guidelines and Procedures section of the Community Standards, which includes guidelines for distribution of alcohol at social events.

V) Other Drug Policies

The Colleges' prohibit and will hold students accountable for the following behaviors:

- A) **Distributing illegal drugs** to include the sharing of illegal drugs or other controlled substances (including legal, prescription drugs), or the possession of items typically perceived by a reasonable person to be utilized for distribution.
- B) **Distribution of marijuana** to include the selling and sharing of marijuana, or the possession of items typically perceived by a reasonable person to be used for distribution
- C) **Illegal use of prescription medications**, including without limitation the use of another's prescribed medications or illegal misuse of personally prescribed or over-the-counter medications
- D) **Possession of marijuana/cannabis paraphernalia and/or other drug paraphernalia**
 - 1) Any paraphernalia that is confiscated is subject to being destroyed per the Drug Free Schools and Communities Act.
- E) **Possession or use of marijuana/cannabis** is prohibited on campus under Title IV of the Higher Education act of 1965
- F) **Selling illegal drugs** (including, but not limited to, marijuana/cannabis) or other controlled substances (legal, prescription drugs).
- G) **Use or possession of illegal drugs** other than marijuana/cannabis.

VI) The Colleges' Hearing Process and Sanctions for Alcohol and Other Drugs Policy Violations

Hobart and William Smith Colleges recognize the important link between intellectual growth within the classroom and the social and emotional development that students experience in their daily lives. When students make choices that violate the Colleges' policies, an educational response is the ideal approach to help students to think about their options and the decision-making process.

However, when there have been incidents that place the student and/or others at the risk of harm, or when there have been repeated offenses, other steps, such as a referral to alcohol and/or drug services and/or the Center for Counseling and Student Wellness, might be necessary. In addition, some incidents may call for more traditional disciplinary action such as probation or suspension. When an incident involves violations of the alcohol and other drug policy and other policies, other sections of the Handbook of Community Standards will be invoked as well.

The Colleges respond to alleged violations of the Handbook of Community Standards, based on the severity of the incident, by assigning an incident to the Vice President for Campus Life or their designees. In general, this may include the Hobart and William Smith administrative review officers or panels, student engagement staff members, Director of Community Values and Conflict Resolution, the Assistant Vice President or Associate Vice President, the Vice President for Campus Life, the Committee on Standards, or other members of the Campus Life team. At times, this may also include a referral to the Colleges' Peer Mentor program or an external adjudicator. Based on the severity of the incident and the student's past behavioral record, a variety of sanctions can be applied, including (but not limited to) reflective assignments, residential re-assignments, social probation, deferred suspension, suspension, or required withdrawal. In all cases, an educational sanction will be required.

A. Group Accountability Student groups, including Fraternity/Sororities, clubs, club sports, and other organizations that violate the Policy on Alcohol and Other Drugs face the

possibility of being assigned educational assignments, community service, or organization suspension.

B. Disciplinary Sanctions and Responses In addition to disciplinary sanctions which may be imposed, the Colleges may mandate an assessment and/or other educational measures as may be appropriate to safeguard the health and well-being of the group, its members, and the larger community. In general, the educational responses may include:

- Alcohol and Other Drugs seminars
- Online education
- Impact Feedback Program
- One-on-One Assessment
- FLACRA Referral

While sanctions will depend on the severity of the incident and past behavioral record, in some cases, specific sanctions will apply.

In Cases Where a Student Has Been:	Sanctions May Include, But Not Be Limited To:
Medically transported for alcohol intoxication or drug use for the first time	<ul style="list-style-type: none"> • Educational sanctions • Parental notification • Social probation • An additional transport within a 12 month period will require a required withdrawal for a minimum of one full academic semester or a medical leave of absence
Found to be using, under the influence, or in possession of cocaine or distributing drugs	<ul style="list-style-type: none"> • Required withdrawal for a minimum of one full academic semester • Educational sanction
Found to be driving while ability impaired (DWAI)	<ul style="list-style-type: none"> • Educational sanction • Social probation through required withdrawal is a likely outcome • Upon return, parking privileges will be suspended

