



# **BIENNIAL REVIEW**

## **THE NEW YORK FILM ACADEMY ALCOHOL AND OTHER DRUG PROGRAMS AND POLICIES DECEMBER 2018- DECEMBER 2020**

Prepared by:

The Biennial Review Committee

New York Film Academy

## **Biennial Review Committee Chair**

Sandra Schein, Ph.D., Director of Student Health and Wellness

## **Biennial Review Committee Members**

Susan Ashe, Ed.D., Dean of Students & Interim Title IX Coordinator, Los Angeles (LA)

Rosa Belerique, M.S., Vice President, Institutional Research and Effectiveness

Ryan Blanco, Program Coordinator, South Beach (SOBE)

Carlye Bowers, Director of Campus Life & Title IX Coordinator, New York

(NY) ; Interim Title IX Coordinator, South Beach (SOBE)

Timm Browne, NYFA Director of Security, Los Angeles (LA)

Leslie Cummings, Director, International Students Office

Maylen Dominguez, Dean of Campus, South Beach (SOBE)

Missy Dominguez, M.Ed., Director of Student Life, Los Angeles (LA)

Linda Gilbert, Housing Coordinator, New York (NY)

Jacky Hunt, LCSW, Director, Counseling Services, New York (NY) and South Beach (SOBE)

Calaine Schafer, Administrative Assistant to the Director of Student Health and Wellness

Pankti Shah, PHR, Director, Human Resources

Stanley Tam, Psy.D., Director, Counseling Services, Los Angeles (LA)

Lissa Wayne, Director, Financial Aid

<b>INTRODUCTION</b>	<b>3</b>
<b>POLICIES</b>	<b>4</b>
<b>POLICY DISTRIBUTION</b>	<b>6</b>
<b>AOD PREVALENCE AND INCIDENCE</b>	<b>6</b>
<b>AOD POLICY ENFORCEMENT AND COMPLIANCE INVENTORY</b>	<b>12</b>
<b>PROGRAM INVENTORY</b>	<b>17</b>
<b>REVIEW OF 2016-2018 PROGRAM GOALS</b>	<b>22</b>
<b>POLICY AND PROGRAM STRENGTHS</b>	<b>24</b>
<b>POLICY AND PROGRAM CHALLENGES AND RESPONSE</b>	<b>25</b>
<b>BIENNIAL REVIEW SIGNATURE PAGE</b>	<b>27</b>
<b>APPENDIX</b>	<b>28</b>
Appendix A: NYFA Drug and Alcohol Policy for Students	28
Appendix B: NYFA Drug and Alcohol Policy for Employees	55
Appendix C: NYFA Student Code of Conduct	80

# INTRODUCTION

The New York Film Academy (NYFA) is an institution of higher learning offering students certificate and degree programs in the visual and performing arts. NYFA has three campuses in the United States, as well as campuses located in Europe, Australia, and Asia. Only US students attending programs offered at NYFA's Los Angeles (LA), New York (NY), and South Beach (SOBE) campuses are eligible to receive federal funds. More specifically, students are eligible to receive federal financial assistance when attending NYFA's one and two year certificate programs and BFA degree programs, offered in NY, LA, and SOBE, and when attending NYFA's AFA, BA, MA and MFA degree programs, offered only in LA and SOBE.

In compliance with the Drug Free Schools and Communities Act (DFSCA), amended in 1989, and EDGAR Part 86 Regulations, NYFA offers Alcohol and Other Drugs (AOD) Policies, AOD programming, and a biennial review of AOD policy and program effectiveness and the consistency of policy enforcement.

# POLICIES

## ***NYFA Drug and Alcohol Policy for Students***

The New York Film Academy is committed to providing and sustaining for students a safe, healthy, and supportive on campus and online environment conducive to optimum professional and personal growth and development.

In compliance with this objective and in accordance with United States Department of Education Drug Free Schools and Communities Act Amendment of 1989, Public Law 101-226, the NYFA Drug and Alcohol Policy for students was revised in 2018 and updated in 2020 and presently includes the following:

- A description of the health risks associated with alcohol abuse and the use of illegal drugs
- A description of applicable legal sanctions under local (NY, LA, Miami/SOBE), state (NY, CA, FL) and federal laws
- A description of treatment resources providing multiple levels of care available on campus and in the vicinity of the NY, SOBE, and LA campuses
- Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on NYFA property and as part of NYFA activities
- A statement of the disciplinary sanctions NYFA will impose on students found responsible for violating NYFA standards of conduct related to alcohol abuse and the use of illegal drugs

Please refer to Appendix A for The NYFA Drug and Alcohol Policy for Students. In summary, alcohol use, distribution, and possession is prohibited for all students on all campuses and at all online and in-person NYFA sponsored events and activities. The use, possession, distribution, sale and/or manufacture of narcotics or other illicit and/or controlled substances (including medical marijuana) is prohibited for all students on all campuses and at all NYFA sponsored online and in-person events and activities.

Students violating the NYFA Drug and Alcohol Policy are subject to both the institution's sanctions and to criminal sanctions through federal, state and local law.

NYFA campuses in LA and SOBE do not provide student housing. Students attending NYFA in NY have the option of residing with Educational Housing Services (EHS). NYFA holds its students accountable for following EHS codes of conduct. EHS limits alcohol possession and use among its residents of legal drinking age and strictly prohibits underage drinking. NYFA students violating EHS standard codes are sanctioned according to the NYFA Drug and Alcohol Policy, the NYFA Student Code of Conduct and federal, New York state and local laws. Students found accountable for violating policies and/or laws are subject to institutional and criminal sanctions. EHS may also sanction NYFA students held accountable for violating EHS codes of conduct related to alcohol abuse via dismissal from the residence hall.

### ***NYFA Drug and Alcohol Policy for Employees***

New York Film Academy is committed to providing and sustaining for faculty and staff, a safe, healthy, and supportive environment conducive to optimum professional and personal growth and development.

In compliance with this objective and in accordance with United States Department of Education Drug Free Schools and Communities Act Amendment of 1989, Public Law 101-226, the NYFA Drug and Alcohol Policy for Employees was revised in 2018 and presently includes the following:

- A description of the health risks associated with alcohol abuse and the use of illegal drugs
- A description of applicable legal sanctions under local (NY, LA, Miami/SOBE), state (NY, CA, FL) and federal laws
- A comprehensive list of treatment resources providing multiple levels of care available on campus and in the vicinity of the NY, SOBE, and LA campuses
- Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on NYFA property and as part of NYFA activities
- A statement of the disciplinary sanctions NYFA will impose on employees found responsible for violating NYFA standards of conduct related to alcohol abuse and the use of illegal drugs

Please refer to Appendix B for The NYFA Drug and Alcohol Policy for Employees. In summary, alcohol use, distribution, and possession, without prior authorization is prohibited for all employees on all campuses. The use, possession, distribution, sale and/or manufacture of narcotics or other illicit and /or controlled substances (including medical marijuana) is prohibited for all employees on all campuses and at all online and in-person NYFA sponsored events and activities.

Employees found accountable for violating institutional and/or federal, state and local laws are subject to both institutional and criminal sanctions.

## **POLICY DISTRIBUTION**

NYFA Drug and Alcohol Policy for Students is distributed accordingly:

- The policy is printed in the NYFA Catalogs for NY, LA, and SOBE, available and accessible online. Students at the time of program Registration sign Enrollment Agreements affirming that they have read the campus catalogs.
- Students receive annual notification via email, directing students to read the NYFA Drug and Alcohol Policy.
- Financial Aid distributes the policy annually via email to all enrolled students in NY, LA and SOBE.

NYFA Drug and Alcohol Policy for Employees is distributed accordingly:

- The policy is printed in the Faculty Handbook and distributed to all faculty at time of hire. Hiring is not finalized until HR receives affirmation that the Handbook has been read and signed.
- The policy is printed in the Employee Handbook, distributed to all staff at time of hire. Hiring is not finalized until HR receives affirmation that the Handbook has been read and signed.
- The Faculty Handbook is distributed annually to all faculty via Paycom. Confirmation of its receipt, reading and understanding is required and documented by faculty signing documents electronically.
- The NYFA Drug and Alcohol Policy for Employees is accessible to all active employees via Paycom and distributed to newly hired employees.

## AOD PREVALENCE AND INCIDENCE

Below is data gathered from a newly created Climate Survey focusing primarily on student use and perception of alcohol and other drugs, distributed to continuing students attending NYFA certificate, BFA, BA, MA, MFA and AFA programs on NY, LA, and SOBE campuses, February 2020. Newly arrived students who had enrolled in NYFA programs in January 2020, were not included in this survey. The survey was sent via email to 1445 students; 134 students responded. Survey results have yet to be reviewed and employed to inform new AOD prevention programming, given the pandemic, the closing of all campuses, and the pressing and consuming need for designing and implementing safety protocols for campus reopenings. To what extent the survey data will inform future AOD programming, given its low response rate of 9.7%, will be discussed in early 2021. Also discussed will be revising the survey to include respondents' demographics, ways to improve response rate, and ways to incentivize student participation.

The Climate Survey yielded the following results:

- 46.6 % of respondents did not believe that alcohol use enhanced the enjoyment of social events; 75.2% of respondents did not believe that drug use enhanced the enjoyment of social events. (Figure 1)
- 67.2% of respondents report being aware of the NYFA Drug and Alcohol Policy; 14.2% of respondents report being unaware of the NYFA Drug and Alcohol Policy. (Figure 2)
- 56.7% of respondents believe NYFA is concerned about the prevention of drug and alcohol use; 16.4% of respondents believe NYFA is not concerned about the prevention of drug and alcohol use. (Figure 2)
- 59.7% of respondents report knowing how to seek help for drug and alcohol concerns; 26.9% of respondents report not knowing how to seek help for drug and alcohol concerns. (Figure 2)
- 54.9 % of respondents consume 0 alcohol during the course of one week; 1.6% of respondents consume more than 10 alcoholic beverages during the course of one week. 99.3% of respondents consume 5 or less alcoholic beverages during the course of one week.(Figure 3)
- 82.7% of respondents reported no binge drinking within the past two weeks; 2.4% of respondents reported binge drinking 3 or more times within the past two weeks. Binge drinking is defined as consuming five or more drinks in a sitting. (Figure 4)
- 77.4% of respondents reported not smoking on any days during the past 30 days; 6.0% of respondents reported smoking every day during the past 30 days. (Figure 5)

- 48.9% of respondents reported not consuming any alcohol on any days within the past 30 days; 2.3% of respondents reported consuming alcohol on 10 or more days within the past 30 days. (Figure 5).
- 82.0% of respondents reported not using marijuana on any days during the past 30 days; 6.8% of respondents reported using marijuana on ten or more days during the past 30 days. (Figure 5).
- 88.8% of respondents reported never performing poorly on school or work projects due to alcohol or drug use; 6.0% of respondents reported performing poorly on school or work projects on 3 or more occasions due to alcohol or drug use. (Figure 6).
- 82.0% of respondents reported never having made a decision they regretted due to alcohol or drug use; 9.2% of respondents reported having made a decision they regretted due to alcohol or drug use on at least two occasions. (Figure 6)
- 91.7% of respondents reported never having been taken advantage of sexually due to alcohol or drug use; 9.0% of respondents reported having been taken advantage of sexually due to alcohol or drug use.(Figure 6)
- 88.0% of respondents reported never having had suicidal thoughts due to alcohol or drug use; 7.5% of students reported having suicidal thoughts on two or more occasions due to alcohol or drug use. (Figure 6)



**Student Responses - Climate Survey, Spring 2020**

Figure 1:

Do you believe that alcohol or drugs increase enjoyment at social events?

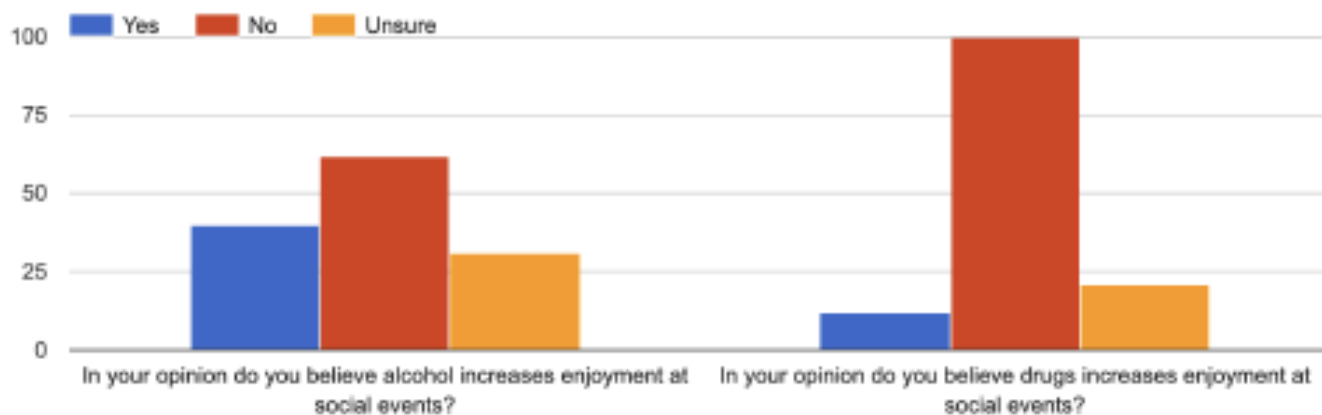


Figure 2:

Drug and alcohol policy and prevention awareness:

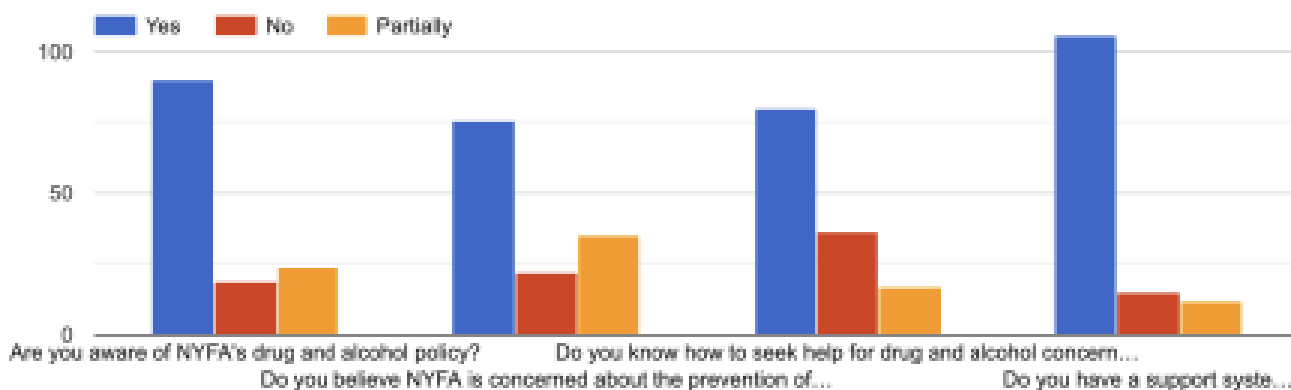


Figure 3:

What is the average amount of drinks you consume in a week? (One drink is defined as a bottle of beer, a glass of wine, a shot of liquor or one mixed drink):

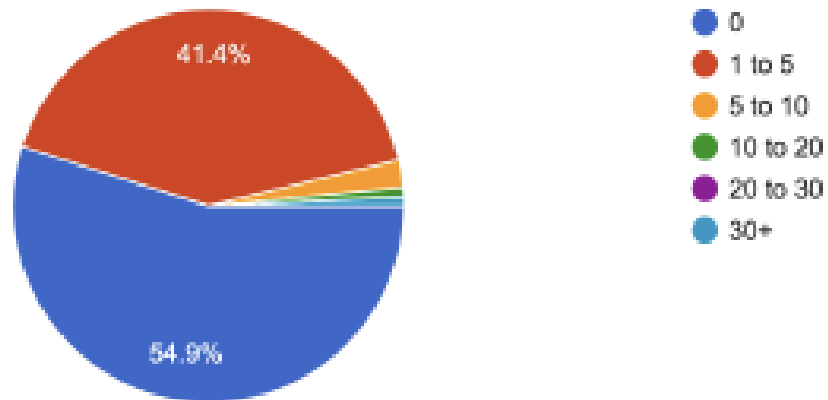


Figure 4:

Think back over the last two weeks. How many times have you had five or more drinks in a sitting?

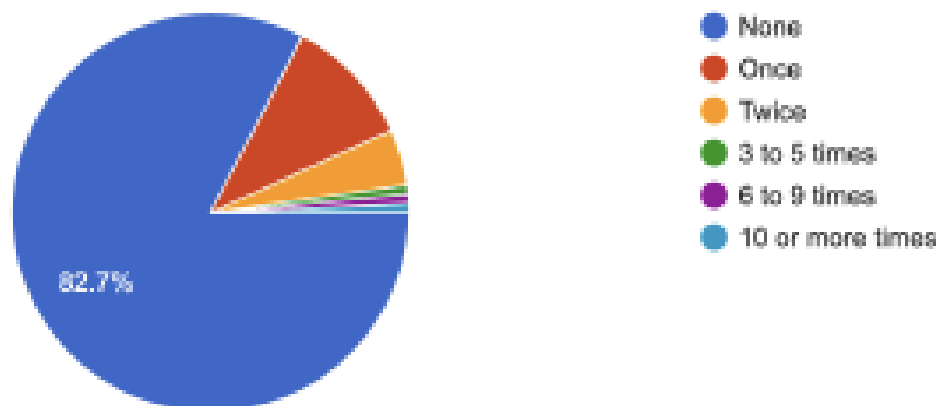


Figure 5:

During the past 30 days on how many days did you have/use the following:

