

**NEW YORK
FILM ACADEMY**

BIENNIAL REVIEW

**THE NEW YORK FILM ACADEMY
ALCOHOL AND OTHER DRUG PROGRAMS
AND POLICIES**

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Prepared by:

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New York Film Academy

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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 Italy and Australia. 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 2022 and presently includes current and updated information regarding 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 (EHS residence facilities and the apartments leased by NYFA to SOBE students included) 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 LA does not provide student housing.

Students attending NYFA NY have the option of residing with Educational Housing Services (EHS). NYFA holds its students accountable for following EHS codes of conduct as described in the St. George Towers Code of Conduct (Please refer to [Appendix D](#)). EHS limits alcohol possession and use among its residents of legal drinking age and strictly prohibits underage drinking. (See [Appendix D](#), St. George Towers Alcohol and Drug Code of Conduct for comprehensive guidance regarding the parameters for possession and use of alcohol for students age 21 and older). The possession and use of controlled substances is strictly prohibited in both private and communal EHS spaces. NYFA students violating EHS codes of conduct 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 policies related to the possession and use of alcohol and other drugs, as defined in the St. George Towers Alcohol and Drugs Code of Conduct.

Beginning Fall 2022, students attending NYFA in SOBE have the option to lease from NYFA a total of 2 apartments accommodating 6 students. NYFA holds its students residing in the off-campus apartments near the SOBE campus responsible for adhering to the NYFA Drug and Alcohol Policy for Students and the SOBE Tenant Drug and Alcohol Code of Conduct, created and presented to students, Fall 2022 (Please see [Appendix E](#)). According to the SOBE Tenant Alcohol and Drug Code of Conduct, underage possession and use of alcohol is strictly prohibited in all rooms and shared spaces. For comprehensive guidance regarding the limitations for the possession and use of alcohol for students age 21 and older, please refer to [Appendix E](#), the SOBE Tenant Alcohol and Drug Code of Conduct . In regard to controlled substances, their possession and use is

strictly prohibited within the private rooms and shared spaces of the SOBE apartments. Residents of the SOBE apartments violating the SOBE Tenant Codes of Conduct are sanctioned according to the NYFA Drug and Alcohol Policy, the NYFA Student Code of Conduct, the SOBE Tenant Alcohol and Drug Code of Conduct, federal and Florida state and local laws. Students found accountable for violating policies and/or laws are subject to institutional and criminal sanctions.

Although the states of New York and California have legalized the use of marijuana for recreational and medicinal purposes, and although the state of Florida has legalized the possession and use of marijuana exclusively for medicinal purposes, the possession and use of cannabis in any form and for any purpose (including cannabis prescribed for medicinal purposes) remains a crime under federal law and must remain prohibited on all NYFA campuses and in apartments leased by NYFA (SOBE apartments) or residence halls operated by a contracted agency (EHS). According to the [Drug Free Schools and Communities Act](#) and the [Drug Free Workplace Act](#), colleges and universities receiving federal funds, despite conflicting state laws that may decriminalizing the possession and use of marijuana for recreational or medicinal purposes in their states, must adhere to federal law, and in doing so, must strictly prohibit the use, possession, and distribution of cannabis for any reason. Also, in compliance with the Drug Free Schools and Communities Act and the Drug Free Workplace Act, students and employees violating federal laws governing the possession and use of cannabis must be subject to disciplinary action, per student and employee codes of conduct.

Failure to comply with federal law may result in termination of all forms of federal financial assistance, including federal student financial aid grants.

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 updated in 2022 and presently includes updated and current information regarding 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. The policy is also posted on the NYFA Student Hub., 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.
- The NYFA Drug and Alcohol Policy for Employees is distributed annually to all employees via email.

ALCOHOL AND OTHER DRUGS PREVALENCE AND INCIDENCE

The Climate Survey newly created in 2020 to provide information on the prevalence and incidence of substance use by NYFA students attending long term programs on the New York, Los Angeles, and South Beach campuses was intended for distribution in Spring 2022. The survey, however, was not sent to students during this biennial review period and data is not available for report or analysis. The NYFA staff responsible for launching the survey had competing responsibilities related to the COVID-19 pandemic and ensuring campus health and safety.

In preparation for the distribution of the Climate Survey, Spring 2022 or Fall 2023, the Biennial Review Committee will address how to use the survey's data to best inform future programmatic efforts. Within the upcoming Biennial Review period the committee will also discuss plausible strategies to incentivize student participation and increase the previous response rate of 9.7%. The Climate Survey will also be revised to assess respondents' demographic information.

ALCOHOL AND OTHER DRUGS POLICY ENFORCEMENT AND COMPLIANCE

Student Violations

The NYFA student body on the NY, LA and SOBE campuses numbered approximately 1299 students in 2021 and approximately 1305 students in 2022. 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 2021, there were a total of 0 confirmed violations of the NYFA Student Codes of Conduct of Controlled Substances or Alcohol or Violations of the Law.