<p>Has been found previously responsible for one AOD violations during the same semester (or consecutive 120 days).</p>	<ul style="list-style-type: none"> • Social probation for the remainder of the semester • Educational sanction
<p>Has been found previously responsible for two AOD violation during the duration of one academic year.</p>	<ul style="list-style-type: none"> • Social probation for at least one semester • Educational sanction • Parental notification
<p>Has been found previously responsible for three or more AOD violations.</p>	<ul style="list-style-type: none"> • Depending on severity of the incident, may include an educational sanction and: <ul style="list-style-type: none"> - Deferred suspension - Suspension - Permanent separation
<p>Participating in behavior that suggests they are repeatedly unable to make healthy decisions about alcohol and/ or other drug use, or the student engages in other practices associated with alcohol or other drugs that threaten the life, health or safety of him or herself, or others.</p>	<p>The Colleges may recommend a student to take a Medical Leave of Absence for alcohol and drug use. This normally includes a provision for the student to receive care (medical, psychological, counseling or therapy) while on leave. These procedures will follow the protocols outlined in the Medical Leave of Absence policy in the Community Standards. The Campus Life staff will determine if all criteria have been met and if the student is eligible to return.</p>

Campus Life values the involvement of athletic staff in the judicial process: all coaches of student athletes may be notified of any violation of the Community Standards.

Sanctions of suspension or expulsion may be relevant in some cases and thus the guidelines above are simply to be used as general guidelines related to disciplinary sanctions. The Colleges reserve the right to assign any sanction to any violation.

Hearing bodies may also assign other sanctions, depending on the specific circumstances of the situation. Such sanctions are outlined in the Community Standards.

VII) Federal, State, and Local Sanctions

The Existing federal, state, and local laws prohibit the possession, use, manufacture, and distribution of controlled substances. An employee or student who violates the Colleges' Alcohol and Other Drugs policies is subject both to the Colleges' sanctions and to criminal sanctions provided by federal, state, and local law. Degree of penalties vary depending upon the type of substance, amount of substance, prior record of individual and age of individual.

A) Federal Law

Violation of federal laws regarding illegal substances can result in substantial fines and imprisonment as well as forfeiture of property and denial of federal benefits, including financial aid. For more information, the Federal Trafficking Penalties table is included in the Appendix of the Community Standards and can be found online at <https://www.dea.gov/sites/default/files/2021-12/Trafficking%20Penalties.pdf>

B) State Law

Alcohol offenses and penalties in New York State are defined by the Alcoholic Beverage Control Law and Penal Law. Under New York State law it is illegal:

- For a person under the age of 21 to consume alcohol or to possess alcohol with the intent to consume it.
- To sell, deliver, or give away alcoholic beverages to any person actually or apparently under the age of 21.
- To sell, deliver, or give away any alcoholic beverage to any intoxicated person or any person under the influence of alcohol.
- To sell, deliver, or give away any alcoholic beverage to any habitual drunkard known to be such to the person authorized to dispense any alcoholic beverage.
- To sell alcohol, including charging admission at the door of an event where alcohol is distributed free of charge, without an Alcoholic Beverage Control license.
- For any person under the age of 21 to present or offer identification of age which is false, fraudulent, or not their own, for the purpose of purchasing alcohol or attempting

to purchase alcoholic beverages. It is also illegal for another person to misrepresent the age of someone under 21 for the purpose of helping the person under 21 obtain alcohol.

- To operate a motor vehicle with the blood alcohol content between .05 and .07 percent. This is known as "Driving While Ability Impaired," or DWAI. "Driving While Intoxicated" (DWI) is defined by a blood alcohol content of .08 percent or greater, and is also illegal.
- For any person under the age of 21 who operates a motor vehicle while having a blood alcohol content of .02 percent or greater (a very low threshold).

The State of New York Penal Law (Articles 220, 222 and 178) define a wide range of offenses and penalties for possessing, manufacturing, or distributing cannabis and other controlled substances as well as the use of drug paraphernalia and possession of precursors of controlled substances. Sanctions include fines and imprisonment ranging from several months to life.