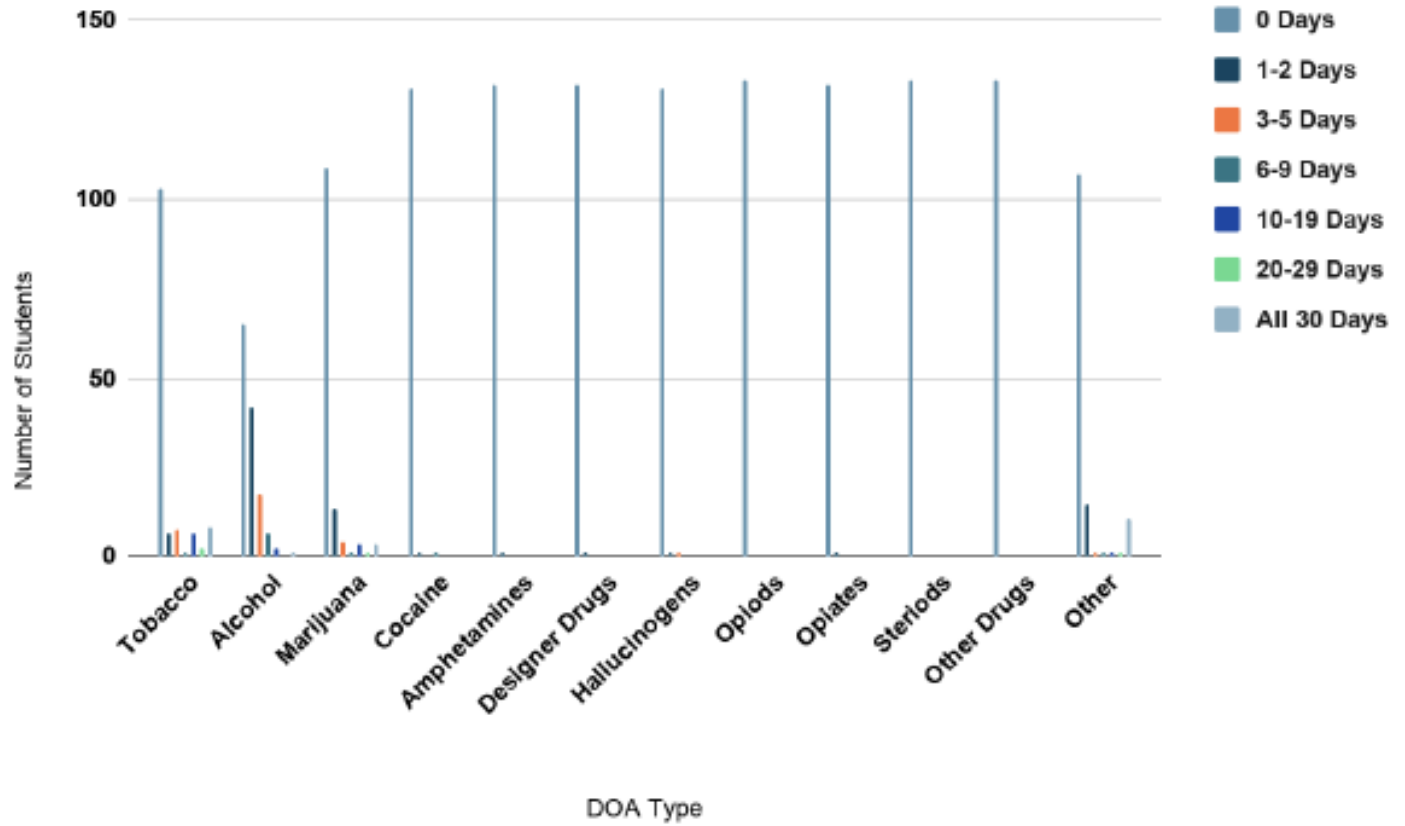
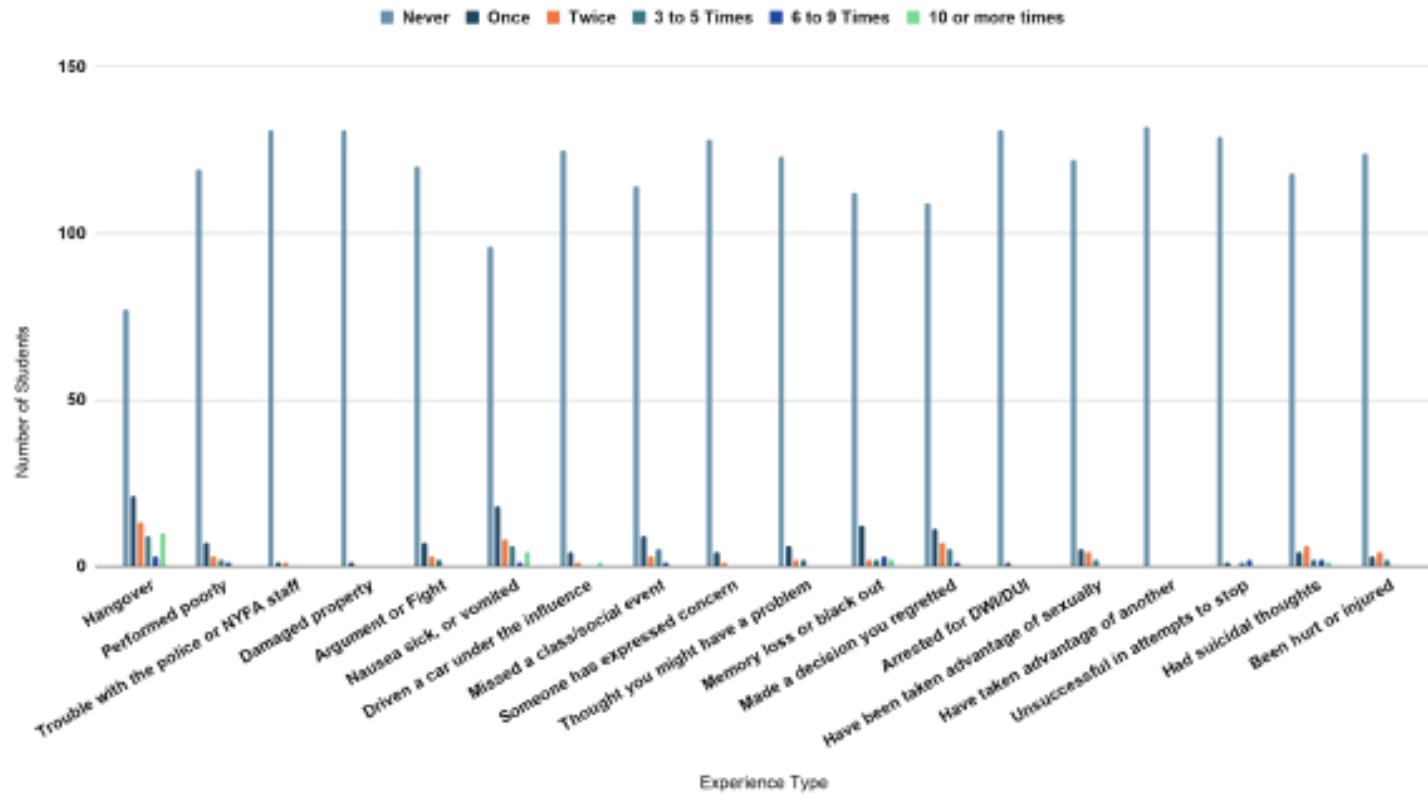


Figure 6:

Please indicate how often you have experienced the following due to drinking or drug use:



# AOD POLICY ENFORCEMENT AND COMPLIANCE INVENTORY

## *Student Violations*

The NYFA student body on the NY, LA and SOBE campuses numbered approximately 1409 students in 2019 and approximately 1319 students in 2020. The tables below reflect the number of all reported incidents, across the three campuses, of NYFA students in alleged violation of the NYFA Student Codes of Conduct of Controlled Substances, Alcohol, Smoking, and Violations of the Law ( relevant to laws pertaining to alcohol and other drugs).

In 2019, there were a total of 10 confirmed violations of the NYFA Student Codes of Conduct of Controlled Substances or Alcohol or Violations of the Law.

In 2020, there were a total of 6 confirmed violations of the NYFA Student Codes of Conduct of Controlled Substances or Alcohol or Violations of the Law.

In the cases noted, a respondent was found responsible for a Violation of the Law if the respondent was using or in possession of marijuana ( a controlled substance), if the respondent responsible for consuming alcohol was under age 21, or if the respondent was responsible for furnishing alcohol to a person under age 21.

## 2019

	Controlled Substances	Alcohol	Smoking	Violations of the Law
Dismissive	0	2	0	1
Inconclusive	1	0	0	0
Responsible	2	3	0	3
<b>TOTAL</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>4</b>

**2020**

	Controlled Substances	Alcohol	Smoking	Violations of the Law
Dismissive	0	2	0	1
Inconclusive	1	0	0	0
Responsible	2	3	0	3
<b>TOTAL</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>4</b>

***Students with Repeated AOD Incidents***

	Number of Repeat Offenders
<b>2019</b>	0
<b>2020</b>	0

***Student Sanctions***

Students found responsible, according to standards of preponderance of evidence, for violating the NYFA Student Code of Conduct are sanctioned. Sanctions can include a change in student status (ranging from Disciplinary Warning to Expulsion) or may be educational in nature. Students may receive, if warranted, both status and educational sanctions.

Below is a record of the sanctions issued in 2019 and 2020 for those NYFA Code of Conduct Violations reflecting violations of the NYFA Alcohol and Other Drug Policy for Students (Controlled Substances, Alcohol, Smoking, and Violations of the Law).

**2019**

	Assigned Frequency
Disciplinary Warning	1
Disciplinary Probation	2
Deferred Suspension	1
Suspension	1
Expulsion	0
Educational Sanctions	5
<b>TOTAL</b>	<b>10</b>

**2020**

	Assigned Frequency
Disciplinary Warning	5
Disciplinary Probation	1
Deferred Suspension	0
Suspension	0
Expulsion	0
Educational Sanctions	2
<b>TOTAL</b>	<b>8</b>

### **CLERY AOD Incidents**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery) requires institutions of higher education to collect and publish crime statistics on an annual basis. In order for crimes to be included in NYFA's Clery Statistics, the crimes must have occurred on NYFA's Clery Geography, which includes NYFA's on-campus property, public property within or immediately adjacent to on-campus property, and non-campus buildings owned, leased, or controlled by NYFA that are used in direct relation to the institution's education purposes and are not within the same reasonable continuous geographic areas of NYFA's on-campus property.

The data below reflects the incidence of drug and alcohol related law violations occurring on NYFA's Clery Geography. The individuals in alleged violation of the law may or may not be members of the NYFA community.

### **New York**

		On-Campus	On-Campus Residential (NY Only)	Non-Campus	Public Property	Total
Liquor Law Arrests	2019	0	0	0	0	<b>0</b>
	2020	0	0	0	0	<b>0</b>
Liquor Law violations Referred for Disciplinary Action	2019	1	0	10	0	<b>11</b>
	2020	0	0	0	0	<b>0</b>
Drug Law Arrest	2019	0	0	0	0	<b>0</b>
	2020	0	0	0	0	<b>0</b>
Drug Law Violation Referred for Disciplinary Action	2019	0	0	1	0	<b>1</b>
	2020	0	0	1	0	<b>1</b>



**South Beach**

		On-Campus	Non-Campus	Public Property	Total
Liquor Law Arrests	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>
Liquor Law violations Referred for Disciplinary Action	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>
Drug Law Arrest	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>
Drug Law Violation Referred for Disciplinary Action	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>

**Los Angeles**

		On-Campus	Non-Campus	Public Property	Total
Liquor Law Arrests	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>
Liquor Law violations Referred for Disciplinary Action	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>
Drug Law Arrest	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>
Drug Law Violation Referred for Disciplinary Action	2019	0	0	0	<b>0</b>
	2020	0	0	0	<b>0</b>

### ***Employee Violations and Sanctions***

For 2019 and 2020 calendar years, Human Resources reported no violations by employees of the NYFA Drug and Alcohol Policy for Employees.

## **PROGRAM INVENTORY**

Alcohol and Other Drug prevention programs and programs promoting overall mental health and wellness are offered at the Los Angeles, South Beach and New York campuses in the breadth, scope and variety possible, given staffing and student enrollment at each campus location. The Los Angeles campus yearly student enrollment approximates 1400. The New York campus yearly student enrollment approximates 450. Lastly, the South Beach student yearly enrollment approximates 100. These enrollments were decreased on each campus in 2020 by approximately 25% due to the COVID-19 pandemic.

### ***Institutional Tactics and Programs Determined Effective in Reducing Risk of AOD Use and Misuse***

- Student use, distribution, manufacture, and possession of alcohol is banned on all NYFA campuses and during all NYFA sponsored events and activities.
- NYFA core classes are scheduled on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, and Saturdays. Students also work collaboratively on group assignments throughout the weekend.
- Attendance of all NYFA classes is mandatory on the NY Campus and strongly encouraged on LA and SOBE campuses; since most NYFA courses are studio-based and require collaboration with peers, class participation is included in grading rubrics and poor attendance likely results in lowered grades. Attendance records are generated for each class and students are also held accountable for arriving late to class.
- Academic class schedules require students to be present in class approximately 25-30 hours per week.
- NYFA Student Activities offer Alcohol-Free events during Orientation Week, Halloween, and Graduation - holidays/occasions often associated with increased frequency and intensity of alcohol misuse. Since the onset of the pandemic, student activities events were all offered virtually and all were, per policy, alcohol-free events.

- CARE Teams on all three campuses meet at least biweekly to identify and monitor students of concern. Actions are taken as needed to assist students in distress or exhibiting behaviors suggestive of illness or declining academic, social or emotional functioning.
- During the pandemic, communications encouraging students to refrain from use of alcohol and other drugs as a means of coping with anticipated anxieties and stress were distributed weekly in multiple formats (campus updates, NYFA Well News, NYFA Health and Campus Guidelines published on the NYFA HUB). Information on effective and healthful coping strategies were provided and resources for both NYFA and community resources were regularly provided.

### ***NYFA Alcohol and Other Drugs Prevention and Wellness Promotion Programming***

#### New Student Orientation Week

New Student Orientation programming on the NY and LA campuses introduces students to NYFA's Drug and Alcohol Policy and institutional, federal, state and local laws sanctions for all policy violations. During Orientation, students are strongly encouraged to fully read NYFA's Drug and Alcohol Policy published in the NYFA Catalogs.

New Student Orientation programming on the NY and LA campuses also educates students on health risks associated with alcohol and other drugs use and misuse and tactics students may adopt to reduce harm and risk (evidence-based harm reduction strategies).

Given the high enrollment of international students on all NYFA campuses, during New Student Orientations and International Student Orientations, the specific and significant consequences facing international students for arrests for alleged illegal actions related to alcohol and drug use is clearly explained. International Students may also refer to the NYFA Catalogs and International Student Handbooks for information regarding arrests and their impact on their student visa status.

All NYFA campuses, during New Student Orientation Week, offer comprehensive training in sexual assault, dating violence, domestic violence, stalking, and affirmative consent. Risk reduction and bystander intervention are introduced and then reinforced during First Year Seminar and campaigns throughout the year.

Incoming BFA NYFA students on all campuses participate in a First Year Seminar course designed to promote student wellness and safety. The course curriculum includes presentations on alcohol and drug awareness and prevention, harm reduction, affirmative consent, bystander intervention, healthy relationships, and suicide prevention. Presenters include substance abuse counselors, mental health clinicians, Title IX Coordinator, and student support service administrators.

### CARE Teams

NYFA New York (NY), Los Angeles (LA), and South Beach (SOBE) campuses host active CARE Teams designed to identify, assess, and intervene on behalf of students encountering obstacles toward successful participation in their academic programs. Examples of obstacles include behavioral problems, substance abuse, physical illness, mental illness, significant financial hardship, family illness/death/loss, etc. CARE Teams meet weekly (NY and LA) and biweekly (SOBE) and consist of multidisciplinary teams of administrators and clinicians.

### Suicide Prevention: ISP and Suicide Prevention Training

NYFA NY and LA also offer students the Interactive Screening Program (ISP) - a suicide prevention program designed and sponsored by the American Foundation of Suicide Prevention. The aim of ISP is to identify, engage, and refer to treatment students with serious depression or other conditions that convey risk for suicide. NYFA students on the NY and LA campuses receive invitations to participate in an anonymous screening. Those responding to the Stress and Depression Screening Inventory receive responses from experienced, caring campus mental health professionals. The campus mental health professionals engage in online dialogue with responders to identify and work through potential barriers to help seeking, with the goal of convincing students to meet in person for a more comprehensive suicide assessment, treatment, and/or appropriate referral.

Suicide Prevention Training is offered throughout the year to NYFA faculty and staff employed on all NYFA campuses. The training is informed by QPR - an innovative, practical and proven suicide prevention training model designed to teach participants to recognize the warning signs of suicide, offer hope, and effectively refer potentially suicidal individuals for life-saving treatment and intervention. During the pandemic, Suicide Prevention Trainings were regularly offered in a virtual format to SOBE and NY employees.

### Mental Health Services For NYFA Students

NYFA NY Counseling Services is directed and staffed by one full time Licensed Clinical Social Worker providing individual psychotherapy, consultation, referral and crisis intervention services to all enrolled NY students. NYFA NY Counseling Services are confidential and at no cost to the student and are promoted actively during New Student Orientation and Wellness programming and passively throughout the year via email announcements, posters, handouts.

In 2018, LA Counseling Services was restructured and a newly hired clinician assumed the role of Director of Counseling Services. NYFA LA Counseling Services is presently staffed by the Director, a licensed

psychologist, one full-time Master's level clinician and one part time Substance Abuse Counselor. LA Counseling Services provide individual psychotherapy, group psychotherapy/support groups (sexual assault survivors, LGBTQ, and stress management), consultation, referrals, crisis intervention, substance abuse assessments, referral for AOD treatment and support services, and outreach programming on AOD and general mental health topics. NYFA LA Counseling Services are free and confidential and promoted actively during New Student Orientation and Wellness programming and passively throughout the year via email announcements, posters, and handouts.

At the SOBE campus, a licensed psychologist offers enrolled students free, confidential individual psychotherapy, consultation and referral services. Given the small size of the student body, the psychologist is contracted to provide three hours of direct service weekly to meet the mental health needs of the student population. As of 2020, the job responsibilities of the Director of NY Counseling Services was extended to include the provision of mental health consultation to SOBE faculty and staff seeking guidance on how to manage students of concern.

During the COVID-19 pandemic, all NYFA Counseling Services were delivered remotely via HIPAA compliant online platforms. All relevant licensing restrictions were carefully observed. Hence NYFA clinicians were prohibited in offering individual and group teletherapy visits to students studying remotely and living in out-of-state or international regions. To offer support to these students, NYFA Counseling Services provided a variety of diverse supervised peer support groups to address the emotional and mental health needs of those members of the NYFA community unable to access individual teletherapy services.

#### Mental Health Services for NYFA Faculty and Staff

All NYFA employees have access through NYFA's Employee Assistance Program (EAP) services to three individual sessions and unlimited phone consultations with a licensed mental health professional for assessment and referral services.

#### NYFA Community-Wide Programming to Promote Health and Wellness

NYFA strives to offer its community of students, staff, and faculty activities and programs that cultivate mental and physical well-being.

The NY campus offered a Wellness Screening program for students, staff, and faculty, October 2019. In October 2020, this program was offered remotely to students and employees on the NY, LA and SOBE campuses.

Throughout 2020, NY, LA and SOBE offered students and faculty workshops to address mental health issues related to COVID-19, including but not limited to: Burnout; Rethinking and Rebuilding Support for Students; Creativity During COVID-19; Supporting Underserved Students in Crisis; International Student Support Group; Asian Student Support Group; Finding Motivation During COVID-19; Bounce Back Weekly Workshop; Grief Support and Processing Group; and regularly scheduled Personal and Classroom Wellness Forums.

LA, NY, and SOBE campuses hosted The Clothesline Project in October 2019 and "Swipe Left on Dating (App) Violence in October 2020, in recognition of Domestic Violence Awareness Month.

Mental Health Awareness Month was celebrated, May 2019 and May 2020, on the NY and LA campuses. The following programming was offered: pet therapy; yoga; film screenings/panel discussions; and stress/anxiety, sleep, nutrition and mindfulness workshops.

LA, NY, and SOBE campuses hosted numerous and varied activities throughout Sexual Assault Awareness Week, April 2019 and April 2020, designed to increase awareness and prevention of sexual violence. Activities included: panel discussions; film screenings/discussions; presentations by community organizations; workshops for employees and students; educational posters; poster and PSA contests; and sexual assault educational bingo, integrated into course instruction.

Weekly meditation classes were offered in 2019 and 2020 for students, faculty and staff on LA, SOBE and NY campuses. During the pandemic, meditation classes were offered remotely.

Lastly, in 2019 LA offered a three-class self-defense workshop for female / female-identified, male / male-identified, and transgender / gender-inclusive individuals. No workshops were hosted in 2020 due to the pandemic.

## REVIEW OF 2016-2018 PROGRAM GOALS

The programming and policy recommendations from the 2016-18 Biennial Review are listed below along with a status update.