In 2022, there were a total of 1 confirmed violation 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.

2021

	Controlled Substances	Alcohol	Smoking	Violations of the Law
Dismissed	1	0	0	0
Inconclusive	1	1	4	0
Responsible	0	0	0	0
TOTAL	2	1	4	0

2022

	Controlled Substances	Alcohol	Smoking	Violations of the Law
Dismissed	0	5	1	0
Inconclusive	1	1	0	0
Responsible	2	0	1	0
TOTAL	2	6	2	0

Students with Repeated AOD Incidents

	Number of Repeat Offenders
2021	1
2022	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. (Please refer to [Appendix C](#) for a complete list of sanctions.)

Below is a record of the sanctions issued in 2021 and 2022 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).

2021

	Assigned Frequency
Disciplinary Warning	0
Disciplinary Probation	0
Deferred Suspension	0
Suspension	0

Expulsion	0
Educational Sanctions	0
TOTAL	0

2022

	Assigned Frequency
Disciplinary Warning	0
Disciplinary Probation	0
Deferred Suspension	0
Suspension	0
Expulsion	0
Educational Sanctions	2
TOTAL	0

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

		<i>On-Campus</i>	<i>On-Campus Residential *</i>	<i>Non-Campus</i>	<i>Public Property</i>	<i>Total</i>
<i>Liquor Law Arrests</i>	2021	0	0	0	0	0
	2022	0	0	0	0	0
<i>Liquor Law Violations Referred for Disciplinary Action</i>	2021	0	0	1	0	1
	2022	0	0	5	0	5
<i>Drug Law Arrest</i>	2021	0	0	0	0	0
	2022	0	0	0	0	0
<i>Drug Law Violations Referred for Disciplinary Action</i>	2021	0	0	0	0	0
	2022	0	0	0	0	0

** The New York Film Academy New York campus does not own or control any facilities or properties that qualify as on-campus residential in 2021 or 2022.*

This data is incomplete for the 2022 calendar year; The Biennial Review is published before the end of the calendar year and Clery Statistics are reviewed and reported by October 1st of the following calendar year.

South Beach

		<i>On-Campus</i>	<i>On-Campus Residential * (NY Only)</i>	<i>Non-Campus</i>	<i>Public Property</i>	<i>Total</i>
Liquor Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug Law Arrest	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	0	0	0	0	0

** The New York Film Academy South Beach campus does not own or control any facilities or properties that have been classified as on-campus residential, in accordance with the Clery Act, in 2021 or 2022.*

This data is incomplete for the 2022 calendar year; The Biennial Review is published before the end of the calendar year and Clery Statistics are reviewed and reported by October 1st of the following calendar year.

Los Angeles

		<i>On-Campus</i>	<i>On-Campus Residential *</i>	<i>Non-Campus</i>	<i>Public Property</i>	<i>Total</i>
Liquor Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0

	2022	0	0	0	0	0
Drug Law Arrest	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	0	-	0	0	0

**The New York Film Academy Los Angeles campus does not own or control any facilities or properties that qualify as on-campus residential in 2021 or 2022.*

This data is incomplete for the 2022 calendar year; The Biennial Review is published before the end of the calendar year and Clery Statistics are reviewed and reported by October 1st of the following calendar year.

Employee Violations and Sanctions

For 2021 and 2022 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 2021 and 2022 by approximately 8% 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, many student activities events were offered virtually. Those activities that were attended in-person 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.
- All long term students beginning NYFA programs, Spring 2020- Fall 2022, were mandated to complete an extensive COVID-19 video training course. One of the five modules focused exclusively on caring for one's mental health. To discourage the use of alcohol and other substances to mitigate the stress and anxiety caused by the pandemic, the training offered tips on healthy coping strategies and directed students to appropriate on campus and off campus mental health and wellness resources.

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. ISP was offered to students attending the NY campus in 2021 and 2022. ISP was offered to the students attending the LA campus in 2021.

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, LA (2021 only) and NY employees.

Mental Health Services For NYFA Students

NYFA NY Counseling Services welcomed a new member to its clinical staff, October 2022, to address an elevated demand for services. NY Counseling Services is directed and, prior to October 2022, fully staffed by one full time Licensed Clinical Social Worker providing individual psychotherapy, consultation, referral, crisis intervention and outreach programming to all enrolled NY students. In 2022 a proposal to increase clinical staffing by 0.5FTE was approved. In October 2022, a newly hired Master's level clinician joined the NYFA Counseling Services Staff to provide wellness programming, case management, and individual psychotherapy. 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.

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, interpersonal development, 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, social media posts, 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. The Director of NY Counseling Services continued to provide mental health consultation to SOBE faculty and staff seeking guidance on how to manage students of concern and, hence, was appointed Director of Counseling Services, New York and South Beach, in 2021.