The State of New York Penal Law, Article 221 – Offenses Involving Marihuana, was repealed effective March 31, 2021 and replaced with Article 222 – Cannabis. The repeal of Article 221 made the possession, use and transferring of up to 3 ounces of cannabis and up to 24 grams of concentrated cannabis legal for persons **21 years of age or older**.

However, marijuana is listed as a controlled substance under federal law and because Hobart and William Smith Colleges shares in federal financial aid funding under Title IV of the Higher Education Act of 1965, the possession, use, transfer or sale of cannabis/marijuana is not permitted at Hobart and William Smith Colleges.

C) Local Ordinances

City of Geneva Ordinance §§ 69-4, 69-7. Under this ordinance, it is illegal for a person to drink or otherwise consume liquor, wine, beer or other alcoholic beverages while such person is in or upon any public sidewalk, street, highway, parking lot, bathing beach, public park or such other public place. It is also

illegal for a person to carry or have in their possession, within the City of Geneva, any open bottle or open container containing liquor, wine, beer or other alcoholic beverage with the intent of the possessor or another to consume such beverages in any public places. A violation of this provision shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days, or by both said fine and imprisonment.

City of Geneva Ordinance §§ 69-6, 69-7. Under this ordinance, it is illegal for any person under 21 years of age to possess any alcoholic beverage in a public place as defined by § 240.00 of the Penal Law of the State of New York, and any alcoholic beverage found to be in the possession of a person under 21 years of age in such public place shall be confiscated. A violation of this provision shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days, or by both said fine and imprisonment.

City of Geneva Ordinances §§ 236-13, 236-14, 236-15. This ordinance prohibits any responsible person from sponsoring, conducting, hosting, inviting or permitting a "nuisance party." A "nuisance party" includes, but is not limited to, any social gathering held within the City of Geneva that results in unlawful possession of an open container; the unlawful sale, furnishing, dispensing or consumption of an alcoholic beverage; the sale or furnishing of an alcoholic beverage to an underage person; possession or consumption of an alcoholic beverage by an underage person; or unlawful possession, sale or use of a controlled substance. A violation of this provision shall be punishable by a fine not exceeding \$500, or imprisonment for 15 days, or both with a civil penalty to be recovered by the City of Geneva in a civil action or proceeding to recover cost of law enforcement, fire or other emergency response to a loud or unruly gathering.

D) Civil Liabilities

Dram Shop Liability. Any person who is injured by an intoxicated person has a legal right of action against anyone who has unlawfully sold alcohol to the intoxicated person or unlawfully assisted the intoxicated person in obtaining liquor.

In any such legal action, the injured person has a right to recover both actual and punitive damages.

Social Host Liability. Any person who furnishes alcoholic beverages to an individual under the age of 21 is at risk of civil liability if the intoxication of the person under the age of 21 results in injury or damages to a third party.

VIII) Health Risks of Alcohol and Other Drugs

All drugs are chemical substances that affect both psychological and physical functioning. Health risks that may result from the use of illegal drugs include addiction, increased susceptibility to illness due to a less-efficient immune system, increased likelihood of accidents, increased likelihood of sexual assault and violence, impaired cognitive functioning (e.g., impaired memory, distortion of reality), and death. Most drugs are associated with risks specific to that drug, but examples are provided below.

A) Alcohol

Alcohol is an addictive drug that acts to depress central nervous system functioning. Although its effects vary among individuals, alcohol generally decreases alertness, impairs judgment, and reduces physical coordination and muscle control. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive or violent acts. Higher doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. People who consume larger quantities of alcohol can also experience blackouts and severely impaired mental functioning, including memory loss, depression, unconsciousness, respiratory arrest, coma, and death. If combined with other depressants of the central nervous system, much lower doses of alcohol can produce some of the effects just described.