2016 - 18 Recommendations	Status
<p>NYFA's AOD prevention programming is comprehensive but informed by a formalized needs assessment. NYFA will select a standard assessment tool (such as the CORE survey) and establish a consistent assessment cycle to gather objective data regarding student use and attitudes related to alcohol and other drugs.</p>	<p>A climate survey was created and distributed Spring 2020 assessing general climate, alcohol and drug use behavior and sexual misconduct prevention behavior. Data was collected from students enrolled in long term programs on all campuses. Response rate was 9.7%.</p>
<p>NYFA will design an AOD prevention program in response to data generated by the NYFA needs assessment and/or survey.</p>	<p>Given the onset of the pandemic soon after distribution, the data collected from the needs assessment survey (referred to as a climate survey) was not utilized to design new AOD prevention programming.</p>
<p>Consistency in sanctioning between NY, LA, and SOBE campuses is not adequately assessed. NYFA will establish a committee to meet quarterly and review and promote consistency in the sanctioning of alcohol and drug policy violations on NY, LA, and SOBE campuses.</p>	<p>A committee was formed. It was convened and meetings were attended quarterly during 2019. Meetings were not scheduled during 2020 on account of the pandemic and the competing responsibilities of committee members. Members of this committee include the Dean of Students - LA campus, Dean of Student - NY campus, and Dean of Campus - SOBE campus.</p>
<p>The incidence of violations of the Drug and Alcohol Policy for students is not adequately and systematically documented. NYFA will improve its process for tracking conduct/alcohol and drug policy violations on NY, LA, and SOBE campuses.</p>	<p>Violations of the Drug and Alcohol Policy and the Student Code of Conduct violations relevant to alcohol and other drugs are systematically documented in Maxient, acquired by NYFA in 2019. Maxient offers mechanisms for generating reports and tracking conduct/alcohol and drug policy violations on NY, LA, and SOBE campuses.</p>
<p>NYFA will integrate Harm Reduction education into existing prevention programming. Key members on the NY and SOBE campuses will receive training from the LA Substance Abuse Counselor currently incorporating Harm Reduction training in the current College Success curriculum.</p>	<p>The LA Substance Abuse Counselor offered Harm Reduction education training to SOBE Counseling Services staff. NY Counseling Services staff engaged in self-directed training. Harm Reduction education was competently provided to long term NY and SOBE students during New Student Orientations. Harm Reduction training was also</p>

	<p>incorporated into the First Year Seminar classes (formerly named "College Success") for BFA students in NY and SOBE.</p>
<p>NYFA has institutional policies (zero tolerance of on campus substance use per Drug and Alcohol Policy for Students) and practices (classes held on Fridays and Saturdays) that have been demonstrated as effective in reducing risk of substance use and misuse. Presently, however, NYFA does not systematically measure the effectiveness of its active AOD prevention programming. To assess its prevention program effectiveness NYFA will establish a protocol to track employee and student attendance of AOD and Wellness programming. By demonstrating increased attendance of programming, NYFA hopes to achieve the goal of increasing, among its community members, awareness of laws related to substance use and misuse, health risks associated with alcohol and other drugs use and misuse, strategies to improve overall well-being, and strategies for reducing risk of mental illness and substance abuse disorders.</p>	<p>All campuses invested efforts throughout 2019 and 2020 to improve student attendance at all New Student Orientation programming and hence ensure that all new students received information regarding the NYFA Alcohol and Drug Policy, health risks associated with AOD use and misuse, and strategies to improve safety and wellness. The plan to use data collected via tracking student attendance of New Student Orientation programming to demonstrate increases in students' awareness and understanding of AOD information imparted during Orientation, however, was reviewed and revised, Fall 2020. NYFA is preparing to offer a mandatory online AOD training program to all long-term students. In offering this training program, learning outcomes will be more consistently and effectively documented and assessed.</p>
<p>The NYFA Alcohol and Drug Policy is distributed to NYFA employees at time of hire and annually via the distribution of the Employee and Faculty Handbooks. To improve the distribution protocol, the NYFA Drug and Alcohol Policy for Faculty and Staff will be distributed electronically and annually to all faculty and staff via Paycom at the time employees receive W-2 availability notifications. The NYFA Drug and Alcohol Policy for Faculty and Staff will also remain contained in the Employee Handbook and the Faculty Handbook.</p>	<p>The NYFA Drug and Alcohol Policy for Employees was included in the Employee Handbook of 2019 and 2020 and the Faculty Handbook of 2019 and 2020. The goal of distributing the NYFA Drug and Alcohol Policy for Employees electronically and annually via Paycom at the time employees receive their W-2 notifications was not accomplished during this biennium. However, this new protocol will be implemented, January 2021.</p>



## **POLICY AND PROGRAM STRENGTHS**

The Biennial Review Committee has identified the following strengths in its policies and programs:

- NYFA is in compliance with the Drug Free Schools and Campuses Regulations.
- NYFA follows national, evidence-informed recommendations made by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and the Social Ecological Framework.
- NYFA offers empirically supported policies and programs designed to reduce risk and frequency of drinking among college age students: alcohol is banned on NYFA campuses and during all classes and activities delivered in-person and online; core classes are offered on Thursdays, Fridays, and Saturdays; class attendance is mandatory and students attend class 25-30 hours per week.
- During this review period, the NYFA Drug and Alcohol Policies for employees and students were both revised to extend jurisdiction to the online environment for class and program delivery. The NYFA Drug and Alcohol Policies comprehensively and clearly delineate: 1) short-term and long-term health risks associated with alcohol and other drugs misuse and abuse; 2) both on campus and off-campus treatment resources convenient to campuses in New York, Los Angeles, and South Beach; and 3) federal and state and local laws and sanctions specific to New York, California, and Florida.
- The NYFA Student Code of Conduct supports and complements the revised NYFA Drug and Alcohol Policy for Students. The NYFA Student Code of Conduct addresses with clarity, scope, and consistency behaviors related to misuse of alcohol, controlled substances, tobacco as well as the illegal misuse of prescribed medications. In 2020 the NYFA Student Code of Conduct was adapted for the South Beach campus and is presently applied consistently across NYFA LA, NY, and SOBE campuses.
- A multidisciplinary and multi-campus task force meets to address alcohol and other drug policies on NYFA campuses and how such policies and programs impact and intersect our disciplinary process, our efforts in sexual assault education and prevention, diversity and inclusion training, and services to support international students and veterans.
- NYFA employs a Medical Amnesty Policy to promote student health and safety and minimize risk of death and injury related to misuse of alcohol and other drugs.

- NYFA expends considerable efforts to educate its international student population regarding consequences of arrest for alleged alcohol and drug violations and the impact of such arrests on their visa status. Consequences of arrest specifically for international students have been added to the NYFA Drug and Alcohol Policy for Students and international students are repeatedly warned of such consequences during both New Student Orientation and International Student Orientation.

## **POLICY AND PROGRAM CHALLENGES AND RESPONSE**

After careful review, The Biennial Review Committee offers the following recommendations to address identified policy and programming challenges.

- NYFA's AOD prevention programming is comprehensive but not yet informed by a formalized needs assessment. Although an assessment tool was created and an assessment cycle determined, only 134 students of 1445 students completed the climate survey, distributed in Spring 2020. With a response rate of 9.7%, designing programming based on the data collected may not address the needs, attitudes, and behaviors of a representative sample of the NYFA student population. Members of this committee will explore and implement ways to improve the survey's response rate. To the existing survey will be added questions that provide demographic information on students' campus location, age, gender, race, ethnicity, sexual orientation, and disability status.
- The methodologies for distribution of the NYFA Drug and Alcohol Policies to students and employees warrant improvement. Although the policies are distributed annually to students, to ensure that both students and employees have greater knowledge of these policies, NYFA employees, as of January 2021, will receive electronically and annually the NYFA Drug and Alcohol Policy for Employees via Paycom at the time they receive their W-2 availability notifications. To improve the accessibility of the NYFA Drug and Alcohol Policy for students, this policy will be prominently posted and accessible on the NYFA HUB. The NYFA Drug and Alcohol Policy for Students will also be added as a link to the Welcome and Orientation Guide.
- NYFA will distribute a climate survey assessing, among other indices of student wellness, aspects of students' alcohol and other drug behaviors and perceptions in Spring 2022. Committee members will discuss ways to incentivize student participation and generate responses from a representative sample of the student population. Should this goal be achieved, NYFA will design an AOD prevention program in response to data generated by the revised NYFA climate survey.
- The committee formed to review and promote consistency in the sanctioning of alcohol and other drug violations will renew its commitment to convene quarterly and consistently. The committee

will also review how outcomes and sanctioning are noted in Maxient, the new software program NYFA began using in 2019, to track and document alleged violations of the NYFA Student Code of Conduct. By establishing consistency across campuses, we will be better able to generate more informative and accurate reports of alleged and confirmed violations of the NYFA Student Code of Conduct in regard to alcohol and other drugs.

- NYFA will create and launch TRAC to better ensure that incoming students are receiving and understanding the important information shared during New Student Orientation Week related to the NYFA Alcohol and Drug Policy For Students, strategies for harm reduction, and resources on-campus and community resources for substance abuse assessment and treatment. TRAC is an online training program, created by SUNY and customized by NYFA, to offer students a comprehensive education on health risks associated with the use and misuse of alcohol and other drugs, the social, emotional and academic consequences of the use and misuse of alcohol and other drugs, and important strategies for harm reduction. Completing the training will be mandatory for all incoming students. Students not completing TRAC Training will be subject to disciplinary action and will not be eligible to register for the subsequent semester.
- NYFA NY students residing in the residential facility owned by Educational Housing Service (EHS) appear to be at greater risk of using and abusing alcohol and other drugs. The alcohol and drug policy of EHS allows students 21 years or older to possess a limited amount of alcoholic beverages in their rooms. NYFA will be instituting and enforcing for those NYFA students residing at EHS a more restrictive alcohol and drug policy. Regardless of age, no student will be permitted to possess, use or manufacture alcohol on its premises. The use of controlled substances remains prohibited in both EHS and NYFA alcohol and drug policies.
- To promote compliance with existing and new alcohol and other drug policies, new AOD prevention programming for residents of the EHS residential facility will be introduced and attendance of selected programs will be deemed mandatory.

## BIENNIAL REVIEW SIGNATURE PAGE

I have reviewed and approved the contents of the 2018-2020 NYFA Biennial Review.



---

**Michael Young**  
President

---

**Date**

I have reviewed and approved the contents of the 2018-2020 NYFA Biennial Review.



---

**David Klein Senior**  
Senior Executive Vice President, Chief Operations Officer

---

**Date**

# APPENDIX

## Appendix A

### **NYFA Drug and Alcohol Policy for Students**

New York Film Academy is committed to providing and sustaining for students, faculty and staff, a safe, healthy, and supportive environment conducive to optimum professional and personal growth and development.

In compliance with this objective and in accordance with United States Department of Education Drug Free Schools and Communities Act Amendment of 1989, Public Law 101-226, this document, distributed annually, informs students, faculty and staff of: 1) NYFA's institutional policies and standards of conduct related to alcohol and drugs, 2) the disciplinary sanctions under NYFA conduct policies for violations of standards of conduct related to use of alcohol and drugs, 3) legal sanctions and penalties related to the alcohol and drugs based on federal, state and local laws, 4) the health risks associated with alcohol and drug use, and 5) resources for help and treatment for the treatment of substance abuse and addiction.

### **NYFA Standards of Conduct Related to Alcohol and Drugs**

The following is strictly prohibited on NYFA premises and NYFA affiliated facilities (i.e. residence halls operated by a contracted agency) and while attending in person and/or online NYFA activities, events, workshops and curricula and co-curricular projects:

- Use, possession, sale, distribution and/or manufacture of alcoholic beverages, acting as an accessory, liaison, or facilitator for any of the above, except at a time, location, and circumstance expressly permitted by NYFA and federal regulations
- Use, possession, sale, distribution and/or manufacture of narcotics or other illicit and/or controlled substances (including medical marijuana) or acting as an accessory, liaison, or facilitator for any of the above
- The misuse of legal pharmaceutical drugs
- Use or possession of drug-related paraphernalia
- Being under the influence, impairment, or being unable to care for one's own safety as pertains to use of alcohol and/or controlled substances and misuse of legal pharmaceutical drugs
- Possession, production, or provision of false ID

- Operating a motor vehicle while under the influence of alcohol or illicit drugs
- Administering drugs to individuals against their will and/or without their knowledge or consent
- Furnishing alcohol to a person under the age of 21
- Violating other federal, state and local laws regarding alcohol, tobacco, and controlled substances
- The smoking of tobacco, including the use of vaporizers and e-cigarettes, in indoor locations on NYFA campuses, outdoor locations not designated as smoking areas, and in attendance of NYFA and NYFA related in-person and online activities and events

### **NYFA Disciplinary Sanctions for Violating Standards of Conduct for Alcohol and Drugs**

Students violating NYFA institutional policies and codes of conduct related to alcohol and drugs will be subject to disciplinary action. Disciplinary actions(s) will be determined by the nature and severity of the behaviors in violation of the policies and conduct codes; mitigating and aggravating factors will also be considered in the determination of appropriate sanctioning. Possible sanctions for students violating the above-mentioned policies and codes of conduct include, in ascending order of severity, conduct warnings, educational trainings and/or assignments, fines, community service, parental notification, mandated off-campus substance abuse assessment, probation, suspension, and expulsion.

### **Medical Amnesty Policy**

NYFA values, first and foremost, the health and safety of its students. Students in medical crises and students directly responsible for securing medical assistance to address a students' medical crisis resulting from alcohol and/or drug abuse or misuse may be granted medical amnesty. Amnesty may eliminate or significantly mitigate sanctions associated with violations of the NYFA student code of conduct in regard to drug use, sharing prescription medications, underage consumption of alcohol, and possession and distribution of alcoholic beverages.

## Legal Sanctions and Penalties

### Federal Laws:

Alcohol: Federal law establishes 21 as the national minimum drinking age. Only persons of legal age ( 21 years or older) may possess or consume alcoholic beverages.

Drugs: Federal drug laws, including the Controlled Substances Act, regulate the possession, trafficking, and manufacturing of drugs. Even though states have their own laws on drugs, federal laws supersede drug laws- including those regarding the medical/recreational use of marijuana. (Source: <https://www.recovery.org/topics/guide-us-drug-laws/#federal-drug-laws>)

It is a criminal offense under Federal law to manufacture, distribute, dispense or possess with intent to manufacture, distribute or simply possess a controlled substance, including marijuana. The sanctions for violation of these laws depend upon the particular offense and aggravating factors, such as the type and quantity of drugs involved. Factors considered to determine both drug classifications (controlled substances are classified as schedule I to 5) and penalties include the drug's potential for abuse, psychological and/or physiological dependence, scientific evidence regarding the drug's pharmacologic effects, public health risks, reported incidence of widespread abuse. These sanctions include fines, assigned community service, loss of federal student financial aid eligibility and imprisonment. For a detailed description of federal trafficking penalties please refer to Appendix 1 (Source: <http://www.usdoj.gov/dea/agency/penalties.htm> )

Prescription drugs are considered controlled substances. Being in possession of prescription drugs prescribed for another is a violation of federal law in exactly the same way as possession of marijuana and cocaine are violations of federal law.

The unlawful **selling** of prescription drugs is a felony; sanctions range from fines to incarceration.

**Sharing** prescription drugs is also unlawful. It is a criminal offense for a parent to share his/her prescribed medication, such as Xanax, with a daughter or son. Likewise, it is a criminal offense for a student to share (or sell) his/her/their own prescribed pills of Adderall with a fellow student.

NYFA recognizes federal laws over state laws in defining illegal drugs. The use, possession, sale or distribution of any schedule 1 drug, such as marijuana, on campus or at a school related activity constitutes a violation is cause for disciplinary action. Schedule 1 drugs include, but are not limited to: marijuana, MDMA, heroin, psilocybin, and GHB.

F1 International Students: An international student arrested for an alcohol or drug related crime risks having his/her/their visa revoked. In most instances, an international student will be able to remain in the US; travel outside of the US, however, would require the student to apply for a new F1 student visa to

reenter the US. There is a risk the visa could be denied or the student may be required to take alcohol/drug prevention related classes before a visa is approved. An arrest may also impact a student's application for Post-Completion Optional Practical Training. NYFA advises all international students to immediately seek advice from an immigration attorney if arrested.

Students Receiving Federal Financial Aid: If student receiving federal financial aid and, during the time of receiving federal aid, the student is convicted of violation(s) of federal or state laws related to the possession of sale of drugs, the student will be ineligible for a period of time determined by the nature and frequency of the offence. A student regains eligibility the day after the period of ineligibility ends, or when he/she/they successfully completes a qualified drug rehabilitation program that includes passing unannounced drug tests given by such a program. For additional and guidance, students are encouraged to consult directly with NYFA Financial Aid ([financialaid@nyfa.edu](mailto:financialaid@nyfa.edu))

## State Law

### New York: Alcohol

The following are illegal actions, punishable as violation of NY State Law:

- The possession of alcohol by a person under age 21 unless the minor is accompanied by a parent or guardian.
- Purchasing, furnishing, serving alcohol to a minor. Violation of NY State Law 260.20 9d is a class A misdemeanor punishable by a sentence of imprisonment up to one year.
- Possession, production or provision of a false ID, may be considered: Forgery in the 2nd degree D Felony (punishable by imprisonment up to 7 years and a fine of no higher than \$5,000); Possession of a Forged Instrument 2nd degree D Felony (punishable by imprisonment up to 7 years for first time offenders); Criminal Impersonation 2nd degree A Misdemeanor (punishable by imprisonment up to 1 year, 3 years probation); or False Personation B Misdemeanor Forgery in the 2nd degree D Felony faces (punishable by imprisonment up to 3 months and a fine no more than \$500 dollars).
- It is a violation of NY State Penal Law 260.21(3) to sell tobacco products to any person under the age of 18. This is class B misdemeanor and punishable by imprisonment up to three months.



New York: Drugs

According to NY Penal Law, Article 240.40, ( Appearance in public under the influence of narcotic drugs other than alcohol), it is a violation of NY State law to appear in public under the influence of narcotic drugs other than alcohol to the degree that a person may endanger themselves or other persons or property, or annoy other persons in their vicinity; this offense is civil violation and punishable by fine and imprisonment up to 15 days.

Marijuana:

Penal Law Section 220; Public Health Code Sections 3306, 3307

**POSSESSION**

Up to 28 grams	civil violation that incurs fine up to \$50 but no jail time.
28 grams -2 ounces	civil violation that incurs fine up to \$200 but no jail time.
2 - 8 ounces	up to one year in jail and/or \$1000 fine
8 - 16 ounces	up to 4 years in prison and/or up to \$5000 fine (mandatory prison time for second offenses)
16 ounces – 10 pounds	up to 7 years in prison and/or up to \$5,000 fine (mandatory prison time for second offenses)

**SALE**

Up to two grams (1 marijuana cigarette) without payment	up to 3 months in jail and /or up to \$500 fine
Cultivating or selling up to 25 grams	up to 1 year in jail and/or up to \$1,000 fine
More than 25 grams to four ounces	up to 4 years in prison and/or up to \$5,000 fine
4 ounces to 1 pound	up to 7 years in prison and/or up to \$5,000 fine
Selling any amount to a minor	up to 7 years in jail and/or up to \$5,000 fine

All other NYS laws regarding alcohol and other drugs can be viewed on the New York State Legislature website: <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY-LAWS>

### California: Alcohol

The following are illegal actions, punishable as violation of CA State Law:

- The possession of alcohol by a person under age 21 unless the minor is accompanied by a parent or guardian.
- Business and Professions Code 25658 makes it a misdemeanor in California to sell or furnish alcohol to a minor (someone under the state legal drinking age of 21). The misdemeanor penalties for this crime are up to one (1) year in county jail, and/or a fine of up to one thousand dollars (\$1,000)
- California Penal Code 470b makes it a crime to either display or possess any fake identification, with the intent to use that fake ID. The misdemeanor penalties for this crime are up to one (1) year in county jail, and/or a fine of up to one thousand dollars (\$1,000). The potential felony penalties are sixteen (16) months, two (2) years or three (3) years' imprisonment, and/or a fine of up to ten thousand dollars (\$10,000).
- Operating a motor vehicle with a BAC level higher than 0.08 (21 years or older), 0.01 or higher (21 years or younger). According to CA State Vehicle and Traffic Law 1192, persons drinking while intoxicated may be subject to suspension or revocation of driving privileges in the state as well as fines up to \$1,000 and imprisonment up to one year.

A first offense (without bodily injury) is punishable by nearly \$2,000 in fines and assessments, 48 hours in jail, several months of license suspension, and completion of a three-month alcohol education program. If you commit a third or subsequent DUI offense within a 10-year period, you may be sentenced to as many as 16 months in state prison, roughly \$18,000 in fines and assessments, and the requirement of a 30-month alcohol treatment program. Understanding the law will not only help you avoid committing a DUI, but also help you plan your next steps if you have been arrested for the offense.

The following chart lays out the basics of California DUI law, including blood alcohol concentration (BAC) limits, penalties, and information about license suspension.

<b>California DUI Laws: Blood Alcohol Concentration (BAC) Limits and Implied Consent</b>	
"Per Se" BAC Limit	<b>0.08 Percent</b>
Zero Tolerance (Underage) BAC Limit	<b>0.02 Percent</b>
Enhanced Penalty (Aggravated) BAC Limit	<b>0.16 Percent</b>
<b>California DUI Laws: Select Penalties</b>	
Minimum License Suspension or Revocation (1st, 2nd, 3rd offense)	<b>6 months, 2 years, up to 10 years</b>
Mandatory Alcohol Education, Assessment and Treatment	<b>Both (education if under 21)</b>
Vehicle Confiscation Possible?	<b>Yes</b>

### California: Drugs

Below you will find key provisions of California's drug possession laws.