In 2021 and 2022, as campuses reopened in gradual phases reaching full reopening for exclusively in-person learning, With the gradual reopening of NYFA campuses, beginning Fall 2021, NYFA Counseling Services adopted a hybrid model of service delivery. Counseling Services sustained this hybrid model of service delivery, 2021 and 2022,, following all relevant regulations for provision of services via an online platform. Counseling Services on the LA and NY campuses were offered both in-person and via remote platforms, according to both the preference of student clients and clinical need (determined by Counseling Services Staff). Students attending the SOBE campus were offered counseling services exclusively via a remote platform.

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.

In October 2021 and 2022, the NY and SOBE campuses hosted a wellness screening for students, faculty, and staff. This was offered in person and remotely for NYC students and exclusively remotely for the SOBE community. In July 2021 and March 2022, NYC Counseling Services provided a voluntary suicide prevention training to faculty and staff in NYC and SOBE that included content about the recognition of signs of declining mental health subsequent to alcohol and other drug use in our student population.

In July 2021 and 2022, LA Counseling Services offered a three part student workshop aimed at exploring substance and drug abuse. In September 2022, LA Counseling Services also offered a weekly therapeutic art group (Open Studio) and a monthly group Skillshare for NYFA students.

Mental Health Awareness Month was celebrated in 2021 with an online event co-sponsored between NYC and LA Counseling Services and the National Alliance for Mental Illness called "In Our Own Voices." This event was open to members of all of NYFA's domestic campuses. In 2022 both a therapy dog event and a relaxation room for NYC students.

LA, NY, and SOBE campuses hosted One Love Jeopardy in October 2021, in recognition of Domestic Violence Awareness Month. Additionally, all three campuses implemented a "Healthy Hearts" activity during Valentine's Day to educate the campus community on the signs of healthy and unhealthy relationships.

LA, NY, and SOBE campuses hosted numerous and varied activities throughout Sexual Assault Awareness Week, April 2021, designed to increase awareness and prevention of sexual violence. Activities included: presentations by community organizations; workshops for employees and students; educational posters; resource fairs; and a mandatory online training for all students and employees

LA, NY, and SOBE campuses integrated a Bystander Intervention module into the First Year Seminar course to inform and equip students with the skills to de-escalate harmful or potentially harmful situations.

Weekly meditation classes were offered remotely in 2021 for students, faculty and staff on LA, SOBE and NY campuses.

REVIEW OF 2018-2020 PROGRAM RECOMMENDATIONS

The programming and policy recommendations from the 2018-2020 Biennial Review are listed below along with a status update.

2018 - 2020 Recommendations	Status
<p>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.</p>	<p>A climate survey assessing attitudes and behaviors related to substance use and misuse was not distributed as intended due to staff responsible for this project having primary responsibilities in launching and updating COVID-19 health and safety protocols.</p>
<p>Prior to distribution the Climate Survey will be updated to include added that provide demographic information on students' campus location, age, gender, race, ethnicity, sexual orientation, and disability status.</p> <p>Prior to distribution the Committee will devise and implement strategies to improve the Climate Survey response rate from 9.7% to a response rate that will better inform and guide future programming.</p>	<p>The climate survey was updated to assess demographic information, such as campus location, program, students' age, gender, race, ethnicity, sexual orientation, and disability status.</p> <p>A goal to increase the response rate of the climate survey to 15-20% or higher was discussed and set for the Fall 2023 survey distribution. Participation will be encouraged by offering the first 50 students participants a Starbucks \$5 gift card, or the equivalent, and this opportunity will be promoted through social media.</p>
<p>NYFA will design an AOD prevention program in response to data generated by the NYFA needs assessment and/or survey.</p>	<p>This goal was not accomplished and was postponed until the Spring 2024. This goal will be addressed and achieved after the Fall 2023 climate survey is distributed and its responses analyzed. With the achievement of a 15-20% response rate to the revised Climate Survey for Fall 2023, the obtained results of the survey will more reliably inform NYFA of the attitudes and behaviors of its student community in relation to alcohol and</p>

	<p>other drugs, and better guide the development of programming designed to prevent the misuse of alcohol and other drugs and its untoward physical, emotional, social and occupational consequences.</p>
<p>The NYFA Drug and Alcohol Policy for Students will be added as a link to the Welcome and Orientation Guide.</p>	<p>This goal was partially achieved. The NYFA Drug and Alcohol Policy was added as a link to the New York Campus Welcome and Orientation Guide, Fall 2021 and has been included in the Welcome Orientation Guide for all subsequent semesters. The NYFA Drug and Alcohol Policy was not included as links in the Welcome and Orientation Guides for LA and SOBE. Plans are in place to achieve this goal for the LA and SOBE campuses by Spring 2023.</p>
<p>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</p>	<p>The script and slides for the TRAC training have been created. In late 2022 NYFA staff will record the video training in preparation for its remote delivery to all domestic campuses, January 2023. A pre and post quiz will be developed to assess learning outcomes.</p>