B) Marijuana

- Disruption of space and distance judgment
- Slower physical reflexes and poor coordination; dilated pupils
- Forgetfulness & diminishing mental powers
- Drowsiness & mood swings

C) Cocaine/Crack

- Shortened attention span
- Impairment of judgment & decision-making ability
- Lack of dependability
- Mood swings, euphoria, irritability, depression
- Stealing to cover cost of drug
- Runny nose & excessive sweating

D) Opiates (Heroin, pain pills, Codeine, Darvon, Vicodin, Percodan)

- Impaired judgment & lowered efficiency
- Drowsiness & mood swings
- Disinterest in classroom and campus safety
- Crime (stealing to cover cost of drug)
- Constricted pupils, impaired reflexes

E) Hallucinogens (PCP, LSD, MDMA (Ecstasy), Designer Drugs)

- Loss of memory & concentration
- Sudden bizarre changes in behavior
- Moodiness & interpersonal conflict
- Pupil changes, may be dilated/constricted
- Visual and auditory hallucinations

F) Amphetamines (Benedrine, Dexedrine cross tops, whites, up- pers; Methamphetamines – crank, crystal)

- Dilated pupils
- Impaired reflexes
- Hyperactivity, irritability, anxiety, depression
- Increased accidents
- Impaired judgment & decision making
- Decreased appetite, weight loss, tremors

G) Sedatives (Barbiturates; tranquilizers – Valium, Xanax; Seconal, Tuinal – reds, downers)

- Slowed reflexes & lower productivity
- Slowed mental processes & depression
- Memory loss
- Slurred speech

Additional information about the effects of individual drugs may be obtained from Hubbs Health Center and the Center for Counseling and Student Wellness.

IX) Educational and Counseling Programs for Alcohol & Other Drugs

The Colleges provide educational programs and counseling services to address the issues of alcohol and other drug use. The Colleges' goals are to increase awareness, and to assist those in need of help, as in those potential instances of addiction, chemical dependency, and other negative consequences resulting from use or abuse of alcohol and other drugs.

Educational outreach is offered throughout the school year by the Alcohol and Drug Abuse and Prevention Team (ADAPT), Student Engagement, The Counseling Center, and various offices and organizations including athletics, Student Engagement, and Greek organization houses. Courses in a variety of disciplines (e.g., biology, chemistry, philosophy) also provide academic discussion of alcohol or other drug use.

The following resources are available to students and/or employees:

Hobart and William Smith Employee Assistance Program (EAP)	The HWS EAP is administered by the Office of Human Resources. All employees, faculty members and their dependents are eligible to participate in the drug and alcohol abuse programming offered through the EAP. Additional information about the EAP program can be obtained by calling (315) 781-3312 or by visiting https://www.hws.edu/offices/counseling/counseling-facstaff.aspx
Hubbs Health Center	The Hubbs Health Center serves HWS students and provides health education on issues including substance abuse. For more information, please call (315) 781-3600 or visit https://www.hws.edu/offices/health-center/

<p>Counseling Center</p>	<p>The Counseling Center provides free, confidential services for HWS students, including individual and group counseling; emergency psychological services; and outreach and educational programming. The Counseling Center also offers psychological consultation to students, faculty and staff. For more information, please call (315) 781-3388 or visit https://www.hws.edu/offices/counseling/default.aspx</p>
<p>The Office of Campus Life</p>	<p>The Office of Campus Life manages the alcohol and other drug education and prevention programs and services. The Office of Campus Life is guided by a proactive, social norming and harm reduction approach, providing education, prevention and counseling services necessary so that HWS community members can make responsible choices about alcohol and other drugs. The Office of Campus Life provides referrals for students who are at risk of developing alcohol and other drug related concerns as well as for those who are impacted by another person's abuse. Referrals can include one-to-one and group counseling at the Counseling Center, local OASAS-approved alcohol and drug treatment centers, and local AA and NA chapters. Students seeking assistance for themselves or a friend will be eligible for the Colleges' Amnesty policy. For more information please call the Office of Campus Life at 315-781-3900 or visit https://www.hws.edu/offices/campus-life/default.aspx</p>
<p>Off-Campus Resources</p>	<p>Council on Alcoholism and Other Drug Dependencies of the Finger Lakes, (315) 789-0310 Finger Lakes Addictions Counseling and Referral Agency, (315) 781-0771</p> <p>A more complete list of Alcohol and Other Drugs Evaluations & Treatment Facilities is available through the Colleges' Center for Counseling and Student Wellness website, at https://www.hws.edu/offices/campus-life/get-support/default.aspx#aod</p>