Statutes	California Health and Safety Code Division 10, Chapter 6, Sections 11350-11651 et. seq. (Uniform Controlled Substances Act)
Penalties	<b>Possession of Controlled Substances, Not Marijuana</b>
	<p>After Prop 47, following crimes are punished as misdemeanors only, with penalties including up to one year in the county jail, not state prison:</p> <ul style="list-style-type: none"> <li>• Schedule I opiates, opium derivatives, cocaine base, mescaline, peyote, or synthetic cannabis (including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers)</li> <li>• Schedule II narcotics or opiates</li> <li>• Schedule III hallucinogens, and</li> <li>• Schedule III, IV or V</li> </ul> <p><b>Possession of Marijuana</b></p>
	<ul style="list-style-type: none"> <li>• Possession of more than 28.5 grams of marijuana, other than concentrated cannabis, is punishable by incarceration of up to 6 months, a fine of not more than \$500, or both</li> <li>• Possession of not more than 28.5 grams of marijuana, legal for those 21 and over, an infraction for those 18 and under (mandatory drug education course and</li> </ul>

	community service)
	<b>Possession of Concentrated Cannabis</b>
	Possession of up to 8 grams of concentrated cannabis is legal, over 8 grams is punishable by incarceration of up to 1 year, a fine of up to \$500, or both

**Marijuana:**

The basics of California marijuana laws are highlighted in the table below.

<b>Statute(s)</b>	Business & Professions Code Sections 26000, et seq. Health & Safety Code Sections 11000, et seq.; 11357, et seq.; 11362.7, et seq.
<b>Possession</b>	<ul style="list-style-type: none"> <li>• Those 21 and over may possess up to 28.5 grams of cannabis, or up to 8 grams of concentrated cannabis. It's an infraction for those under 21.</li> <li>• Those 18 and over who possess more than 28.5 grams of cannabis, or more than 8 grams of concentrated cannabis, may be imprisoned in county jail for up to 6 months and/or fined up to \$500.</li> </ul>
<b>Sale</b>	<ul style="list-style-type: none"> <li>• Sale by someone who does not possess a license to sell cannabis is a misdemeanor, which can result in up to 6 months in jail and/or fines up to \$500.</li> <li>• A person who engages in commercial cannabis activity without a license will be subject to civil penalties of up to three times the amount of the license fee for each violation, with each day of operation constituting a separate violation.</li> </ul>
<b>Additional Limitations</b>	There are additional limitations to smoking and possessing marijuana even if a person is over 21. The limitations include (but are not limited to) smoking or ingesting cannabis in public, (except in accordance with § 26200 of the Business & Professions Code), smoking/ingesting while operating a vehicle, and possessing an open container while operating or riding as a passenger in a vehicle.

## Florida: Alcohol

### Zero Tolerance for Drivers under 21:

Florida has a Zero Tolerance law for drivers under 21. This means that any driver under 21 that is stopped by law enforcement and has a blood alcohol level of .02 or higher will automatically have their Florida drivers license suspended for 6 months. The .02 limit really means that you cannot have a single drink and drive. And that's the idea.

For drivers over 21 the legal limit in Florida is .08. Regardless of your age be aware that drinking and driving is considered a serious offense. Below we have summarized the penalties in the state of Florida for a first offense DUI, but the average cost including legal defense, fines, and auto insurance increases is \$8000.

The following are illegal actions, punishable as violation of FL State Law:

- The possession of alcohol by a person under age 21 is unlawful.
- Florida Statutes S. 562.111 makes it a first-degree misdemeanor in Florida to sell or furnish alcohol to a minor (someone under the state legal drinking age of 21). The misdemeanor penalties for this crime are up to one (1) year in county jail, and/or a fine of up to one thousand dollars (\$1,000). Second or subsequent offense, is a mandatory revocation period of two (2) years
- Florida Statutes S. 322.212 makes it a crime to either display or possess any fake identification, with the intent to use that fake ID. The felony penalties for this crime are up to five (5) years in county jail, and/or a fine of up to one thousand dollars (\$5,000). This is the current law and was amended, effective October 1, 1997.
- Operating a motor vehicle with a BAC level higher than 0.08 (21 years or older), 0.01 or higher (21 years or younger) According to FL State Vehicle and Traffic Law 1192, persons drinking while intoxicated may be subject to suspension or revocation of driving privileges in the state as well as fines up to \$1,000 and imprisonment up to one year.

Here are the minimum jail sentences for a first, second, and third DUI conviction in Florida:

### First Offense DUI:

A misdemeanor with penalties that include:

- Up to 6 months imprisonment
- 1 year probation (combined with imprisonment)
- \$250 to \$500 fine

- 6 months to 1 year license suspension
- Community service (at least 50 hours)
- Substance abuse course (DUI school)
- Vehicle impoundment for 10 days

First Offense DUI, Enhanced Penalties:

A DUI with a BAC over .15 or accompanied by a minor in the vehicle include the above penalties with these changes:

- Up to 9 months imprisonment
- \$1000 to \$2000 fine
- Interlock Ignition Device on all vehicles for up to 6 months

Second Offense DUI in More than 5 Years:

A misdemeanor with penalties that include:

- Up to 9 months imprisonment
- Up to 1 year probation
- \$500 to \$1000 fine
- 6 months to 1 year license suspension
- Substance abuse course (DUI school)
- Vehicle impoundment for 10 days
- Interlock Ignition Device on all vehicles for 1 year

Florida: Drugs

Florida Marijuana Laws Overview:

November 2017, Florida passed Amendment 2, or the Use of Marijuana for Debilitating Medical Conditions ballot, allowing medical marijuana to be cultivated and dispensed to qualified patients.

A qualifying patient must qualify with a debilitating medical condition. Conditions accepted are listed as follows:

- Cancer
- Epilepsy
- Glaucoma
- HIV/AIDS, PTSD
- ALS, Crohn's Disease
- Parkinson's Disease
- Multiple Sclerosis

- Any other debilitating medical condition of similar nature where a physician feels marijuana would benefit the patient.

Any patient with a qualifying medical condition must first obtain a physician certification. A physician certification is a written document from a licensed doctor stating the validity of the patient's debilitating medical condition, the doctor's professional opinion that marijuana use would outweigh potential health risks for the patient and the recommended duration of medical marijuana use.

While some other states have experimented with marijuana legalization and decriminalization, marijuana remains illegal in Florida unless being used in medicinal cases. Possession of small amounts of marijuana is a crime in the State of Florida, albeit having less than 20 grams on you is a misdemeanor. While the option of drug diversion programs may be available for some first-time offenders with no criminal history, it's still a criminal offense.

Code Section	Florida Statute 893.13, et seq.
Possession	<ul style="list-style-type: none"> <li>• Under 20 grams: 1st degree misdemeanor; up to 1 year jail, fine</li> <li>• Over 20 grams to 25 lbs or under 300 plants: up to 5 years jail, fine</li> <li>• In excess of 25 lbs. is trafficking (1st degree felony)</li> </ul>
Sale	<ul style="list-style-type: none"> <li>• 3rd degree felony, unless less than 20 g. for no consideration, then 1st degree misdemeanor: penalty as in §§775.082, 083, 084;</li> <li>• Subsequent offense: 15 yrs.</li> </ul>
Trafficking	<p>All sentencing done pursuant to sentencing guidelines:</p> <ul style="list-style-type: none"> <li>• 25-2000 lbs.: mandatory \$25,000 and 3 yrs.;</li> <li>• 2000-10,000 lbs.: mandatory \$50,000 and 7 yrs.;</li> <li>• Over 10,000 lbs.: 15 yrs. and mandatory \$200,000</li> </ul>

### **Health Risks Associated with the Misuse of Alcohol and Other Drugs**

Drinking excessively- over time or on a single occasion- can negatively impact one's health and wellbeing. Consuming very high doses of alcohol in the course of a defined period of time can cause respiratory depression, unconsciousness and, possibly, death. Moderate to heavy alcohol consumption over the course of a defined period of time may cause changes in cognition and behavior, such as disorientation, confusion, emotional lability, impaired judgment and coordination, and impairment in fine motor control,

vision, speech, and hearing. Prolonged heavy use of alcohol can lead to physiological dependence, increased risk of certain cancers, liver disease, and death. Other consequences of alcoholism or prolonged heavy alcohol abuse are unemployment, financial loss, incarceration and other legal problems, and the dissolution of relationships with loved ones, family members and friends.

Underage drinking is associated with risky behaviors such as unsafe sexual activity, driving when under the influence, and experiencing or engaging in violent behavior. Each year, in the US, alcohol related injuries (homicide, suicide, and unintentional injury) cause 5,000 deaths among people under age 21. Also, individuals who begin drinking before age 21 increase their risk of developing alcohol use disorders. ( Source: <https://www1.nyc.gov/site/doh/health/health-topics/underage-drinking.page> )

For all individuals, the more drinks consumed in one day and the greater number of days of moderate to heavy drinking, the greater is the risk for: accidents and injuries, committing or being the victim of acts of violence, suicide, cancers of the mouth, throat, esophagus, liver, breast and colon, hypertension, and depression, dementia and other health disorders.

More specifically, one's physical health and functioning is jeopardized as a result of excessive drinking. Alcohol interferes with the brain's communication pathways, causing negative changes in mood and behavior and compromising cognition and motor coordination. Excessive drinking has been linked to increased risk of cardiomyopathy, arrhythmias, stroke and high blood pressure. Liver disease can also result from excessive alcohol consumption, causing steatosis or fatty liver, alcoholic hepatitis, fibrosis, and cirrhosis. Alcohol causes the pancreas to produce toxic substances that can lead to pancreatitis, a condition that can be associated with life-threatening complications. (Source: National Institute on Alcohol Abuse and Alcoholism: <https://www.niaaa.nih.gov/alcohol-health-effects-body>)

What constitutes excessive drinking and risk depends on an individual's weight, gender, age, genetic predisposition for addictive disorders and behaviors, and various other factors. For example, lower-risk drinking limits for men are no more than 4 drinks on any day and no more than 14 drinks per week. Lower-risk drinking for women is no more than 3 drinks on any day and no more than 7 drinks per week. One drink is defined as 12 fl. Oz of beer, 8-9 fl. Oz of malt liquor, 5 fl oz. of wine, or a 1.5 fl oz of distilled spirits. For a more personalized assessment of individual risk related to the amount and type of alcohol consumed, the duration of time drinking, age, gender, and weight (though not incorporating variables of metabolic rate, body fat percentage, and current medications), access the Blood Alcohol Calculator by clicking on the following link:

<https://www.healthstatus.com/calculate/blood-alcohol-bac-calculator>

That said, any amount of drinking may pose health risks for individuals who are pregnant and individuals diagnosed with hepatitis or liver disease. An alcohol-exposed pregnancy may lead to the birth of a child with Fetal Alcohol Syndrome Disorder. Drinking alcohol when living with hepatitis or liver disease increases the risk for developing fibrosis and liver cancer. (Source: <https://www1.nyc.gov/site/doh/health/health-topics/alcohol-and-drug-use-alcohol-and-health.page>)



The use of illicit drugs, the misuse of prescription medication, and using drugs in combination with alcohol are associated with short and long term health consequences. The charts below (excerpted from <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts> published by the NIH National Institute on Drug Abuse) illustrate the health effects of commonly abused substances. For information regarding illicit and misused substances not listed below, please click on the above link.

Health Risks of Alcohol and Benzodiazepines:

Health risks associated with the combined use of Benzodiazepines (most commonly used “Benzos” are xanax, klonopin, ativan, commonly used for the treatment of anxiety) and alcohol are as follows. Because this medication acts on the same receptors as alcohol, when used in combination, the effects of both drugs are enhanced and risk increased for unpredictable effects, overdose, developing an addiction, acute physical illness.

Possible Health Effects of Depressants (benzodiazepines, barbiturates, sleep medications ie. Xanax, Valium, Ativan, Lunesta, Ambien)	
Short-term	Drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing.
Long-term	Unknown.
Other Health-related issues	Sleep medications are sometimes used as date rape drugs. Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Further slows heart rate and breathing, which can lead to death.
Withdrawal Symptoms	Must be discussed with a health care provider; barbiturate withdrawal can cause a serious abstinence syndrome that may even include seizures.

Possible Health Effects of Prescription Stimulants (Adderall, Concerta, Ritalin)	
Short-term	Increased alertness, attention, energy; increased blood pressure and heart rate;

	narrowed blood vessels; increased blood sugar; opened-up breathing passages.  High doses: dangerously high body temperature and irregular heartbeat; heart disease; seizures.
Long-term	Heart problems, psychosis, anger, paranoia.
Other Health-related issues	Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Masks the depressant action of alcohol, increasing risk of alcohol overdose; may increase blood pressure.
Withdrawal Symptoms	Depression, tiredness, sleep problems.

Possible Health Effects of Cocaine	
Short-term	Narrowed blood vessels; enlarged pupils; increased body temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy, alertness; insomnia, restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, psychosis; heart rhythm problems, heart attack; stroke, seizure, coma.
Long-term	Loss of sense of smell, nose bleeds, nasal damage and trouble swallowing from snorting; infection and death of bowel tissue from decreased blood flow; poor nutrition and weight loss; lung damage from smoking.
Other Health-related issues	Pregnancy: premature delivery, low birth weight, deficits in self-regulation and attention in school-aged children prenatally exposed.  Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Greater risk of cardiac toxicity than from either drug alone.
Withdrawal Symptoms	Depression, tiredness, increased appetite, insomnia, vivid unpleasant dreams, slowed thinking and movement, restlessness.

Possible Health Effects of Heroin	
Short-term	Euphoria; dry mouth; itching; nausea; vomiting; analgesia; slowed breathing and heart rate.
Long-term	Collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.
Other Health-related issues	Pregnancy: miscarriage, low birth weight, neonatal abstinence Syndrome.  Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Dangerous slowdown of heart rate and breathing, coma, death.
Withdrawal Symptoms	Restlessness, muscle and bone pain, insomnia, diarrhea, vomiting, cold flashes with goosebumps ("cold turkey").

Possible Health Effects of MDMA (Ecstasy; Molly)	
Short-term	Lowered inhibition; enhanced sensory perception; increased heart rate and blood pressure; muscle tension; nausea; faintness; chills or sweating; sharp rise in body temperature leading to kidney failure or death.
Long-term	Long-lasting confusion, depression, problems with attention, memory, and sleep; increased anxiety, impulsiveness; less interest in sex.
Other Health-related issues	Unknown.
In Combination with Alcohol	MDMA decreases some of alcohol's effects. Alcohol can increase plasma concentrations of MDMA, which may increase the risk of neurotoxic effects.
Withdrawal Symptoms	Fatigue, loss of appetite, depression, trouble concentrating.

Possible Health Effects of Psilocybin (Mushrooms)	
Short-term	Hallucinations, altered perception of time, inability to tell fantasy from reality, panic, muscle relaxation or weakness, problems with movement, enlarged pupils, nausea, vomiting, drowsiness.
Long-term	Risk of flashbacks and memory problems.
Other Health-related issues	Risk of poisoning if a poisonous mushroom is accidentally used.
In Combination with Alcohol	May decrease the perceived effects of alcohol.
Withdrawal Symptoms	Unknown.

Possible Health Effects of Marijuana	
Short-term	Enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; anxiety.
Long-term	Mental health problems, chronic cough, frequent respiratory infections.
Other Health-related issues	Youth: possible loss of IQ points when repeated use begins in adolescence.  Pregnancy: babies born with problems with attention, memory, and problem solving.
In Combination with Alcohol	Increased heart rate, blood pressure; further slowing of mental processing and reaction time.
Withdrawal Symptoms	Irritability, trouble sleeping, decreased appetite, anxiety.

Possible Health Effects of Prescription Opioids	
Short-term	Pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death.
Long-term	Increased risk of overdose or addiction if misused.
Other Health-related issues	<p>Pregnancy: Miscarriage, low birth weight, neonatal abstinence syndrome.</p> <p>Older adults: higher risk of accidental misuse because many older adults have multiple prescriptions, increasing the risk of drug-drug interactions, and breakdown of drugs slows with age; also, many older adults are treated with prescription medications for pain.</p> <p>Risk of HIV, hepatitis, and other infectious diseases from shared needles.</p>
In Combination with Alcohol	Dangerous slowing of heart rate and breathing leading to coma or death.
Withdrawal Symptoms	Restlessness, muscle and bone pain, insomnia, diarrhea, vomiting, cold flashes with goosebumps ("cold turkey"), leg movements.

Possible Health Effects of Synthetic Cannabinoids	
Short-term	Increased heart rate; vomiting; agitation; confusion; hallucinations, anxiety, paranoia; increased blood pressure.
Long-term	Unknown.
Other Health-related issues	Use of synthetic cannabinoids has led to an increase in emergency room visits in certain areas.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Headaches, anxiety, depression, irritability.

Possible Health Effects of Tobacco ( cigarettes, cigars, hookahs, smokeless tobacco)	
Short-term	Increased blood pressure, breathing, and heart rate.
Long-term	Greatly increased risk of cancer, especially lung cancer when smoked and oral cancers when chewed; chronic bronchitis; emphysema; heart disease; leukemia; cataracts; pneumonia.
Other Health-related issues	Pregnancy: miscarriage, low birth weight, stillbirth, learning and behavior problems.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Irritability, attention and sleep problems, depression, increased appetite.

Possible Health Effects of Counterfeit Drugs:

The leading cause of death for people in America under the age of 50 is drug overdose. A significant portion of overdose deaths are a result of counterfeit drugs that have been spiked with much stronger drugs, such as Fentanyl, an opioid 25 to 40 times stronger than heroin. These fake pills may look identical to their genuine counterparts, even though they may have the wrong ingredients, additional ingredients, or contain a potentially lethal drug. Counterfeit drugs are not only found on the streets, but are often purchased through seemingly legitimate online pharmacies. If you buy pills without a prescription, you will not know what drugs or substances you are consuming.

Possible Health Effects of Designer Drugs

Designer drugs, such as Spice and Molly (ecstasy) are made in laboratories with chemical ingredients that vary from lab to lab. Most of the chemicals used are labeled “not for human consumption”. Often, the varying formulas used cause a different effect or reaction than what a person is expecting. For example, Spice is often marketed as “synthetic marijuana” but the chemical make-up bears no resemblance to marijuana and causes an entirely different effect. Spice can increase heart rate and reduce blood flow to the heart, thus raising blood pressure. It has been linked to heart attacks and death. Individuals who use Spice may experience symptoms of withdrawal and addiction. Molly is dangerous as well due to its diverse array of toxic chemicals. It may cause a euphoric high, rapid heartbeat, high blood pressure, sweating, and irregular heartbeat. These drugs may cause panic attacks and psychosis; after they wear off they may cause deep depression.

## Resources for Guidance and Treatment

NYFA supports and encourages students, staff and faculty experiencing mild to severe problems related to misuse or abuse of alcohol and other drugs as soon as a problem is recognized. Early detection and intervention is correlated with positive treatment outcomes. Yet individuals with even severe and chronic substance abuse disorders can learn to healthily manage their addiction and lead healthy, happy, and productive lives with the appropriate treatment and the ongoing support of family members, friends, and others committed to recovery.

*On Campus Resources for Students in LA, SOBE, and NY:*

### For Students in SOBE:

All students enrolled at NYFA South Beach are eligible to participate in free, confidential, time-limited counseling services. To schedule an appointment with SOBE Counseling Services, , please email [sobecounseling@nyfa.edu](mailto:sobecounseling@nyfa.edu).

### For Students in LA:

Free and confidential short-term counseling services are available to all enrolled NYFA students for a wide range of concerns such as anxiety, depression, sexual assault and abuse, addictive behavior, PTSD, anger, domestic violence, sexual and gender identity, eating concerns, homesickness, and adjustment issues.