<p>will not be eligible to register for the subsequent semester.</p>	
<p>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.</p>	<p>On 1/26/2021, NYFA employees received an eblast communication referencing and including the NYFA Alcohol and Drug Policy for Employees. This eblast will be distributed each and every forthcoming January.</p>
<p>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.</p>	<p>The feasibility of the newly proposed alcohol and drug use policy for students residing in the Educational Housing Services (EHS) was reassessed and determined as untenable, as it conflicts with EHS policies related to use of alcohol for students age 21 and older. Presently, there has been a sizable increase in the number of students residing in EHS who are 21 years of age and older.</p> <p>A new and more realistic policy was proposed and adopted:</p> <p>NYFA will be instituting and enforcing for those NYFA students residing at EHS, the St. George Towers Alcohol and Drugs Code of Conduct (see Appendix D). Under both the EHS and NYFA policies, persons under 21 years of age are prohibited from possessing and consuming alcoholic beverages. NYFA students/EHS residents age 21 and older may possess and consume alcohol within the privacy of their own rooms in accordance with the following rules:</p> <p>Alcoholic beverages may be consumed only within assigned rooms. No more than one (1) six pack of beer or one (1) bottle of wine may be allowed within your room. Hard liquor is prohibited. Any</p>

	<p>liquor that is found in the building will be confiscated, poured out, and the resident will face disciplinary sanction. Open containers of alcoholic beverages are prohibited outside of your room.</p> <p>Residents who bring alcoholic beverages into the residence are responsible for its legal use. This includes taking reasonable precautions to prevent the possession of alcoholic beverages by underage residents and visitors.</p> <p>Kegs, beer balls, and other mechanisms or devices that promote the purchase, storage and distribution of alcoholic beverages in bulk quantities, or that allow unregulated access to alcoholic beverages by any means, are prohibited.</p> <p>The use of controlled substances remains prohibited in both EHS and NYFA alcohol and drug policies.</p>
<p>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.</p>	<p>This goal was partially accomplished. The newly introduced programming focused on Informed Consent and Bystander Intervention. The misuse of alcohol and other drugs was addressed, but not as a primary focus of the new Orientation program. 76.5% of EHS NYFA residents attended the new Orientation programming.</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.
- During this review period, the NYFA Drug and Alcohol Policies for employees and students were also revised to reflect changes in New York State law regarding Sale and Possession of Marijuana. Also the listings of accessible Substance Abuse Treatment Resources were updated for each campus location.
- 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.
- An additional code of conduct, the SOBE Tenant Alcohol and Drugs Code of Conduct, delineating expectations and consequences for misuse of alcohol and other substances for SOBE student residents occupying the two apartments leased by NYFA was created, Fall 2022 and distributed to residents. See [Appendix E](#).
- 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 distributed in Spring 2020 a low response rate of 9.7% suggested that the responses collected may not adequately represent the needs, attitudes and behaviors of the NYFA student population. New programming was not created and launched, utilizing the data collected. The assessment cycle set two years ago for the distribution of the needs assessment survey was also not followed, as key staff members of the Biennial Review committee were heavily responsible for designing, promoting and monitoring all COVID-19 health and safety protocols. Members of this committee will resume their initiative to conduct a needs assessment survey that can yield useful and reliable data. An updated needs assessment survey, assessing demographic information, will be distributed to all enrolled NYFA students, Fall 2023.
- NYFA will distribute a climate/needs assessment survey assessing, among other indices of student wellness, aspects of students' alcohol and other drug behaviors and perceptions in Fall 2023. Strategies to incentivize student participation will be implemented. The first 50 respondents will be awarded a \$5 gift card and this prize opportunity will be promoted via social media. The hope is that the response rate will increase from 9.7% to 15-20%. 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 drug violations did not meet during the current biennial review period; its members had competing responsibilities related to the pandemic and ensuring campus-wide compliance with safety protocols. Also, there was only one outcome determination of Responsible for a substance use violation. 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. 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 students on all three campuses do not receive consistent education and training related to the consequences of the misuse of alcohol and other drugs, harm reduction strategies, and effective strategies to cope with stress and negative feeling states that may cause students to self-medicate. NYFA will mandate all incoming long-term students to complete TRAC - 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. Students not completing TRAC Training may be subject to disciplinary action and may not be eligible to register for the subsequent semester.
- Students are overwhelmed with the information imparted to them during New Student Orientation. Aspects of what they learned during New Student Orientation or from their TRAC training regarding the misuse of alcohol and other drugs may be readily forgotten. NYFA will distribute messages to the student community to promote wellness and encourage healthy behaviors by launching a passive information campaign through the use of posters, flyers, e-boards, and e-blasts (one or a variety of these options). Topics such as social norming, stress management, harm reduction, etc. will be distributed in accessible and impactful formats.
- 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. However, in this biennial period, no students residing in EHS were found responsible for violations of the NYFA Drug and Alcohol Policy nor the EHS St. George Alcohol and Drugs Code of Conduct. The alcohol and drug policy of EHS allows students 21 years or older to possess a limited amount of alcoholic beverages in their rooms. In Fall 2023 and beyond, Orientation for EHS residents will address with greater intentionality both policies to increase student awareness of health risks and academic and housing consequences

related to violations of both alcohol and drug policies.