X) Drug-Free Workplace Policy

Hobart and William Smith Colleges are committed to maintaining a drug-free workplace. The health hazards of drug use and the negative effects on job performance are well known. In accordance with the Drug-Free Work-place Act of 1988, the Colleges prohibit the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on all Colleges-owned or -controlled property or while conducting business of the Colleges off campus.

A) Sanctions for Violation or Non-Compliance

Corrective action in accord with the applicable provisions of the Faculty Handbook, or the Colleges' personnel policies, the collective bargaining agreement, or this handbook may be imposed within 30 calendar days of notice, on any faculty, administrator, staff member, or student employee who is found to be in violation of any provision of this policy. In addition, or as an alternative, an employee or student employee found to be in violation of this policy may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program.

B) Compliance as a Condition of Employment

Compliance with the provisions of this policy shall be a condition of employment at the Colleges.

C) Employee Obligation for Notification of Conviction

In compliance with federal law, any faculty member, administrator, staff member, or student employee convicted of violating any criminal drug statute for activity that occurred on Colleges-owned or controlled property is required to notify the Colleges within five calendar days after the conviction. A faculty, administrative, or staff member shall notify the Office of Human Resources. A student employee shall notify the Vice President for Campus Life or designee.

D) Employer Obligation for Notification

The Colleges are obligated to notify the appropriate federal contracting or granting agency, if applicable, within 10 calendar days after receiving notice of an employee conviction under paragraph three above. An academic officer, supervisor, or Vice President for Campus Life or designee who receives notification of a conviction under paragraph three above shall

immediately inform the Office of Human Resources in writing so that in those cases where a convicted employee is engaged in the performance of a federal grant or contract, the appropriate federal agency can be notified.

E) Maintenance of a Drug-Free Workplace

The Colleges' good-faith efforts to maintain a drug-free workplace will include provision of ongoing drug awareness educational programs, dissemination of this policy to all faculty, administration, staff, and student employees, and strict enforcement of this policy. The Office of Human Resources will work with the Colleges' Employee Assistance Program to offer drug education and awareness programs for employees. The Colleges' Health Center, The Center for Counseling and Student Wellness and the office of Campus Life will continue to offer such programs for students. Other campus organizations may also provide such programs for the Colleges community. Faculty and administrative staff members, and student employees are expected to avail themselves of these programs.

Appendix A

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	<p>First Offense: 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.</p> <p>Second Offense: 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.</p>	Cocaine 5 kilograms or more mixture	<p>First Offense: 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.</p> <p>Second Offense: 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.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
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 mixture	
II	PCP 10–99 grams pure or 100–999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

SUBSTANCE/QUANTITY	PENALTY
Any Amount of Other Schedule I & II Substances	First Offense: Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual.
Any Drug Product Containing Gamma Hydroxybutyric Acid	Second Offense: Not more than 30 years. 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	First Offense: Not more than 10 years. If death or serious bodily injury, not more than 15 years. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 years. If death or serious injury, not more than 30 years. 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)	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Any Amount of All Schedule V Drugs	First Offense: Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

FEDERAL TRAFFICKING PENALTIES FOR MARIJUANA, HASHISH AND HASHISH OIL, SCHEDULE I SUBSTANCES

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p>First Offense: Not less than 10 years or more than life. If death or serious bodily injury, not less than 20 years, or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p>First Offense: Not less than 5 years or more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p>First Offense: Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	<p>Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Hashish Oil More than 1 kilogram</p>	<p>Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants</p>	<p>First Offense: Not more than 5 years. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	



HOBART AND WILLIAM SMITH
COLLEGES

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