NYFA LA Counseling Services provides free, short-term individual counseling with licensed therapists to address a range of concerns such as , one-on-one addiction counseling with an on-site addiction counselor, and referral services to psychiatry, specialty programs, and long term counseling. In addition, NYFA LA Counseling Services offers a weekly Stress and Anxiety Group, LGBTQ Group, and a Women's Sexual Assault Survivor Group. Counseling Services also provides weekly meditation classes for students and faculty/staff.

To schedule an appointment with LA Counseling Services, please email [counselingLA@nyfa.edu](mailto:counselingLA@nyfa.edu) or click [here](#) to schedule an appointment. For addiction counseling, please contact [Susan.bowling@nyfa.edu](mailto:Susan.bowling@nyfa.edu).

For Students in NY:

All students enrolled in New York NYFA short and long term programs are eligible to participate in free, confidential, time limited counseling services. The NYFA School Therapist provides assessment, individual psychotherapy or referrals as needed, to an outside certified substance abuse provider or specialty treatment program. To schedule an appointment with NYFA NY Counseling Services, please email, [counseling@nyfa.edu](mailto:counseling@nyfa.edu) or click here to schedule an appointment.

*Off Campus Resources for Students, Faculty and Staff*

**New York:**

The following link offers a comprehensive list of New York based support groups- Alcohol Anonymous, Alateen, Alanon, and Narcotics Anonymous--as well as informational resources regarding alcohol and drug related disorders and treatment options.

<https://www1.nyc.gov/site/thrivelearningcenter/resources/substanceuse.page>

The following is a sampling of the self-help and resource organizations which are located in New York and which offer services or referral information at little or no cost.

Al-Anon	212-941-0094	<a href="http://nycalanon.org/">http://nycalanon.org/</a>
Alcoholics Anonymous Inter-Group	212-647-1680	<a href="http://www.nyintergroup.org/">http://www.nyintergroup.org /</a>
Alcoholism Council of New York	212-252-7001	<a href="http://www.alcoholism.org/">http://www.alcoholism.org/</a>
Cocaine Anonymous	800-347-8998	<a href="http://www.ca.org/">http://www.ca.org/</a>
Marijuana Anonymous (12-Step Program)	212-459-4423	<a href="http://www.ma-newyork.org/">http://www.ma-newyork.org/</a>
Nar-Anon	800-984-0066	<a href="http://www.nar-anon.org">http://www.nar-anon.org</a>
Narcotics Anonymous	212-929-6262	<a href="http://newyorkna.org/">http://newyorkna.org/</a>



### Local Treatment Centers for Adults and/or Adolescents

The New York State Office of Alcoholism and Substance Abuse Services (OASAS) provides services for the prevention, treatment and recovery from alcohol, drugs and /or other addictions.

For more information, visit their website: <http://www.oasas.ny.gov> or call the toll-free OASAS HOPEline at 1-877-846-7639 to speak with a trained medical professional.

HOPEline staff can answer your questions and help you find treatment 24/7. All calls are confidential.

In addition, there are numerous private substance abuse treatment programs and facilities, located in New York City and New Jersey, offering a variety of alcohol and drug treatment services. Most require payment or appropriate medical insurance. Individuals are encouraged to contact their insurance providers for information regarding their substance abuse benefits as well as treatment referrals to outpatient, intensive outpatient, and inpatient services.

- Integrity House  
32 Central Avenue  
Jersey City, NJ 07306  
<https://integrityhouse.org>
- The Freedom Institute  
212-838-0044  
Programs for families, adolescents and adults  
<http://www.freedominstitute.org>
- Center for Optimal Living  
370 Lexington Avenue, Suite 500, NY, NY 10017  
212-213-8905  
<http://centerforoptimalliving.com>
- The Phoenix House  
Comprehensive treatment options for families, adults and adolescents  
Accepts Medicaid  
1-888-671-9392  
<https://www.phoenixhouse.org/locations/new-york/>
- Addiction Institute of Mount Sinai  
Detox, Rehabilitation, Outpatient services  
Multiple locations  
<http://icahn.mssm.edu/research/addiction-institute/about>

#### Veteran Resources:

- Steven A. Cohen Military Family Clinic At NYU Langone  
855-698-4677  
<https://nyulangone.org/conditions/areas-of-expertise/mental-behavioral-health>
- Manhattan Vet Center  
32 Broadway, Suite 200  
New York, NY 10004  
212-951-6866

#### Telephone Resources/24 Hour Hotlines:

- NYC Well: 1-888-NYC-WELL OR 1.888.692.9355  
Free, confidential 24/7 help for stress, depression, anxiety, and alcohol and drug misuse.  
<https://nycwell.cityofnewyork.us/en/>
- Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline: 1-800-662-HELP (4357)  
[www.samhsa.gov/find-help/national-helpline](http://www.samhsa.gov/find-help/national-helpline)

Also known as, the Treatment Referral Routing Service, this Helpline provides 24-hour free and confidential treatment referral and information about mental and/or substance use disorders, prevention, and recovery in English and Spanish

- Veterans Crisis Line  
1-800-273-TALK (8255)  
[www.veteranscrisisline.net](http://www.veteranscrisisline.net)

#### **Los Angeles:**

The following links offer a list of national and international self-help support groups located in Los Angeles, as well as informational resources regarding alcohol and drug related disorders, offered at no cost.

- Alcoholics Anonymous  
A.A. is a self-help fellowship of people who gather in meetings to offer mutual support to others who have problems with alcohol use/dependence. To learn more, or to find a meeting:  
[https://www.aa.org/pages/en\\_US/find-aa-resources](https://www.aa.org/pages/en_US/find-aa-resources)

- Narcotics Anonymous  
N.A. is a self-help fellowship of people who gather in meetings to offer mutual support to others who have problems with drug use/dependence. To learn more, or to find a meeting:  
<https://www.na.org/meetingsearch/index.php>
- Refuge Recovery  
Refuge Recovery follows a Buddhist-oriented path to recovery for people who are using/dependent on substances. To learn more, or to find a meeting:  
<https://refugerecovery.org>
- SMART Recovery Meetings:  
SMART Recovery offers addiction recovery support groups facilitated by a trained professional. To learn more, or to find a meeting: <https://www.smartrecovery.org>

In addition, there are numerous private substance abuse treatment programs and facilities, located in Los Angeles, offering a variety of alcohol and drug treatment services. Most require payment or appropriate medical insurance. Individuals are encouraged to contact their insurance providers for information regarding their substance abuse benefits (also known as, behavioral health benefits) as well as treatment referrals to outpatient, intensive outpatient, and inpatient services.

- SAMHSA (Substance Abuse Mental Health Services Administration) Treatment Locator:  
<https://findtreatment.samhsa.gov/>
- MediCal Treatment Locator:  
<http://sapccis.ph.lacounty.gov/SBAT/>

### Veterans Resources

Veterans Alcohol and Drug Dependence Rehabilitation Program:

- <https://www.benefits.gov/benefit/307>
- <https://www.mentalhealth.va.gov/res-vatreatmentprograms.asp>

### **South Beach:**

- Miami Beach Holistic Addiction Treatment Center 309 23rd Street, Suite 200  
Miami Beach, 33139  
(888) 909-3123  
Mbhatic.com

- Summer House Detox Center  
13550 Memorial Highway  
Miami, FL 33161  
Open 24 Hours A Day, 7 Days a Week  
Phone: 888-338-6908  
[info@summerhousedetox.com](mailto:info@summerhousedetox.com)
- Adaptive Center  
1411 Coral Way Miami, Florida 33145  
(305) 400-9908  
1888-4484467

Additional Resources:

- Drug and Alcohol Rehabilitation by State (DRS)  
1-800-304-2219  
<https://www.addicted.org/miami-addiction-services-treatment.html>  
Call center offering assistance locating substance abuse services, detox services as well as insurance based providers in the state of Florida.
- Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline:  
1-800-662-HELP (4357)  
[www.samhsa.gov/find-help/national-helpline](http://www.samhsa.gov/find-help/national-helpline)

Veteran Resources:

- Veteran Affairs Miami Medical Center  
Outpatient Substance Abuse Clinic OSAC 1492 West Flagler Street  
Miami, FL 33135  
305-541-5864
- Miami VA Healthcare System  
Bruce W. Carter VA Medical Center 1201 NW 16th St. Miami, FL 33125  
305-575-3214  
305-575-7000 Ext. 3903

Telephone Resources/24 Hour Hotlines:

- Switchboard of Miami 305-358-4357

## Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment.
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		
<b>PENALTIES</b>				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gm or more	<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Flunitrazepam (Schedule IV)	30 to 999 mgs	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 30 mgs	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

## Federal Trafficking Penalties - Marijuana

DRUG	QUANTITY	1 <sup>st</sup> OFFENSE	2 <sup>nd</sup> OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 20 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$8 million if an individual, \$20 million if other than an individual</li> </ul>
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>Not less than 5 years, not more than 40 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$2 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture  more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>Not more than 20 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 30 years</li> <li>If death or serious injury, mandatory life</li> <li>Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>Not more than 5 years</li> <li>Fine not more than \$250,000, \$1 million other than individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 10 years</li> <li>Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

Source: <http://www.usdoj.gov/dea/agency/penalties.htm>

## Appendix B

### NYFA Drug and Alcohol Policy for Employees

United States Department of Education Drug Free Schools and Communities Act Amendment of 1989, Public Law 101-226, this document, distributed annually, informs students, faculty and staff of: 1) NYFA's institutional policies and standards of conduct related to alcohol and drugs, 2) the disciplinary sanctions under NYFA conduct policies for violations of standards of conduct related to use of alcohol and drugs, 3) legal sanctions and penalties related to the alcohol and drugs based on federal, state and local laws, 4) the health risks associated with alcohol and drug use, and 5) resources for help and treatment for the treatment of substance abuse and addiction.

### NYFA Standards of Conduct Related to Alcohol and Drugs

The following is strictly prohibited on NYFA premises and NYFA affiliated facilities (i.e. residence halls operated by a contracted agency) and while attending in-person and online NYFA activities, events, workshops and curricula and co-curricular projects:

- Use, possession, sale, distribution and/or manufacture of alcoholic beverages, acting as an accessory, liaison, or facilitator for any of the above, except at a time, location, and circumstance expressly permitted by NYFA and federal regulations
- Use, possession, sale, distribution and/or manufacture of narcotics or other illicit and/or controlled substances (including medical marijuana) or acting as an accessory, liaison, or facilitator for any of the above
- The misuse of legal pharmaceutical drugs
- Use or possession of drug-related paraphernalia
- Being under the influence, impairment, or being unable to care for one's own safety as pertains to use of alcohol and/or controlled substances and misuse of legal pharmaceutical drugs
- Possession, production, or provision of false ID
- Operating a motor vehicle while under the influence of alcohol or illicit drugs
- Administering drugs to individuals against their will and/or without their knowledge or consent

- Furnishing alcohol to a person under the age of 21
- Violating other federal, state and local laws regarding alcohol, tobacco, and controlled substances
- The smoking of tobacco, including the use of vaporizers and e-cigarettes, in indoor locations on NYFA campuses, outdoor locations not designated as smoking areas, and in attendance of in-person and online NYFA related events

## **NYFA Disciplinary Sanctions for Violating Standards of Conduct for Alcohol and Drugs**

Faculty and staff violating NYFA institutional policies and codes of conduct related to alcohol and drugs will be subject to disciplinary action. Disciplinary actions(s) will be determined by the nature and severity of the behaviors in violation of the policies and conduct codes; mitigating and aggravating factors will also be considered in the determination of appropriate sanctioning. Possible sanctions for employees violating the above mentioned policies and standard code of conduct include, in ascending order of severity, written warnings, written reprimands, mandated substance abuse assessment, completion of an appropriate rehabilitation program, termination of employment, and referral for prosecution (depending on the severity of conduct).

## **Legal Sanctions and Penalties**

### Federal Laws:

Alcohol: Federal law establishes 21 as the national minimum drinking age. Only persons of legal age ( 21 years or older) may possess or consume alcoholic beverages.

Drugs: Federal drug laws, including the Controlled Substances Act, regulate the possession, trafficking, and manufacturing of drugs. Even though states have their own laws on drugs, federal laws supersede drug laws- including those regarding the medical/recreational use of marijuana. ( Source: <https://www.recovery.org/topics/guide-us-drug-laws/#federal-drug-laws>)

It is a criminal offense under Federal law to manufacture, distribute, dispense or possess with intent to manufacture, distribute or simply possess a controlled substance, including marijuana. The sanctions for violation of these laws depend upon the particular offense and aggravating factors, such as the type and quantity of drugs involved. Factors considered to determine both drug classifications (controlled substances are classified as schedule I to 5) and penalties include the drug's potential for abuse, psychological and/or physiological dependence, scientific evidence regarding the drug's pharmacologic



effects, public health risks, reported incidence of widespread abuse. These sanctions include fines, assigned community service, loss of federal student financial aid eligibility and imprisonment. For a detailed description of federal trafficking penalties please refer to Appendix 1 ( Source: <http://www.usdoj.gov/dea/agency/penalties.htm> ).

Prescription drugs are considered controlled substances. Being in possession of prescription drugs prescribed for another is a violation of federal law in exactly the same way as possession of marijuana and cocaine are violations of federal law.

The unlawful **selling** of prescription drugs is a felony; sanctions range from fines to incarceration.

**Sharing** prescription drugs is also unlawful. It is a criminal offense for a parent to share his/her prescribed medication, such as Xanax, with a daughter or son. Likewise, it is a criminal offense for an employee to share (or sell) his/her/their own prescribed pills of Adderall with a student or fellow employee.

NYFA recognizes federal laws over state laws in defining illegal drugs. The use, possession, sale or distribution of any schedule 1 drug, such as marijuana, on campus or at a school related activity constitutes a violation is cause for disciplinary action. Schedule 1 drugs include, but are not limited to: marijuana, MDMA, heroin, psilocybin, and GHB.

## State Law

### New York: Alcohol

The following are illegal actions, punishable as violation of NY State Law:

- The possession of alcohol by a person under age 21 unless the minor is accompanied by a parent or guardian.
- Purchasing, furnishing, serving alcohol to a minor. Violation of NY State Law 260.20 9d) is a class A misdemeanor punishable by a sentence of imprisonment up to one year.
- Possession, production or provision of a false ID, may be considered: Forgery in the 2nd degree D Felony (punishable by imprisonment up to 7 years and a fine of no higher than \$5,000); Possession of a Forged Instrument 2nd degree D Felony (punishable by imprisonment up to 7 years for first time offenders); Criminal Impersonation 2nd degree A Misdemeanor (punishable by imprisonment up to 1 year, 3 years probation); or False Personation B Misdemeanor Forgery in the 2nd degree D Felony faces (punishable by imprisonment up to 3 months and a fine no more than \$500 dollars).

- Operating a non-commercial motor vehicle with a BAC level higher than 0.08; According to NY State Vehicle and Traffic Law 1192, persons drinking while intoxicated may be subject to suspension or revocation of driving privileges in the state as well as fines up to \$1,000 and imprisonment up to one year.
- It is a violation of NY State Penal Law 260.21(3) to sell tobacco products to any person under the age of 18. This is class B misdemeanor and punishable by imprisonment up to three months.

New York: Drugs

According to NY Penal Law, Article 240.40, ( Appearance in public under the influence of narcotic drugs other than alcohol), it is a violation of NY State law to appear in public under the influence of narcotic drugs other than alcohol to the degree that a person may endanger themselves or other persons or property, or annoy other persons in their vicinity; this offense is civil violation and punishable by fine and imprisonment up to 15 days.

Marijuana:

Penal Law Section 220; Public Health Code Sections 3306, 3307

**POSSESSION**

Up to 28 grams	civil violation that incurs fine up to \$50 but no jail time.
28 grams -2 ounces	civil violation that incurs fine up to \$200 but no jail time.
2 - 8 ounces	up to one year in jail and/or \$1000 fine
8 - 16 ounces	up to 4 years in prison and/or up to \$5000 fine (mandatory prison time for second offenses)
16 ounces – 10 pounds	up to 7 years in prison and/or up to \$5,000 fine (mandatory prison time for second offenses)

## SALE

Up to two grams (1 marijuana cigarette) without payment	up to 3 months in jail and /or up to \$500 fine
Cultivating or selling up to 25 grams	up to 1 year in jail and/or up to \$1,000 fine
More than 25 grams to four ounces	up to 4 years in prison and/or up to \$5,000 fine
4 ounces to 1 pound	up to 7 years in prison and/or up to \$5,000 fine
Selling any amount to a minor	up to 7 years in jail and/or up to \$5,000 fine

All other NYS laws regarding alcohol and other drugs can be viewed on the New York State Legislature website: <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY-LAWS>

### California: Alcohol

The following are illegal actions, punishable as violation of CA State Law:

- The possession of alcohol by a person under age 21 unless the minor is accompanied by a parent or guardian.
- Business and Professions Code 25658 makes it a misdemeanor in California to sell or furnish alcohol to a minor (someone under the state legal drinking age of 21). The misdemeanor penalties for this crime are up to one (1) year in county jail, and/or a fine of up to one thousand dollars (\$1,000)
- California Penal Code 470b makes it a crime to either display or possess any fake identification, with the intent to use that fake ID. The misdemeanor penalties for this crime are up to one (1) year in county jail, and/or a fine of up to one thousand dollars (\$1,000). The potential felony penalties are sixteen (16) months, two (2) years or three (3) years' imprisonment, and/or a fine of up to ten thousand dollars (\$10,000).
- Operating a motor vehicle with a BAC level higher than 0.08 (21 years or older), 0.01 or higher (21 years or younger). According to CA State Vehicle and Traffic Law 1192, persons drinking while intoxicated may be subject to suspension or revocation of driving privileges in the state as well as fines up to \$1,000 and imprisonment up to one year.

A first offense (without bodily injury) is punishable by nearly \$2,000 in fines and assessments, 48 hours in jail, several months of license suspension, and completion of a three-month alcohol education program. If

you commit a third or subsequent DUI offense within a 10-year period, you may be sentenced to as many as 16 months in state prison, roughly \$18,000 in fines and assessments, and the requirement of a 30-month alcohol treatment program. Understanding the law will not only help you avoid committing a DUI, but also help you plan your next steps if you have been arrested for the offense.

The following chart lays out the basics of California DUI law, including blood alcohol concentration (BAC) limits, penalties, and information about license suspension.

<b>California DUI Laws: Blood Alcohol Concentration (BAC) Limits and Implied Consent</b>	
"Per Se" BAC Limit	<b>0.08 Percent</b>
Zero Tolerance (Underage) BAC Limit	<b>0.02 Percent</b>
Enhanced Penalty (Aggravated) BAC Limit	<b>0.16 Percent</b>
<b>California DUI Laws: Select Penalties</b>	
Minimum License Suspension or Revocation (1st, 2nd, 3rd offense)	<b>6 months, 2 years, up to 10 years</b>
Mandatory Alcohol Education, Assessment and Treatment	<b>Both (education if under 21)</b>
Vehicle Confiscation Possible?	<b>Yes</b>

### California: Drugs

Below you will find key provisions of California's drug possession laws.

Statutes	California Health and Safety Code Division 10, Chapter 6, Sections 11350-11651 et. seq. (Uniform Controlled Substances Act)
Penalties	<b>Possession of Controlled Substances, Not Marijuana</b>
	<p>After Prop 47, following crimes are punished as misdemeanors only, with penalties including up to one year in the county jail, not state prison:</p> <ul style="list-style-type: none"> <li>• Schedule I opiates, opium derivatives, cocaine base, mescaline, peyote, or synthetic cannabis (including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers)</li> <li>• Schedule II narcotics or opiates</li> </ul>

	<ul style="list-style-type: none"> <li>• Schedule III hallucinogens, and</li> <li>• Schedule III, IV or V</li> </ul> <p><b>Possession of Marijuana</b></p>
	<ul style="list-style-type: none"> <li>• Possession of more than 28.5 grams of marijuana, other than concentrated cannabis, is punishable by incarceration of up to 6 months, a fine of not more than \$500, or both</li> <li>• Possession of not more than 28.5 grams of marijuana, legal for those 21 and over, an infraction for those 18 and under (mandatory drug education course and community service)</li> </ul>
	<b>Possession of Concentrated Cannabis</b>
	Possession of up to 8 grams of concentrated cannabis is legal, over 8 grams is punishable by incarceration of up to 1 year, a fine of up to \$500, or both

**Marijuana:**

The basics of California marijuana laws are highlighted in the table below.