- Students attending the South Beach campus had the opportunity to reside in off-campus apartments leased by NYFA, beginning Fall 2022. As the apartments are a new acquisition for NYFA, residents have yet to receive targeted programming related to alcohol and other substances. Specific programming will be developed and implemented to target this small group (n=6) of students.
- NYFA recognizes the needs of students living with the pain or significant discomfort caused by medical conditions who experience relief from the use of cannabis for medicinal purposes. Under the current NYFA Drug and Alcohol policy for students, NYFA students residing in EHS residential services and the SOBE apartments are currently prohibited from possessing and using the medical marijuana, as prescribed and as dispensed by NY and FL state dispensaries. How colleges in NY and FL are addressing the conflicting state and federal laws and creating effective and compassionate policies regarding the possession and use of medical marijuana in university housing will be explored and monitored in the coming years. The members of the Biennial Review Committee will meet quarterly to review federal guidelines and amend our policies, should federal laws decriminalize the possession and use of medical marijuana for medicinal use.
- The COVID-19 pandemic triggered the implementation of new state laws regarding the distribution of alcohol. The Biennial Review Committee recognizes the need for a more frequent and thorough surveillance of new state regulations. For example, SB 389, a new California State Law that emerged in the early years of the pandemic, allows restaurants to include alcoholic beverages, packaged in closed containers, to be included with to-go orders for pick up and delivery. This law was originally passed as a temporary package for COVID-19 relief, however the termination of this new law was recently extended through 12/31/2026. Given that this new law impacts student access to alcoholic beverages, for the upcoming biennial review period, the Biennial Review Committee will discuss if and how the NYFA Alcohol and Drug policies need revision in response to new and emerging regulations.

BIENNIAL REVIEW SIGNATURE PAGE

I have reviewed and approved the contents of the 2020-2022 NYFA Biennial Review.

Michael Young
President

Date

I have reviewed and approved the contents of the 2020-2022 NYFA Biennial Review.

David Klein
Senior Executive Vice President, Chief Operations Officer

Date

APPENDICES

Appendix A: NYFA Drug and Alcohol Policy for Students

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 (EHS) and apartments leased by NYFA (SOBE apartments) 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

*Although the states of New York and California have legalized the possession and use of marijuana for recreational and medicinal purposes, and although the state of Florida has legalized the possession and use of marijuana exclusively for medicinal purposes, the possession and use of cannabis in any form and for any purpose (including cannabis prescribed for medicinal purposes) remains a crime under federal laws and must remain prohibited on all NYFA campuses, in apartments leased by NYFA (SOBE apartments) and in residence halls operated by a contracted agency (EHS). According to the Drug Free Schools and Communities Act and the Drug Free Workplace Act, colleges and universities receiving federal funds, despite conflicting state laws which may decriminalize the possession and use of marijuana for recreational or medicinal purposes in their states, must adhere fully and exclusively to federal law, and in doing so, must strictly prohibit the possession and use of cannabis for any reason. Also, in compliance with the Drug Free Schools and Communities Act and the Drug Free Workplace Act, students and employees violating federal laws governing the possession and use of cannabis must be subject to disciplinary action, per student and employee codes of conduct. Failure to comply with federal law may result in termination of all forms of federal financial assistance, including federal student financial aid grants.

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 NFYA 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.campusdrugprevention.gov/sites/default/files/2021-11/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant.pdf>)

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: https://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf).

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 offense. 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)

New York State Laws

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.

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			
Offense	Penalty	Incarceration	Max. Fine
Less than 3 oz	No penalty	None	\$ 0
3 - 8 oz	Misdemeanor	1 year	\$ 1,000
More than 8 oz - 1 lb	Felony	4 years	\$ 5,000
More than 1 - 10 lbs	Felony	7 years	\$ 5,000
More than 10 lbs	Felony	15 years	\$ 15,000
In public view	Violation	N/A	\$ 200

SALE

Without compensation, up to 3 oz of marijuana or 24 g of concentrate	None	None	\$ 0
25 g or less	Misdemeanor	1 year	\$ 1,000
More than 25 g - 4 oz	Felony	4 years	\$ 5,000
More than 4 oz - 1 lb	Felony	7 years	\$ 5,000
More than 1 lb	Felony	15 years	\$ 15,000
Using a child to assist	Felony	4 years	\$ 5,000
To a minor	Felony	7 years	

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/menugtf.cgi?COMMONQUERY-LAWS>

California State Laws

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.