<b>Statute(s)</b>	Business & Professions Code Sections 26000, et seq. Health & Safety Code Sections 11000, et seq.; 11357, et seq.; 11362.7, et seq.
<b>Possession</b>	<ul style="list-style-type: none"> <li>• Those 21 and over may possess up to 28.5 grams of cannabis, or up to 8 grams of concentrated cannabis. It's an infraction for those under 21.</li> <li>• Those 18 and over who possess more than 28.5 grams of cannabis, or more than 8 grams of concentrated cannabis, may be imprisoned in county jail for up to 6 months and/or fined up to \$500.</li> </ul>
<b>Sale</b>	<ul style="list-style-type: none"> <li>• Sale by someone who does not possess a license to sell cannabis is a misdemeanor, which can result in up to 6 months in jail and/or fines up to \$500.</li> <li>• A person who engages in commercial cannabis activity without a license will be subject to civil penalties of up to three times the amount of the license fee for each violation, with each day of operation constituting a separate violation.</li> </ul>
<b>Additional Limitations</b>	There are additional limitations to smoking and possessing marijuana even if a person is over 21. The limitations include (but are not limited to) smoking or ingesting cannabis in public, (except in accordance with § 26200 of the Business & Professions Code), smoking/ingesting while operating a vehicle, and possessing an open container while operating or riding as a passenger in a vehicle.

## Florida: Alcohol

### Zero Tolerance for Drivers under 21:

Florida has a Zero Tolerance law for drivers under 21. This means that any driver under 21 that is stopped by law enforcement and has a blood alcohol level of .02 or higher will automatically have their Florida drivers license suspended for 6 months. The .02 limit really means that you cannot have a single drink and drive. And that's the idea.

For drivers over 21 the legal limit in Florida is .08. Regardless of your age be aware that drinking and driving is considered a serious offense. Below we have summarized the penalties in the state of Florida for a first offense DUI, but the average cost including legal defense, fines, and auto insurance increases is \$8000.

The following are illegal actions, punishable as violation of FL State Law:

- The possession of alcohol by a person under age 21 is unlawful.
- Florida Statutes S. 562.111 makes it a first-degree misdemeanor in Florida to sell or furnish alcohol to a minor (someone under the state legal drinking age of 21). The misdemeanor penalties for this crime are up to one (1) year in county jail, and/or a fine of up to one thousand dollars (\$1,000). Second or subsequent offense, is a mandatory revocation period of two (2) years
- Florida Statutes S. 322.212 makes it a crime to either display or possess any fake identification, with the intent to use that fake ID. The felony penalties for this crime are up to five (5) years in county jail, and/or a fine of up to one thousand dollars (\$5,000). This is the current law and was amended, effective October 1, 1997.
- Operating a motor vehicle with a BAC level higher than 0.08 (21 years or older), 0.01 or higher (21 years or younger) According to FL State Vehicle and Traffic Law 1192, persons drinking while intoxicated may be subject to suspension or revocation of driving privileges in the state as well as fines up to \$1,000 and imprisonment up to one year.

Here are the minimum jail sentences for a first, second, and third DUI conviction in Florida:

### First Offense DUI:

A misdemeanor with penalties that include:

- Up to 6 months imprisonment
- 1 year probation (combined with imprisonment)
- \$250 to \$500 fine
- 6 months to 1 year license suspension

- Community service (at least 50 hours)
- Substance abuse course (DUI school)
- Vehicle impoundment for 10 days

First Offense DUI, Enhanced Penalties:

A DUI with a BAC over .15 or accompanied by a minor in the vehicle include the above penalties with these changes:

- Up to 9 months imprisonment
- \$1000 to \$2000 fine
- Interlock Ignition Device on all vehicles for up to 6 months

Second Offense DUI in More than 5 Years:

A misdemeanor with penalties that include:

- Up to 9 months imprisonment
- Up to 1 year probation
- \$500 to \$1000 fine
- 6 months to 1 year license suspension
- Substance abuse course (DUI school)
- Vehicle impoundment for 10 days
- Interlock Ignition Device on all vehicles for 1 year

Florida: Drugs

Florida Marijuana Laws Overview:

November 2017, Florida passed Amendment 2, or the Use of Marijuana for Debilitating Medical Conditions ballot, allowing medical marijuana to be cultivated and dispensed to qualified patients.

A qualifying patient must qualify with a debilitating medical condition. Conditions accepted are listed as follows:

- Cancer
- Epilepsy
- Glaucoma
- HIV/AIDS, PTSD
- ALS, Crohn's Disease
- Parkinson's Disease
- Multiple Sclerosis

- Any other debilitating medical condition of similar nature where a physician feels marijuana would benefit the patient.

Any patient with a qualifying medical condition must first obtain a physician certification. A physician certification is a written document from a licensed doctor stating the validity of the patient's debilitating medical condition, the doctor's professional opinion that marijuana use would outweigh potential health risks for the patient and the recommended duration of medical marijuana use.

While some other states have experimented with marijuana legalization and decriminalization, marijuana remains illegal in Florida unless being used in medicinal cases. Possession of small amounts of marijuana is a crime in the State of Florida, albeit having less than 20 grams on you is a misdemeanor. While the option of drug diversion programs may be available for some first-time offenders with no criminal history, it's still a criminal offense.

Code Section	Florida Statute 893.13, et seq.
Possession	<ul style="list-style-type: none"> <li>• Under 20 grams: 1st degree misdemeanor; up to 1 year jail, fine</li> <li>• Over 20 grams to 25 lbs or under 300 plants: up to 5 years jail, fine</li> <li>• In excess of 25 lbs. is trafficking (1st degree felony)</li> </ul>
Sale	<ul style="list-style-type: none"> <li>• 3rd degree felony, unless less than 20 g. for no consideration, then 1st degree misdemeanor: penalty as in §§775.082, 083, 084;</li> <li>• Subsequent offense: 15 yrs.</li> </ul>
Trafficking	<p>All sentencing done pursuant to sentencing guidelines:</p> <ul style="list-style-type: none"> <li>• 25-2000 lbs.: mandatory \$25,000 and 3 yrs.;</li> <li>• 2000-10,000 lbs.: mandatory \$50,000 and 7 yrs.;</li> <li>• Over 10,000 lbs.: 15 yrs. and mandatory \$200,000</li> </ul>

### **Health Risks Associated with the Misuse of Alcohol and Other Drugs**

Drinking excessively- over time or on a single occasion- can negatively impact one's health and wellbeing. Consuming very high doses of alcohol in the course of a defined period of time can cause respiratory depression, unconsciousness and, possibly, death. Moderate to heavy alcohol consumption over the course of a defined period of time may cause changes in cognition and behavior, such as disorientation, confusion, emotional lability, impaired judgment and coordination, and impairment in fine motor control, vision, speech, and hearing. Prolonged heavy use of alcohol can lead to physiological dependence, increased risk of certain cancers, liver disease, and death. Other consequences of alcoholism or



prolonged heavy alcohol abuse are unemployment, financial loss, incarceration and other legal problems, and the dissolution of relationships with loved ones, family members and friends.

Underage drinking is associated with risky behaviors such as unsafe sexual activity, driving when under the influence, and experiencing or engaging in violent behavior. Each year, in the US, alcohol related injuries (homicide, suicide, and unintentional injury) cause 5,000 deaths among people under age 21. Also, individuals who begin drinking before age 21 increase their risk of developing alcohol use disorders. ( Source: <https://www1.nyc.gov/site/doh/health/health-topics/underage-drinking.page> )

For all individuals, the more drinks consumed in one day and the greater number of days of moderate to heavy drinking, the greater is the risk for: accidents and injuries, committing or being the victim of acts of violence, suicide, cancers of the mouth, throat, esophagus, liver, breast and colon, hypertension, and depression, dementia and other health disorders.

More specifically, one's physical health and functioning is jeopardized as a result of excessive drinking. Alcohol interferes with the brain's communication pathways, causing negative changes in mood and behavior and compromising cognition and motor coordination. Excessive drinking has been linked to increased risk of cardiomyopathy, arrhythmias, stroke and high blood pressure. Liver disease can also result from excessive alcohol consumption, causing steatosis or fatty liver, alcoholic hepatitis, fibrosis, and cirrhosis. Alcohol causes the pancreas to produce toxic substances that can lead to pancreatitis, a condition that can be associated with life-threatening complications. (Source: National Institute on Alcohol Abuse and Alcoholism: <https://www.niaaa.nih.gov/alcohol-health-effects-body>)

What constitutes excessive drinking and risk depends on an individual's weight, gender, age, genetic predisposition for addictive disorders and behaviors, and various other factors. For example, lower-risk drinking limits for men are no more than 4 drinks on any day and no more than 14 drinks per week. Lower-risk drinking for women is no more than 3 drinks on any day and no more than 7 drinks per week. One drink is defined as 12 fl. Oz of beer, 8-9 fl. Oz of malt liquor, 5 fl oz. of wine, or a 1.5 fl oz of distilled spirits. For a more personalized assessment of individual risk related to the amount and type of alcohol consumed, the duration of time drinking, age, gender, and weight (though not incorporating variables of metabolic rate, body fat percentage, and current medications), access the Blood Alcohol Calculator by clicking on the following link:

<https://www.healthstatus.com/calculate/blood-alcohol-bac-calculator>

That said, any amount of drinking may pose health risks for individuals who are pregnant and individuals diagnosed with hepatitis or liver disease. An alcohol-exposed pregnancy may lead to the birth of a child with Fetal Alcohol Syndrome Disorder. Drinking alcohol when living with hepatitis or liver disease increases the risk for developing fibrosis and liver cancer. (Source: <https://www1.nyc.gov/site/doh/health/health-topics/alcohol-and-drug-use-alcohol-and-health.page>)

The use of illicit drugs, the misuse of prescription medication, and using drugs in combination with alcohol are associated with short and long term health consequences. The charts below (excerpted from <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts> published by the NIH National Institute on Drug Abuse) illustrate the health effects of commonly abused substances. For information regarding illicit and misused substances not listed below, please click on the above link.

Health Risks of Alcohol and Benzodiazepines:

Health risks associated with the combined use of Benzodiazepines (most commonly used “Benzos” are xanax, klonopin, ativan, commonly used for the treatment of anxiety) and alcohol are as follows. Because this medication acts on the same receptors as alcohol, when used in combination, the effects of both drugs are enhanced and risk increased for unpredictable effects, overdose, developing an addiction, acute physical illness.

Possible Health Effects of Depressants (benzodiazepines, barbiturates, sleep medications ie. Xanax, Valium, Ativan, Lunesta, Ambien)	
Short-term	Drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing.
Long-term	Unknown.
Other Health-related issues	Sleep medications are sometimes used as date rape drugs.  Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Further slows heart rate and breathing, which can lead to death.
Withdrawal Symptoms	Must be discussed with a health care provider; barbiturate withdrawal can cause a serious abstinence syndrome that may even include seizures.

Possible Health Effects of Prescription Stimulants (Adderall, Concerta, Ritalin)	
Short-term	Increased alertness, attention, energy; increased blood pressure and heart rate; narrowed blood vessels; increased blood sugar; opened-up breathing passages.  High doses: dangerously high body temperature and irregular heartbeat; heart disease; seizures.
Long-term	Heart problems, psychosis, anger, paranoia.
Other Health-related issues	Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Masks the depressant action of alcohol, increasing risk of alcohol overdose; may increase blood pressure.
Withdrawal Symptoms	Depression, tiredness, sleep problems.

Possible Health Effects of Cocaine	
Short-term	Narrowed blood vessels; enlarged pupils; increased body temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy, alertness; insomnia, restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, psychosis; heart rhythm problems, heart attack; stroke, seizure, coma.
Long-term	Loss of sense of smell, nose bleeds, nasal damage and trouble swallowing from snorting; infection and death of bowel tissue from decreased blood flow; poor nutrition and weight loss; lung damage from smoking.
Other Health-related issues	Pregnancy: premature delivery, low birth weight, deficits in self-regulation and attention in school-aged children prenatally exposed.  Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Greater risk of cardiac toxicity than from either drug alone.
Withdrawal Symptoms	Depression, tiredness, increased appetite, insomnia, vivid unpleasant dreams, slowed thinking and movement, restlessness.

Possible Health Effects of Heroin	
Short-term	Euphoria; dry mouth; itching; nausea; vomiting; analgesia; slowed breathing and heart rate.
Long-term	Collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.
Other Health-related issues	Pregnancy: miscarriage, low birth weight, neonatal abstinence Syndrome. Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination with Alcohol	Dangerous slowdown of heart rate and breathing, coma, death.
Withdrawal Symptoms	Restlessness, muscle and bone pain, insomnia, diarrhea, vomiting, cold flashes with goosebumps ("cold turkey").

Possible Health Effects of MDMA (Ecstasy; Molly)	
Short-term	Lowered inhibition; enhanced sensory perception; increased heart rate and blood pressure; muscle tension; nausea; faintness; chills or sweating; sharp rise in body temperature leading to kidney failure or death.
Long-term	Long-lasting confusion, depression, problems with attention, memory, and sleep; increased anxiety, impulsiveness; less interest in sex.
Other Health-related issues	Unknown.
In Combination with Alcohol	MDMA decreases some of alcohol's effects. Alcohol can increase plasma concentrations of MDMA, which may increase the risk of neurotoxic effects.
Withdrawal Symptoms	Fatigue, loss of appetite, depression, trouble concentrating.

Possible Health Effects of Psilocybin (Mushrooms)	
Short-term	Hallucinations, altered perception of time, inability to tell fantasy from reality, panic, muscle relaxation or weakness, problems with movement, enlarged pupils, nausea, vomiting, drowsiness.
Long-term	Risk of flashbacks and memory problems.
Other Health-related issues	Risk of poisoning if a poisonous mushroom is accidentally used.
In Combination with Alcohol	May decrease the perceived effects of alcohol.
Withdrawal Symptoms	Unknown.

Possible Health Effects of Marijuana	
Short-term	Enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; anxiety.
Long-term	Mental health problems, chronic cough, frequent respiratory infections.
Other Health-related issues	Youth: possible loss of IQ points when repeated use begins in adolescence.  Pregnancy: babies born with problems with attention, memory, and problem solving.
In Combination with Alcohol	Increased heart rate, blood pressure; further slowing of mental processing and reaction time.
Withdrawal Symptoms	Irritability, trouble sleeping, decreased appetite, anxiety.

Possible Health Effects of Prescription Opioids	
Short-term	Pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death.
Long-term	Increased risk of overdose or addiction if misused.
Other Health-related issues	<p>Pregnancy: Miscarriage, low birth weight, neonatal abstinence syndrome.</p> <p>Older adults: higher risk of accidental misuse because many older adults have multiple prescriptions, increasing the risk of drug-drug interactions, and breakdown of drugs slows with age; also, many older adults are treated with prescription medications for pain.</p> <p>Risk of HIV, hepatitis, and other infectious diseases from shared needles.</p>
In Combination with Alcohol	Dangerous slowing of heart rate and breathing leading to coma or death.
Withdrawal Symptoms	Restlessness, muscle and bone pain, insomnia, diarrhea, vomiting, cold flashes with goosebumps ("cold turkey"), leg movements.

Possible Health Effects of Synthetic Cannabinoids	
Short-term	Increased heart rate; vomiting; agitation; confusion; hallucinations, anxiety, paranoia; increased blood pressure.
Long-term	Unknown.
Other Health-related issues	Use of synthetic cannabinoids has led to an increase in emergency room visits in certain areas.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Headaches, anxiety, depression, irritability.

Possible Health Effects of Tobacco ( cigarettes, cigars, hookahs, smokeless tobacco)	
Short-term	Increased blood pressure, breathing, and heart rate.
Long-term	Greatly increased risk of cancer, especially lung cancer when smoked and oral cancers when chewed; chronic bronchitis; emphysema; heart disease; leukemia; cataracts; pneumonia.
Other Health-related issues	Pregnancy: miscarriage, low birth weight, stillbirth, learning and behavior problems.
In Combination with Alcohol	Unknown.
Withdrawal Symptoms	Irritability, attention and sleep problems, depression, increased appetite.

Possible Health Effects of Counterfeit Drugs:

The leading cause of death for people in America under the age of 50 is drug overdose. A significant portion of overdose deaths are a result of counterfeit drugs that have been spiked with much stronger drugs, such as Fentanyl, an opioid 25 to 40 times stronger than heroin. These fake pills may look identical to their genuine counterparts, even though they may have the wrong ingredients, additional ingredients, or contain a potentially lethal drug. Counterfeit drugs are not only found on the streets, but are often purchased through seemingly legitimate online pharmacies. If you buy pills without a prescription, you will not know what drugs or substances you are consuming.

Possible Health Effects of Designer Drugs

Designer drugs, such as Spice and Molly (ecstasy) are made in laboratories with chemical ingredients that vary from lab to lab. Most of the chemicals used are labeled “not for human consumption”. Often, the varying formulas used cause a different effect or reaction than what a person is expecting. For example, Spice is often marketed as “synthetic marijuana” but the chemical make-up bears no resemblance to marijuana and causes an entirely different effect. Spice can increase heart rate and reduce blood flow to the heart, thus raising blood pressure. It has been linked to heart attacks and death. Individuals who use Spice may experience symptoms of withdrawal and addiction. Molly is dangerous as well due to its diverse array of toxic chemicals. It may cause a euphoric high, rapid heartbeat, high blood pressure, sweating, and irregular heartbeat. These drugs may cause panic attacks and psychosis; after they wear off they may cause deep depression.

## Resources for Guidance and Treatment

NYFA supports and encourages students, staff and faculty experiencing mild to severe problems related to misuse or abuse of alcohol and other drugs as soon as a problem is recognized. Early detection and intervention is correlated with positive treatment outcomes. Yet individuals with even severe and chronic substance abuse disorders can learn to healthily manage their addiction and lead healthy, happy, and productive lives with the appropriate treatment and the ongoing support of family members, friends, and others committed to recovery.

### NYFA Resources for Staff and Faculty:

NYFA employees have access to NYFA's Employee Assistance Program. NYFA employees are entitled to unlimited phone consultation and up to 3 in-person sessions with an EAP provider. To access, help, please call 1-800-854-1446 or go online to [www.lifebalance.net](http://www.lifebalance.net). UserID and password is lifebalance.

### Off Campus Resources for Faculty and Staff in NY, LA, and SOBE:

#### **For NY Employees:**

The following link offers a comprehensive list of New York based support groups- Alcohol Anonymous, Alateen, Alanon, and Narcotics Anonymous--as well as informational resources regarding alcohol and drug related disorders and treatment options.:

<https://www1.nyc.gov/site/thrivelearningcenter/resources/substance-use.page>

Offered below is a sampling of the self-help and resource organizations which are located in New York and which offer services or referral information at little or no cost:

Al-Anon	212-941-0094	<a href="http://nycalanon.org/">http://nycalanon.org/</a>
Alcoholics Anonymous Inter-Group	212-647-1680	<a href="http://www.nyintergroup.org/">http://www.nyintergroup.org /</a>
Alcoholism Council of New York	212-252-7001	<a href="http://www.alcoholism.org/">http://www.alcoholism.org/</a>
Cocaine Anonymous	800-347-8998	<a href="http://www.ca.org/">http://www.ca.org/</a>
Marijuana Anonymous (12-Step Program)	212-459-4423	<a href="http://www.ma-newyork.org/">http://www.ma-newyork.org/</a>
Nar-Anon	800-984-0066	<a href="http://www.nar-anon.org">http://www.nar-anon.org</a>
Narcotics Anonymous	212-929-6262	<a href="http://newyorkna.org/">http://newyorkna.org/</a>



### Local Treatment Centers for Adults and/or Adolescents

The New York State Office of Alcoholism and Substance Abuse Services (OASAS) provides services for the prevention, treatment and recovery from alcohol, drugs and /or other addictions.

For more information, visit their website: <http://www.oasas.ny.gov> or call the toll-free OASAS HOPEline at 1-877-846-7639 to speak with a trained medical professional.