California DUI Laws: Blood Alcohol Concentration (BAC) Limits and Implied Consent

"Per Se" BAC Limit	0.08 Percent
Zero Tolerance (Underage) BAC Limit	0.02 Percent
Enhanced Penalty (Aggravated) BAC Limit	0.16 Percent

California DUI Laws: Select Penalties

Minimum License Suspension or Revocation (1st, 2nd, 3rd offense)	6 months, 2 years, up to 10 years
Mandatory Alcohol Education, Assessment and Treatment	Both (education if under 21)
Vehicle Confiscation Possible?	Yes

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)
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Penalties	<p>Possession of Controlled Substances, Not Marijuana</p> <ul style="list-style-type: none"> ● After Prop 47, following crimes are punished as misdemeanors only, with penalties including up to one year in the county jail, <i>not state prison</i>: <ul style="list-style-type: none"> ○ 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) ○ Schedule II narcotics or opiates ○ Schedule III hallucinogens, and ○ Schedule III, IV or V <p>Possession of Marijuana</p> <ul style="list-style-type: none"> ● 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 ● 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) <p>Possession of Concentrated Cannabis</p> <ul style="list-style-type: none"> ● 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
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Marijuana:The basics of California marijuana laws are highlighted in the table below.

Statute(s)	Business & Professions Code Sections 26000, et seq. Health & Safety Code Sections 11000, et seq.; 11357, et seq.; 11362.7, et seq.
Possession	<ul style="list-style-type: none"> ● 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. ● 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.

Sale	<ul style="list-style-type: none"> ● 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. ● 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.
Additional Limitations	<p>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.</p>

Florida State Laws

Alcohol: 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.

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.

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

Marijuana: 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, Seizures, Glaucoma, Chronic nonmalignant pain (pain that is either caused by or originates from a qualifying medical illness), Terminal Illness (patients diagnosed with no more than 12 months to live)

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.

Patients who possess a physician's recommendation may legally obtain medical cannabis provided by state licensed dispensaries. Emergency rules issued by state health officials in August 2022 stipulate the following: "A qualified physician may not issue a physician certification for more than three 70-day supply limits of marijuana or more than six 35-day supply limits of marijuana in a form for smoking. A 35-day supply limit for marijuana in a form for smoking shall not exceed 2.5 ounces. ... The equivalent daily dose amount limit and 70-day supply limit for approved routes of administration of marijuana are as follows: edibles (no more than 60 mg of THC daily | no more than 4,200 mg of THC per 70-day supply), vaporized products (no more than 350 mg of THC daily | no more than 24,500 mg of THC per 70-day supply), oral capsules or tinctures (no more than 200 mg of THC daily | no more than 14,000 mg of THC per 70-day supply), sublingual tinctures (no more than 190 mg of THC daily | no more than 13,300 mg of THC per 70-day supply), suppositories (no more than 195 mg of THC daily | no more than 13,650 mg of THC per 70-day supply), topical creams (no more than 150 mg of THC daily | no more than 10,500 mg of THC per 70-day supply), marijuana in a form for smoking (no more than 2.025 grams daily)."

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 <u>893.13, et seq.</u>
Possession	<ul style="list-style-type: none"> ● Under 20 grams: 1st degree misdemeanor; up to 1 year jail, fine ● Over 20 grams to 25 lbs or under 300 plants: up to 5 years jail, fine ● In excess of 25 lbs. is trafficking (1st degree felony)
Sale	3rd degree felony, unless less than 20 g. for no consideration, then 1st degree misdemeanor: penalty as in <u>§§775.082, 083, 084</u> ; Subsequent offense: 15 yrs.

Trafficking	<p>All sentencing done pursuant to sentencing guidelines:</p> <ul style="list-style-type: none"> ● 25-2000 lbs.: mandatory \$25,000 and 3 yrs.; ● 2000-10,000 lbs.: mandatory \$50,000 and 7 yrs.; ● Over 10,000 lbs.: 15 yrs. and mandatory \$200,000
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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/alcohols-effects-health/alcohols-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.
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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 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	Pregnancy: Miscarriage, low birth weight, neonatal abstinence syndrome. 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. Risk of HIV, hepatitis, and other infectious diseases from shared needles.
In Combination	Dangerous slowing of heart rate and breathing leading to coma or death.

with Alcohol	
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:

South Beach

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.

Los Angeles

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 or click [here](#) to schedule an appointment. For addiction counseling, please contact Susan.bowling@nyfa.edu.

New York:

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, counselingny@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://www.nyc.gov/site/doh/health/health-topics/alcohol-and-drug-use-services.page?gclid=CMif>

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.

<u>Al-Anon</u>	<u>212-941-0094</u>	_http://nycalanon.org/
<u>Alcoholics Anonymous Inter-Group</u>	<u>212-647-1680</u>	_http://www.nyintergroup.org/
<u>Alcoholism Council of New York</u>	<u>212-252-7001</u>	_http://www.alcoholism.org/
<u>Cocaine Anonymous</u>	<u>800-347-8998</u>	_http://www.ca.org/
<u>Marijuana Anonymous (12-Step Program)</u>	<u>212-459-4423</u>	_http://www.ma-newyork.org/

<u>Nar-Anon</u>	<u>800-984-0066</u>	_http://www.nar-anon.org
<u>Narcotics Anonymous</u>	<u>212-929-6262</u>	_http://newyorkna.org/

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
30-32 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>

Addiction Institute of Mount Sinai
Detox, Rehabilitation, Outpatient services
Multiple locations

<http://icahn.mssm.edu/research/addiction-institute/about>

The T'shuva Center

Individual Counseling, Drop-In Groups at no or low-cost for all individuals with addictions. Virtual and in-person

318 West 118th Street, NY, NYY

<https://www.phoenixhouse.org>

Veterans 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

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

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

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/substance-use/treatment.asp>

Miami/South Beach:

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

Adaptive Center

1411 Coral Way

Miami, Florida 33145

(305) 400-9908

(888) 448-4467

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

Veterans 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	<p>First Offense: 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.</p> <p>Second Offense: 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.</p>	5 kgs or more mixture	<p>First Offense: 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.</p> <p>Second Offense: 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.</p> <p>2 or More Prior Offenses: Life imprisonment</p>
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		
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<p>First Offense: 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.</p> <p>Second Offense: 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</p>		
Flunitrazepam (Schedule IV)	1 gm or more			
Other Schedule III drugs	Any amount	<p>First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual</p>		
Flunitrazepam (Schedule IV)	30 to 999 mgs			
All other Schedule IV drugs	Any amount	<p>First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	Less than 30 mgs			
All Schedule V drugs	Any amount	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

Federal Trafficking Penalties - Marijuana

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

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

*Although the states of New York and California have legalized the possession and use of marijuana for recreational and medicinal purposes, and although the state of Florida has legalized the possession and use of marijuana exclusively for medicinal purposes, the possession and use of cannabis in any form and for any purpose (including cannabis prescribed for medicinal purposes) remains a crime under federal laws and must remain prohibited on all NYFA campuses, in apartments leased by NYFA (SOBE apartments) and in residence halls operated by a contracted agency (EHS). According to the Drug Free Schools and Communities Act and the Drug Free Workplace Act, colleges and universities receiving federal funds, despite conflicting state laws which may decriminalize the possession and use of marijuana for recreational or medicinal purposes in their states, must adhere fully and exclusively to federal law, and in doing so, must strictly prohibit the possession and use of cannabis for any reason. Also, in compliance with the Drug Free Schools and Communities Act and the Drug Free Workplace Act, students and employees violating federal laws governing the possession and use of cannabis must be subject to disciplinary action, per student and employee codes of conduct. Failure to comply with federal law may result in termination of all forms of federal financial assistance, including federal student financial aid grants.

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 Law

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.campusdrugprevention.gov/sites/default/files/2021-11/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant.pdf>)

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 pharmacological 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:https://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf)

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.

New York State Laws

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.

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			
Offense	Penalty	Incarceration	Max. Fine
Less than 3 oz	No penalty	None	\$ 0
3 - 8 oz	Misdemeanor	1 year	\$ 1,000
More than 8 oz - 1 lb	Felony	4 years	\$ 5,000
More than 1 - 10 lbs	Felony	7 years	\$ 5,000
More than 10 lbs	Felony	15 years	\$ 15,000

In public view	Violation	N/A	\$ 200
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SALE			
Without compensation, up to 3 oz of marijuana or 24 g of concentrate	None	None	\$ 0
25 g or less	Misdemeanor	1 year	\$ 1,000
More than 25 g - 4 oz	Felony	4 years	\$ 5,000
More than 4 oz - 1 lb	Felony	7 years	\$ 5,000
More than 1 lb	Felony	15 years	\$ 15,000
Using a child to assist	Felony	4 years	\$ 5,000
To a minor	Felony	7 years	

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/menugtf.cgi?COMMONQUERY-LAWS>

California State Laws

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.

California DUI Laws: Blood Alcohol Concentration (BAC) Limits and Implied Consent

"Per Se" BAC Limit	0.08 Percent
Zero Tolerance (Underage) BAC Limit	0.02 Percent
Enhanced Penalty (Aggravated) BAC Limit	0.16 Percent

California DUI Laws: Select Penalties

Minimum License Suspension or Revocation (1st, 2nd, 3rd offense)	6 months, 2 years, up to 10 years
Mandatory Alcohol Education, Assessment and Treatment	Both (education if under 21)
Vehicle Confiscation Possible?	Yes

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	<p>Possession of Controlled Substances, Not Marijuana</p> <ul style="list-style-type: none"> ● After Prop 47, following crimes are punished as misdemeanors only, with penalties including up to one year in the county jail, <i>not state prison</i>: <ul style="list-style-type: none"> ○ 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) ○ Schedule II narcotics or opiates ○ Schedule III hallucinogens, and ○ Schedule III, IV or V <p>Possession of Marijuana</p> <ul style="list-style-type: none"> ● 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 ● 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) <p>Possession of Concentrated Cannabis</p> <ul style="list-style-type: none"> ● 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.