HOPEline staff can answer your questions and help you find treatment 24/7. All calls are confidential.

In addition, there are numerous private substance abuse treatment programs and facilities, located in New York City and New Jersey, offering a variety of alcohol and drug treatment services. Most require payment or appropriate medical insurance. Individuals are encouraged to contact their insurance providers for information regarding their substance abuse benefits as well as treatment referrals to outpatient, intensive outpatient, and inpatient services.

- Integrity House  
32 Central Avenue  
Jersey City, NJ 07306  
<https://integrityhouse.org>
- The Freedom Institute  
212-838-0044  
Programs for families, adolescents and adults  
<http://www.freedominstitute.org>
- Center for Optimal Living  
370 Lexington Avenue, Suite 500, NY, NY 10017  
212-213-8905  
<http://centerforoptimalliving.com>
- The Phoenix House  
Comprehensive treatment options for families, adults and adolescents  
Accepts Medicaid  
1-888-671-9392  
<https://www.phoenixhouse.org/locations/new-york/>
- Addiction Institute of Mount Sinai  
Detox, Rehabilitation, Outpatient services  
Multiple locations  
<http://icahn.mssm.edu/research/addiction-institute/about>

## Veteran Resources:

- Steven A. Cohen Military Family Clinic At NYU Langone  
855-698-4677  
<https://nyulangone.org/conditions/areas-of-expertise/mental-behavioral-health>
- Manhattan Vet Center  
32 Broadway, Suite 200  
New York, NY 10004  
212-951-6866

## Telephone Resources/24 Hour Hotlines:

- NYC Well: 1-888-NYC-WELL OR 1.888.692.9355  
Free, confidential 24/7 help for stress, depression, anxiety, and alcohol and drug misuse.  
<https://nycwell.cityofnewyork.us/en/>
- Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline: 1-800-662-HELP (4357)  
[www.samhsa.gov/find-help/national-helpline](http://www.samhsa.gov/find-help/national-helpline)

Also known as, the Treatment Referral Routing Service, this Helpline provides 24-hour free and confidential treatment referral and information about mental and/or substance use disorders, prevention, and recovery in English and Spanish

- Veterans Crisis Line  
1-800-273-TALK (8255)  
[www.veteranscrisisline.net](http://www.veteranscrisisline.net)

## **For LA Employees:**

The following links offer a list of national and international self-help support groups located in Los Angeles, as well as informational resources regarding alcohol and drug related disorders, offered at no cost.

- Alcoholics Anonymous  
A.A. is a self-help fellowship of people who gather in meetings to offer mutual support to others who have problems with alcohol use/dependence. To learn more, or to find a meeting:  
[https://www.aa.org/pages/en\\_US/find-aa-resources](https://www.aa.org/pages/en_US/find-aa-resources)

- Narcotics Anonymous  
N.A. is a self-help fellowship of people who gather in meetings to offer mutual support to others who have problems with drug use/dependence. To learn more, or to find a meeting:  
<https://www.na.org/meetingsearch/index.php>
- Refuge Recovery  
Refuge Recovery follows a Buddhist-oriented path to recovery for people who are using/dependent on substances. To learn more, or to find a meeting:  
<https://refugerecovery.org>
- SMART Recovery Meetings:  
SMART Recovery offers addiction recovery support groups facilitated by a trained professional. To learn more, or to find a meeting: <https://www.smartrecovery.org>

In addition, there are numerous private substance abuse treatment programs and facilities, located in Los Angeles, offering a variety of alcohol and drug treatment services. Most require payment or appropriate medical insurance. Individuals are encouraged to contact their insurance providers for information regarding their substance abuse benefits (also known as, behavioral health benefits) as well as treatment referrals to outpatient, intensive outpatient, and inpatient services.

- SAMHSA (Substance Abuse Mental Health Services Administration) Treatment Locator:  
<https://findtreatment.samhsa.gov/>
- MediCal Treatment Locator:  
<http://sapccis.ph.lacounty.gov/SBAT/>

#### Veterans Resources

Veterans Alcohol and Drug Dependence Rehabilitation Program:

- <https://www.benefits.gov/benefit/307>
- <https://www.mentalhealth.va.gov/res-vatreatmentprograms.asp>

#### **For SOBE Employees:**

- Miami Beach Holistic Addiction Treatment Center 309 23rd Street, Suite 200  
Miami Beach, 33139  
(888) 909-3123  
Mbhatc.com

- Summer House Detox Center  
13550 Memorial Highway  
Miami, FL 33161  
Open 24 Hours A Day, 7 Days a Week  
Phone: 888-338-6908  
[info@summerhousedetox.com](mailto:info@summerhousedetox.com)
- Adaptive Center  
1411 Coral Way Miami, Florida 33145  
(305) 400-9908  
1888-4484467

Additional Resources:

- Drug and Alcohol Rehabilitation by State (DRS)  
1-800-304-2219  
<https://www.addicted.org/miami-addiction-services-treatment.html>  
Call center offering assistance locating substance abuse services, detox services as well as insurance based providers in the state of Florida.
- Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline:  
1-800-662-HELP (4357)  
[www.samhsa.gov/find-help/national-helpline](http://www.samhsa.gov/find-help/national-helpline)

Veteran Resources:

- Veteran Affairs Miami Medical Center  
Outpatient Substance Abuse Clinic OSAC 1492 West Flagler Street  
Miami, FL 33135  
305-541-5864
- Miami VA Healthcare System  
Bruce W. Carter VA Medical Center 1201 NW 16th St. Miami, FL 33125  
305-575-3214  
305-575-7000 Ext. 3903

Telephone Resources/24 Hour Hotlines:

- Switchboard of Miami 305-358-4357

## Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment.
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		
<b>PENALTIES</b>				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gm or more	<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Flunitrazepam (Schedule IV)	30 to 999 mgs	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 30 mgs	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

## Federal Trafficking Penalties - Marijuana

DRUG	QUANTITY	1 <sup>st</sup> OFFENSE	2 <sup>nd</sup> OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 20 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$8 million if an individual, \$20 million if other than an individual</li> </ul>
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>Not less than 5 years, not more than 40 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$2 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture  more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>Not more than 20 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 30 years</li> <li>If death or serious injury, mandatory life</li> <li>Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>Not more than 5 years</li> <li>Fine not more than \$250,000, \$1 million other than individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 10 years</li> <li>Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

Source: <http://www.usdoj.gov/dea/agency/penalties.htm>

## Appendix C

### **New York Film Academy Student Conduct Code**

*Revised July 21, 2020*

#### I. INTRODUCTION

The New York Film Academy (NYFA) seeks to promote and advance the art of visual storytelling as a transformational and ennobling vehicle to both the creator and audience, with a profound impact on individuals, communities, and the global society. To build a community that supports this purpose, NYFA is committed to maintaining a safe and healthy learning environment, free from hostility and discrimination, and to support student success. As community members, NYFA expects students to choose behaviors that embody these values. Students are expected to act with honesty and the highest ethical standard, to be good citizens, to be respectful of diverse campus community members, to behave responsibly, to choose actions that reflect well on NYFA, and to contribute positively to NYFA and the visual storytelling industry.

Being a NYFA student is a privilege, not a right. Therefore, student behavior that is not consistent with NYFA's expectations or the Student Conduct Code is addressed through an educational process that is designed to promote NYFA's values and, when necessary, hold students accountable through appropriate consequences.

#### II. STUDENT CONDUCT POLICIES

Students may be held accountable for the types of misconduct set out in Types of Misconduct (Section II. B.).

Procedures specifically for allegations involving discrimination, harassment, retaliation, sexual misconduct, domestic and dating violence, and stalking are set forth in NYFA's Title IX Grievance Policy and Procedure, NYFA's Sexual Misconduct Policy, and/or NYFA's Student Grievance and Resolution Process.

##### 1. Jurisdiction

The NYFA Student Conduct Code applies to conduct in and around NYFA property, at NYFA sponsored or related activities, to conduct conducted at NYFA affiliated or contracted facilities, to off-campus conduct that adversely affects the NYFA community and/or the pursuit of its objectives, in all NYFA programs, locally or abroad, on ground or online. Each Student shall be responsible for their conduct from the time of application for admission through the awarding of a degree or certificate, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods

between terms of actual enrollment (and even if the conduct is not discovered until after the degree or certificate is awarded).

The NYFA Student Conduct Code shall apply to a student's conduct even if the student withdraws from NYFA while a disciplinary matter is pending. The Dean of Students, using their sole discretion, shall decide whether the Student Conduct Code shall be applied to conduct occurring off campus on a case by case basis.

## 2. Types of Misconduct

Students may be held accountable for committing, or attempting to commit, a violation of the NYFA Student Conduct Code. Violations include the following types of misconduct:

### 1. Academic Dishonesty

Any form of academic misconduct that gains an unfair academic advantage.

### 2. Cheating

Cheating includes, but is not limited to, the use of unauthorized materials, information, or study aid in any academic exercise; the use of sources beyond those authorized by the faculty member in academic assignments or solving academic problems; the acquisition, without permission, of tests or other academic material; the alteration of any answers on a graded document before submitting it for re-grading; engaging in any behavior specifically prohibited by the faculty member in the course syllabus or class discussion; or the failure to observe the expressed procedures or instructions of an academic exercise.

### 3. Plagiarism

Plagiarism includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. Work can include words, ideas, designs, images, or data. This includes, but is not limited to, representing another's work as the student's own original or new work, with or without the intent to deceive, and may include part or all of another's work. It also includes the unacknowledged use of material prepared by another person or agency engaged in the selling of academic materials.

### 4. Fabrication

Fabrication includes, but is not limited to, falsification or invention of any information or citation in an academic exercise, and can include manipulating, omitting, or inaccurately representing research, data, equipment, processes, or records.

### 5. Multiple Submissions

Multiple submissions include, but are not limited to, the resubmission of academic material, whether in identical or similar form, when the work has been previously submitted for credit, whether at NYFA or any other institution, without the permission or consent of the faculty member.



#### 6. Unauthorized Assistance

Unauthorized assistance includes, but is not limited to, working with individuals, services, materials, or devices, without the permission or consent of the instructor, on any academic work, whether in draft or final form.

#### 7. Solicitation

Solicitation includes, but is not limited to, giving, receiving, or expecting financial compensation from other students for services or products such as NYFA production, pre-production, post-production, and script consultation.

#### 8. Forgery

Forgery includes, but is not limited to, alteration, or misuse of any NYFA document, record, key, electronic device, or identification, or submission of any forged document or record to NYFA.

#### 9. Falsifying Information

Falsifying information includes, but is not limited to, any individual who knowingly files a false Complaint and who knowingly provides false information to NYFA administration, or who intentionally misleads NYFA administration involved in the investigation or resolution of a Complaint.

#### 10. Theft

Theft includes, but is not limited to, taking, attempting to take, possessing items without permission or consent of the owner, or misappropriation of NYFA property or property belonging to a member of the NYFA community.

#### 11. Vandalism, Damage, or Destruction of NYFA Property

Unauthorized removal, defacing, tampering, damage, or destruction of NYFA property or the property of NYFA community members.

#### 12. Trespassing or Unauthorized Entry

Trespassing or unauthorized entry includes, but is not limited to, unauthorized presence in, use of, or misuse of NYFA property.

#### 13. Misuse of NYFA Property, Materials, or Resources

Misuse of NYFA property, materials, or resources includes, but is not limited to, possession of, receipt of, or use of NYFA services, equipment, resources, or property, including NYFA's name, insignia, seal, or violations of copyright laws, whether by theft, unauthorized sharing or other misuse of copyrighted materials such as music, movies, software, photos, or text. Additionally, includes misuse of NYFA owned computers, technology, or networks, tapping into ethernet lines of NYFA or adjoining businesses, and or illegal downloading or file sharing.

#### 14. Housing Conduct

Violations of policy regarding NYFA affiliated, operated, or leased housing facilities or other housing facilities.

#### 15. Parking Conduct

Violations of policy regarding NYFA parking services or NYFA operated parking facilities.

#### 16. Event Conduct

Event conduct includes, but is not limited to, displaying a lack of respect, civility, professionalism, and proper etiquette at NYFA activities and functions.

#### 17. NYFA Identification

NYFA Identification includes, but is not limited to, abiding by policies, regulations, or rules related to use of NYFA identification cards, NYFA credentials, and representation of one's identity or misrepresentation of one's own or another's identity.

#### 18. Defamation

Defamation includes, but is not limited to, false statements of fact that injure the reputation of a member of the NYFA community, either written or spoken.

#### 19. Conduct that Threatens Health or Safety

Conduct that threatens the health or safety of any person including, but not limited to, physical assault, threats that cause a person reasonably to be in fear for one's own safety or the safety of their immediate family, incidents involving the use or display of a weapon, and intoxication or impairment through the use of alcohol or controlled substances to the point one is unable to exercise care for one's own safety, or other conduct that threatens the health or safety of any person.

#### 20. Sexual misconduct

Violations of NYFA's Title IX Grievance Policy and Procedure and/or NYFA's Sexual Misconduct Policy, may include incidents of domestic violence, dating violence, stalking, sexual assault, sexual harassment, and other prohibited behavior.

#### 21. Stalking

Stalking includes, but is not limited to, engaging in a repeated course of conduct directed at a member of the NYFA community that would cause a reasonable person to fear for their safety, to suffer emotional distress, or where the threat reasonably causes serious alarm, torment or terror.

For stalking violations of a sexual nature, see *NYFA's Title IX Grievance Policy and Procedure and/or NYFA's Sexual Misconduct Policy*.

## 22. Harassment

Harassment includes, but is not limited to, unwelcome conduct that is sufficiently severe, persistent, and/or pervasive, whether or not intended. The objectively offensive conduct could be considered by a reasonable person to limit a students' ability to participate in or benefit from NYFA services, activities, or opportunities.

For violations involving sexual harassment, see *NYFA's Title IX Grievance Policy and Procedure and/or NYFA's Sexual Misconduct Policy*.

## 23. Hazing

Hazing includes, but is not limited to, any method of initiation or pre-initiation into a recognized or unrecognized student organization in which the conduct, or conspired conduct, is likely to cause serious bodily injury, physical harm, or personal degradation or disgrace resulting in physical or mental harm.

NYFA complies with California, New York, and Florida statutes that prohibit hazing in connection with initiation of new members into student organizations.

## 24. Retaliation

Retaliation includes, but is not limited to, threats, intimidation, reprisals, and/or adverse actions taken against a member of the NYFA community, in relation to reporting student misconduct, participating in a student conduct-related investigation, or assisting with a student conduct-related matter.

For incidents of retaliation related to sexual misconduct, see *NYFA's Title IX Grievance Policy and Procedure and/or NYFA's Sexual Misconduct Policy*.

## 25. Bullying and Intimidation

Bullying and intimidation includes, but is not limited to, coercion and aggressive behaviors that cause fear, intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

## 26. Discrimination

All forms of discrimination are governed by the rules of NYFA's Title IX Grievance Policy and Procedure, NYFA's Sexual Misconduct Policy, and/or NYFA's Student Grievance and Resolution Process.

## 27. Fraternalization

Fraternalization includes, but is not limited to, intimate relationships and socialization outside of professional and academic reasons between NYFA students and NYFA faculty members or staff. This includes social media fraternalization such as, "friending" or accepting "friend requests," or "following" NYFA faculty or staff on Facebook, Twitter, Instagram, Snapchat, and any other social media sites. LinkedIn, or other professional sites, are considered exceptions.

### 28. Disorderly, Disruptive, or Disturbing Behavior

Disorderly, disruptive, or disturbing behavior includes, but is not limited to, obstruction or intrusion of teaching, research, administrative procedures, disciplinary procedures, or other NYFA activities.

### 29. Failure to Comply

Failure to comply includes, but is not limited to, a failure to abide by the directions, instructions, or request(s) of a NYFA employee or agent acting in an official capacity.

### 30. Controlled Substances

Use, possession, manufacture, distribution, sale of, or the attempted manufacture, distribution, or sale of, controlled substances (including medical marijuana), identified as unlawful in federal or state law or regulations; the misuse of legal pharmaceutical drugs; use or possession of drug-related paraphernalia; and impairment, being under the influence, or being unable to care for one's own safety because of controlled substances. Further information may be found in *NYFA's Drug and Alcohol Policy*.

### 31. Alcohol

Use, possession, manufacture, distribution, sale of, or the attempted manufacture, distribution, or sale of, alcohol which is identified as unlawful in federal or state law or regulations; and impairment, being under the influence, or being unable to care for one's own safety because of alcohol. Except as permitted or authorized by NYFA.; Further information may be found in *NYFA's Drug and Alcohol Policy*.

### 32. Smoking

Smoking of any kind, including vaporizers or e-cigarettes, in or around any NYFA property, or at NYFA activities, except at designated smoking areas.

### 33. Professional Courtesy

Professional courtesy includes, but is not limited to, remaining quiet in the hallways, and in general areas in and around NYFA property. Students must not approach or enter neighboring offices or solicit neighboring offices for employment.

### 34. Weapons

Possession, use, misuse, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, replica guns, or pellet guns), knives (switchblade or belt buckle) with a blade of longer than two inches, replica weapons, chemicals, using an item as a weapon, or other weapons or dangerous objects (including arrows, axes, machetes, nun chucks, throwing stars), including any item that falls within the category of a weapon, or the storage of in a vehicle parked on NYFA property.

### 35. Expectation of Privacy

Making a video recording, audio recording, taking photographs, or streaming audio/video of any person in a location where the person has a reasonable expectation of privacy, without that person's knowledge or express consent. This includes non-public conversations and/or meetings, looking through a hole or

opening into the interior of a private location. This provision may not be utilized to infringe upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly.

For incidents involving privacy related to sexual misconduct, see *NYFA's Title IX Grievance Policy and Procedure and/or NYFA's Sexual Misconduct Policy*.

#### 36. Encouraging, Permitting, or Assisting with a Violation

Encouraging, permitting, assisting, facilitating, or participating in an act that could subject a student to a violation, including planning an act or helping another commit an act (including academic dishonesty).

#### 37. Student Guests

Students are responsible for the conduct of their guests in and around NYFA property or NYFA affiliated property, or while at NYFA activities.

#### 38. Guest Speakers

Students may not solicit, or attempt to solicit, work to or from NYFA guest speakers, including giving scripts, headshots, reels, or other development materials, or pitching ideas.

#### 39. Unauthorized Vehicles or Devices

Unauthorized vehicles or devices include, but are not limited to, use, possession, charging, or storage of drones, self-balancing battery-powered boards (hoverboards, electronic skateboards or scooters), or other similar equipment, in or around NYFA property or NYFA activities. This also includes the unauthorized use of electronic devices (cell phones, laptops, or tablets in the classroom).

#### 40. Personal Care

Personal care includes, but is not limited to, the maintenance of health and personal hygiene, including the expectation of regular bathing and frequent laundering of clothes to ensure a healthy and comfortable learning environment.

#### 41. NYFA Production and Locations

Violations of policies, rules, or expectations related to Equipment, Props, Production, Editing and Post-Production Department guidelines. Includes following guidelines for greenlight processes, on-set safety, or action sequence authorization. Behaving respectfully and following location guidelines and expectations while on location (including Warner Bros., Universal, and other third-party entities) at NYFA activities.

#### 42. Violations of Any Published NYFA Rule, Regulation, or Policy

Violation of any published NYFA rule, regulation, or policy.

#### 43. Violations of Law

Any act chargeable as a violation of federal, state, or local law, when there is a reasonable belief that the act poses a threat to the health or safety of any person in the NYFA community, to the security of any NYFA property, or poses a threat of disruption or interference with NYFA activities or operations.

#### 44. Violation of Disciplinary Conditions

Violation of the conditions contained in the terms of a disciplinary action, outcome, sanction, or resolution, imposed through NYFA's student conduct procedures.

### III. STUDENT CONDUCT PROCEDURES

The Student Conduct Procedures are established by NYFA to resolve allegations of student misconduct. The procedures and resolution process are intended to be educational, not adversarial, and all cases are expected to be treated in a fair and equitable manner. Questions concerning student conduct procedures may be addressed to the Dean of Students (DeanStudentsLA@nyfa.edu).

NYFA Email is the mechanism for official Student Conduct Procedure communications.

#### 1. Reporting Complaints

Complaints involving alleged misconduct by students must be submitted in writing to the Dean of Students, the Dean of Academic Advising, or their designees, referred to hereafter as the Student Conduct Administrator. Complaints must be made within one year following discovery of the alleged misconduct, unless an exception is granted by the Campus Dean.

#### 2. Initial Investigation

Upon receiving a report regarding alleged violation(s), the Student Conduct Administrator will consider information acquired from the reporting party and may conduct further investigation.

#### 3. Notice of Investigation

Upon the Student Conduct Administrator determining that there is sufficient information to proceed with the student conduct process, the Student Conduct Administrator will give notice to the accused student. Notice shall include the following:

- The nature of the conduct in question and the basis for the allegation.
- Information on how to access a full version of NYFA's Student Conduct Code.
- Notification of the student's right to be accompanied by a Support Person.

- An amount of time by which the student is expected to respond to the notice. NYFA allows for up to three (3) days from the date of notice for the student to respond to the Student Conduct Administrator for the purpose of scheduling an initial meeting.
- What occurs if the Student Conduct Administrator fails to hear from the student. NYFA allows the Student Conduct Administrator to place a Hold on the student's NYFA records if the student does not contact the Student Conduct Administrator within the three-day period or fails to keep any scheduled appointment. The student will be notified that this action has been taken. The placement of a Hold on the student's NYFA records may prevent the student from registering and/or from obtaining transcripts, verifications, or a degree from NYFA. The Hold will be removed only when the student attends a scheduled meeting, responds to the allegations, or upon resolution of the student conduct procedures.

In addition, the Student Conduct Administrator may include language directing the student to act or refrain from acting in a manner specified by the Student Conduct Administrator. These directions may include directing the student to have no contact with, or otherwise disturb the peace of others specifically named until the matter is resolved. Violation of these directions would be grounds for separate misconduct under "Types of Misconduct".

#### 4. Meeting(s) with the Student Conduct Administrator & Student Rights

Meeting with the Student Conduct Administrator provides the student an opportunity to resolve a pending or alleged violation of misconduct. At the initial meeting with the student, the Student Conduct Administrator will:

- Ensure that the student has been provided information on how to access NYFA's Student Conduct Code.
- Discuss privacy; inform the student that the content of meeting and student conduct proceedings will be kept private, per Family Educational Rights and Privacy Act regulations, unless privacy is waived by the student.
- Explain the purpose of the meeting, which to determine if there has been a violation and to gather information about appropriate resolution and/or disciplinary sanctions.
- Describe to the student the nature of the conduct in question, and sections of the Student Conduct Code that have allegedly been violated.

- Allow the student to have an opportunity to be heard and to respond to the allegations.
- Provide the student with information about their right to review documents relevant to the case. (Note: documents may be redacted to comply with state and federal laws and regulations and NYFA policies.)
- Describe potential outcomes and/or a range of sanctions.
- Disclose the length of time NYFA keeps record of disciplinary matters.

If a student requires any reasonable accommodation(s) to attend their meeting, the student must contact the Student Conduct Administrator in advance of the meeting. The Student Conduct Administrator may work with NYFA's Accessibility Services to account for any reasonable accommodation(s).

#### 5. Standard of Proof

The preponderance of the evidence is the standard of proof which will be used in student conduct proceedings. Meaning, the Student Conduct Administrator must establish that it is more likely than not that the student engaged in or committed the misconduct of which the student is alleged to have violated.

#### 6. Resolution by the Student Conduct Administrator

At the conclusion of the investigation, the Student Conduct Administrator may take one of several actions listed below. The student will receive written notification of the outcome of any disciplinary action or Resolution Agreement.

##### 1. Insufficient Information

If the Student Conduct Administrator concludes there is insufficient information to determine a violation, then the matter will be closed with no further action taken.

##### 2. Imposing Sanctions

If the Student Conduct Administrator concludes there is sufficient information to determine a violation, then appropriate sanctions will be determined. Some factors to be considered in determining disciplinary sanctions may include, but are not limited to:

- The severity and/or number violations.
- Past disciplinary policy violations (single or repeated acts).
- Any sanctions previously imposed for the same or a similar violations.

##### 3. Resolution Agreement

If the Student Conduct Administrator concludes there is sufficient information to determine a violation, a Resolution Agreement will detail the outcome and sanctions resulting from the



investigation. The Resolution Agreement is considered formal disciplinary action and is binding. If the student fails to abide by the terms of the Resolution Agreement, the student may face further disciplinary action.

A Resolution Agreement will include, at minimum:

- The determination made by the Student Conduct Administrator, based on the investigation.
- The types of misconduct for which the student is being held responsible for violating.
- The assigned sanctions and any deadlines.
- The student's right to appeal the determination.
- The length of time the disciplinary record will be maintained.

A Resolution Agreement may also include:

- Directions for the student to refrain from specific behaviors, and/or to refrain from contacting others involved in the case.
- Expectations for the student to participate in specified educational programs and/or reconciliation processes such as mediation.

#### 4. Decisions in Absentia

If the student fails to participate in the disciplinary process or has withdrawn from NYFA while there is pending disciplinary action, the Student Conduct Administrator may proceed to resolve the matter without the student's participation.

### 7. Sanctions and Additional NYFA Actions

1. If the Student Conduct Administrator concludes there is sufficient information to determine a violation, the Student Conduct Administrator will consider the context and seriousness of the violation in determining the appropriate sanction(s).
2. Sanctions may be enhanced if the student is additionally found to have discriminated against another on the basis of an individual's race, color, national or ethnic origin, citizenship, sex, religion, age, sexual orientation, gender identity, pregnancy, marital status, ancestry, service in the uniformed services, physical or mental disability, medical condition, or perceived membership in any of these classifications.
3. The Student Conduct Administrator may impose one or more sanctions or additional actions:

- a. Warning: Notice to the student that a violation of NYFA policies or regulations has occurred and that continued or repeated violations of NYFA policies or regulations may be cause for further disciplinary action.
  - i. A warning carries no transcript notation.
- b. Disciplinary Probation: A status imposed for a specific period of time in which a student must demonstrate conduct that abides by NYFA's Student Conduct Code. Conditions restricting the student's privileges or eligibility for NYFA activities may be imposed. A temporary transcript notation may accompany the probationary period. Further misconduct during the probationary period or violation of any conditions of the probation may result in additional disciplinary action, including but not limited to, suspension or expulsion.
  - i. Disciplinary probation carries a temporary transcript notation that is only noted on the student's transcript during the duration of the disciplinary probation. When the disciplinary probation period concludes, the transcript notation is removed.
- c. Deferred Suspension: A status imposed for a specific period of time in which the student must successfully complete conditions outlined by the Student Conduct Administrator and/or may be a period in which suspension from NYFA is deferred or delayed until a later date. Further violations of the NYFA Student Conduct Code or failure to complete any assigned conditions may result in additional disciplinary action including, but not limited to, suspension or expulsion.
  - i. Deferred suspension carries a temporary transcript notation that is only noted on the student's transcript during the duration of the deferred suspension. When the deferred suspension period concludes, the transcript notation is removed.
- d. Suspension: Suspension is the termination of a student's status for a specified period of time, including the remainder of an academic term or for several academic terms. Suspension may take effect at such time as the Student Conduct Administrator determines. Students who have been suspended may be prohibited from entering specified areas, or all areas, of NYFA property. During the period of suspension, the student will be prohibited from attending all classes, seminars and programs, and any NYFA-sponsored

activities. A suspended student will be ineligible to enroll in any NYFA courses at any NYFA campuses during the period of suspension. During the period of suspension, the Student Conduct Administrator may place a Hold on the student's NYFA records which may prevent the student from registering, obtaining transcripts, verifications, or receiving a degree from NYFA. Further violations of NYFA's Student Conduct Code or failure to complete any assigned conditions may result in additional disciplinary action including but not limited to further suspension or expulsion.

- i. After the period of Suspension, the student will be reinstated if:
  1. The student has complied with all conditions imposed as part of the suspension.
  2. The student is academically eligible.
  3. The student meets all requirements for reinstatement including, but not limited to, removal of Holds on records, and payment of restitution where payment is a requirement of reinstatement.
  4. The student meets the deadlines for filing all necessary applications, including those for readmission, registration, and enrollment.
  5. Students are required to apply for readmission following a suspension of more than one academic term and must meet all requirements for readmission.
    - i. If a student is suspended for less than one academic term, a transcript notation will be temporarily noted, indicating the duration of the suspension. When the suspension period is concluded, the transcript notation is removed.
    - ii. If a student is suspended for more than one academic term, a transcript notation will be permanently noted, indicating the duration of the suspension.
- e. Deferred Expulsion: A status imposed for a specific period of time in which the student must successfully complete conditions outlined by the Student Conduct Administrator and/or may be a period in

which expulsion from NYFA is deferred or delayed until a later date. Further violations of NYFA's Student Conduct Code or failure to complete any assigned conditions will result in additional disciplinary action including, but not limited to, immediate expulsion.

- i. Deferred expulsion carries a permanent transcript notation that indicates the duration of the deferred expulsion.
- f. Expulsion: Expulsion is the permanent termination of a student's status. An expelled student will be ineligible to enroll in any NYFA courses at any NYFA campuses indefinitely. Expelled students may be prohibited from entering specified areas, or all areas, of NYFA property, and/or may be excluded from NYFA activities.
  - i. The student record of an expelled student may include a Hold on the student's NYFA records, which may prevent the student from registering, obtaining transcripts, verifications, or receiving a degree from NYFA.
  - ii. Expulsion carries a permanent transcript notation.
- g. Revocation of Awarding Degree or Certificate: If, after a degree or certificate has been awarded, a degree or certificate recipient is found responsible for a violation of NYFA's Student Conduct Code while the student was an enrolled student, the Student Conduct Administrator may impose, as a sanction, a revocation of the degree or certificate, subject to the following procedures:
  - i. The Student Conduct Administrator will submit a recommendation of revocation of the degree or certificate to NYFA's Campus Dean.
  - ii. A Notice of Intent to Revoke Degree or Certificate shall be sent to the student. This notice shall include the details of the violation and the basis for the revocation.
  - iii. The student may submit a written appeal of the revocation to NYFA's Campus Dean within ten (10) days from the date of the Notice of Intent to Revoke Degree or Certificate. The imposition of the revocation of degree or certificate will be deferred until the conclusion of the appeal. The decision of NYFA's Campus Director is final.
- h. Educational Sanctions: Educational sanctions are intended to help Students learn from their decisions and reflect on what they want to get out of their educational experience. Educational sanctions may include, but are not limited to:
  - i. Reflective or research papers, presentations, or assignments

- ii. Community Service
- iii. Restitution
- iv. Participation in designated educational programs, services, or activities
- v. Letter of apology
- i. Additional Actions: Additional actions are intended to help repair any harm that resulted from a violation or protect the safety of the NYFA campus community. Additional actions may include, but are not limited to:
  - i. Exclusion from entering specified areas, or all areas, of NYFA property
  - ii. Loss of privileges and/or exclusion from NYFA activities
- j. Limits on Sanctions: The loss of NYFA employment or removal from paid student positions will not be a form of sanction under NYFA's Student Conduct Code. However, when maintaining student status or good disciplinary standing is a condition of employment or the paid position, the loss of student status or good disciplinary standing will result in termination of the student's employment or removal from the paid student position.

#### 8. Parallel Conduct Proceedings

NYFA's Student Conduct Proceedings are independent from any criminal, court, or administrative proceedings. If a student is charged in a civil or criminal case, based on the same facts in a NYFA Student Conduct Proceeding, NYFA may continue with their student conduct proceedings before, or simultaneously with, a criminal, court, or administrative proceeding.

In cases involving an active police investigation, if the Student Conduct Administrator determines that the notice to the student may interfere with the criminal investigation, the Student Conduct Administrator may delay sending the notice to the student for a reasonable period of time.

#### 9. Appeals Process

If the student does not agree with the determination or Resolution Agreement proposed by the Student Conduct Administrator, the student may appeal the violations and/or the sanction(s). The imposition of any sanction will be deferred until the conclusion of the appeals process. The student may appeal the Student Conduct Administrator's determination and must clearly state the basis for the appeal. Acceptable reasons for appeal include:

- The student disagrees with the types of misconduct the student is found to be responsible for violating.
- The student disagrees with the sanctions, and believes the sanctions assigned are disproportionate to the severity of the violation, or are excessive, insufficient, or inappropriate.
- The student has new evidence, which is sufficient enough to alter the Student Conduct Administrator's determination and was not available during the Student Conduct Administrator's investigation process.
- The Student Conduct Administrator failed to follow the Student Conduct Proceedings.

All appeals must be directed to the Campus Dean, or designee, via the email. All appeals must be written and should clearly articulate and support the basis for appeal. Appeals must be received within five (5) days of the date of the Resolution Agreement. Appeals must be sent from the student's official NYFA e-mail.

The Campus Dean will gather information for the basis of their determination including, but not limited to, information related to the case submitted by the Student Conduct Administrator, information about any previous cases with similar misconduct, the letter of appeal from the responding student, and any additional information the Campus Dean may need to make a determination.

The Campus Dean may uphold the violations determined by the Student Conduct Administrator, may uphold and impose the sanctions determined by the Student Conduct Administrator, may determine different violations, may adopt and impose different sanctions, or may reject any and all violations and/or sanctions.

The Campus Dean will issue a decision letter within ten (10) days, after receiving the appeal. The decision of the Campus Dean is final.

A decision letter containing the determination of the Campus Dean will be delivered to the student and to the Student Conduct Administrator via NYFA email. The Campus Dean may also notify other parties of the decision, or may direct the Student Conduct Administrator to do so, if such parties are authorized to receive such information.

#### IV. INTERIM AND/OR EMERGENCY MEASURES

The Student Conduct Administrator, the Campus Dean, or designees, may authorize interim and/or emergency measures against a student or organization, pending student conduct proceedings, whenever there is evidence that deems interim measures are reasonable and necessary to protect the personal safety of person(s) within the NYFA community, or NYFA property, and/or to ensure the maintenance of order. Interim and/or emergency measures may include, but are not limited to No Contact directives, limitations on hours of attendance at certain events or in certain NYFA facilities, exclusion from certain events or NYFA activities, or a Procedural Hold.

##### 1. Procedural Hold

The Student Conduct Administrator may impose a Procedural Hold, pending student conduct proceedings, where there is reasonable cause to believe that separation of a student is necessary to protect the personal safety of person(s) within the NYFA community, or NYFA property, and/or to ensure the maintenance of order.

A Procedural Hold may include exclusion from classes, or from specified NYFA activities, or from NYFA property.

1. Within twenty-four (24) hours after the imposition of the Procedural Hold, the Campus Dean or designee will review the information upon which the Procedural Hold was based. The Procedural Hold will stand unless the Campus Dean denounces the Procedural Hold within twenty-four (24) hours of its imposition. If the Campus Dean rescinds the Procedural Hold, the action will be deemed vacated and a reasonable effort will be made to inform the student that the Procedural Hold is vacated.  
Should the Procedural Hold be vacated, that will have no bearing on NYFA's student conduct proceedings arising from the conduct which prompted the Procedural Hold.
2. Upon imposition of the Procedural Hold, the Student Conduct Administrator will notify the student of the alleged violation(s), the length and conditions of the Procedural Hold, and the opportunity for a review with the Campus Dean or designee to challenge the Procedural Hold.
3. Review of the Procedural Hold will have scheduling priority. The student may be accompanied by a Support Person. The student may present information to contest the Procedural Hold, or to demonstrate that the Procedural Hold is unnecessary or that the conditions of the Procedural Hold should be modified. The Campus Dean is authorized to investigate the facts which prompted the Procedural Hold and may lift the Procedural Hold or modify its conditions. Within three (3) days of the conclusion of the review, the Campus Dean will determine:

- a. If the Procedural Hold is necessary
- b. If the conditions of the Procedural Hold should be modified

The result of the Procedural Hold review will have no bearing on NYFA's student conduct proceedings arising from the conduct which prompted the Procedural Hold.

## V. PRIVACY AND RECORDS RETENTION

Student records are confidential. The disclosure of information from such records is subject to California, Florida, and New York Information Practices statutes, and to the Family Educational Rights and Privacy Act (FERPA), to which NYFA adheres.

In cases where the final outcome is deferred expulsion, expulsion, or suspension, NYFA's Registrar Office retains the student conduct records permanently.

In all other cases when there have been violations of the Student Conduct Code, student conduct records will be retained for seven (7) years from the date of the final outcome.

Upon receipt of a request from professional schools, graduate programs, employers, or others, for the disciplinary records of a student, and after the student provides a waiver authorizing the release of information, NYFA's Registrar Office will only report and/or release records where violations resulted in a sanction of deferred suspension, suspension, deferred expulsion, and/or expulsion.

## VI. AMENDMENT AND MODIFICATION

Any amendments or modifications to NYFA's Student Conduct Code will be made by NYFA's Dean of Students, in consultation with appropriate NYFA faculty, staff, and administrators. Prior to adoption, such amendments will be submitted to NYFA's General Counsel for review for consistency with the NYFA policies, and federal and state law.



## VII. DEFINED TERMS

### 1. NYFA

The term NYFA means New York Film Academy, and all its educational operations.

### 2. Faculty Member

Any person hired by NYFA to conduct classroom or teaching activities or who is otherwise considered by NYFA to be a member of its faculty.

### 3. NYFA Community Member

A NYFA community member includes, but is not limited to, any NYFA student, faculty member, staff, administrator, employee, agent acting on behalf of NYFA, guest speakers, visitor, and/or any person affiliated with a NYFA activity during the time of the activity.

### 4. NYFA Property

Includes all land, buildings, facilities, and other property in possession of or owned, used, or controlled by NYFA, and includes adjacent streets and/or sidewalks.

### 5. NYFA Activities

NYFA activities may occur on or off campus and may include, but are not limited to, NYFA sponsored events, classes, field trips, student organization meetings or events, athletic events or practices, student led productions, and the like.

### 6. Student Conduct Administrator

A NYFA official authorized by the Campus Dean to implement NYFA's student conduct procedures and impose sanctions upon any student found in violation of the Student Conduct Code. The term "Student Conduct Administrator" is an internal designation and is not an official title. For the Los Angeles campus, this may mean the Dean of Students, the Dean of Academic Advising, or their designees.

### 7. Complainant

A Complainant may be a student, administrator, or third party who presents or alleges information about a NYFA student that may be considered a violation of the Student Conduct Code.

### 8. Respondent

A Respondent is a NYFA student or third party who has been accused of violating the Student Conduct Code.

### 9. Working Days

Working days are Monday through Friday, excluding all official holidays or NYFA campus closures.

### 10. Notice

Whenever written notice to a student is required by the Code, it will be conclusively presumed to have been furnished if the notice is sent to the student by email or the email address most recently filed with the Registrar office.

#### 11. Student

The term "student" includes all person enrolled in or registered for courses at NYFA, either full-time or part-time, pursuing a degree or certificate program. Persons who withdraw after allegedly violating the Student Conduct Code, who are not officially enrolled for a particular term but who have a continuing relationship with NYFA, or who have applied for admission are considered "students." Additionally, persons who have previously been enrolled and are eligible to return following a voluntary or involuntary medical withdrawal, leave of absence, or vacation break. The Student Conduct Code also applies to former students who committed violations of the Student Conduct Code during their time as a student.

#### 12. Student Organization

Any number of persons who have created a group or organization which has met NYFA's requirements of recognition.

#### 13. Support Person

Any individual accompanying a student during any stage of the student conduct procedures. The Support Person may be any person, including an advocate, attorney, friend, parent, NYFA staff, or NYFA faculty member who is not otherwise affiliated with the investigation. The role of Support Person is only to provide support. The Support Person is not permitted to speak on behalf of the student or participate in any meeting or proceeding that is part of the student conduct procedures and may not in any way disrupt any meeting or proceeding.

#### 14. Witness

Any person that may have information relevant to a case under review through the student conduct procedures. A "witness" may participate in student conduct procedures in person, by video, audio, or other forms of electronic communication, or through a written statement prepared for the purposes of a student conduct procedure.