Statute(s)	Business & Professions Code Sections 26000, et seq. Health & Safety Code Sections 11000, et seq.; 11357, et seq.; 11362.7, et seq.
Possession	<ul style="list-style-type: none"> ● 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. ● 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.

Sale	<ul style="list-style-type: none"> ● 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. ● 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.
Additional Limitations	<p>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.</p>

Florida State Laws

Alcohol: 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 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.

Marijuana: 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, Seizures, Glaucoma, Chronic nonmalignant pain (pain that is either caused by or originates from a qualifying medical illness), Terminal Illness (patients diagnosed with no more than 12 months to live)

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.

Patients who possess a physician's recommendation may legally obtain medical cannabis provided by state licensed dispensaries. Emergency rules issued by state health officials in August 2022 stipulate the following: "A qualified physician may not issue a physician certification for more than three 70-day supply limits of marijuana or more than six 35-day supply limits of marijuana in a form for smoking. A 35-day supply limit for marijuana in a form for smoking shall not exceed 2.5 ounces. ... The equivalent daily dose amount limit and 70-day supply limit for approved routes of administration of marijuana are as follows: edibles (no more than 60 mg of THC daily | no more than 4,200 mg of THC per 70-day supply), vaporized products (no more than 350 mg of THC daily | no more than 24,500 mg of THC per 70-day supply), oral capsules or tinctures (no more than 200 mg of THC daily | no more than 14,000 mg of THC per 70-day supply), sublingual tinctures (no more than 190 mg of THC daily | no more than 13,300 mg of THC per 70-day supply), suppositories (no more than 195 mg of THC daily | no more than 13,650 mg of THC per 70-day supply), topical creams (no more than 150 mg of THC daily | no more than 10,500 mg of THC per 70-day supply), marijuana in a form for smoking (no more than 2.025 grams daily)."

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"> ● Under 20 grams: 1st degree misdemeanor; up to 1 year jail, fine ● Over 20 grams to 25 lbs or under 300 plants: up to 5 years jail, fine ● In excess of 25 lbs. is trafficking (1st degree felony)
Sale	3rd degree felony, unless less than 20 g. for no consideration, then 1st degree misdemeanor: penalty as in §§775.082, 083, 084; Subsequent offense: 15 yrs.

Trafficking	<p>All sentencing done pursuant to sentencing guidelines:</p> <p>25-2000 lbs.: mandatory \$25,000 and 3 yrs.;</p> <p>2000-10,000 lbs.: mandatory \$50,000 and 7 yrs.;</p> <p>Over 10,000 lbs.: 15 yrs. and mandatory \$200,000</p>
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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.

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/alcohols-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 are 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 and the misuse of prescription medication 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.
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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 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 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. UserID and password is life balance.

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

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://www.nyc.gov/site/doh/health/health-topics/alcohol-and-drug-use-services.page?gclid=CMif>

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

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
30-32 Central Avenue
Jersey City, NJ 07306
<https://integrityhouse.org>

Realization Center
Union Square: 212-627-9600 and Brooklyn Heights 718-342-6700
For 18-25 year olds supportive therapy groups, alcohol and drug education, relapse prevention, anger and stress management
<http://www.realizationcenternyc.com>

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>

Addiction Institute of Mount Sinai
Detox, Rehabilitation, Outpatient services
Multiple locations

<http://icahn.mssm.edu/research/addiction-institute/about>

The T'shuva Center

Individual Counseling, Drop-In Groups at no or low-cost for all individuals with addictions. Virtual and in-person

318 West 118th Street, NY, NYY

<https://www.phoenixhouse.org>

Veterans 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

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

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

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/substance-use/treatment.asp>

South Beach:

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

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

Veterans Resources:

Veteran Affairs Miami Medical Center

Outpatient Substance Abuse Clinic OSAC

1492 West Flagler street

Miami, FL 33135

305-541-5864

https://www.miami.va.gov/locations/Healthcare_for_Homeless_Veterans.asp

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	First Offense: 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. Second Offense: 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	First Offense: 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. Second Offense: 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. 2 or More Prior Offenses: 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		
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: 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. Second Offense: 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			
Other Schedule III drugs	Any amount	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual		
Flunitrazepam (Schedule IV)	30 to 999 mgs			
All other Schedule IV drugs	Any amount	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: 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			
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: 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 st OFFENSE	2 nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$4 million if an individual, \$10 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 20 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> • Not less than 5 years, not more than 40 years • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$2 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$4 million if an individual, \$10 million if other than an individual
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"> • Not more than 20 years • If death or serious injury, not less than 20 years, not more than life • Fine \$1 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not more than 30 years • If death or serious injury, mandatory life • Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> • Not more than 5 years • Fine not more than \$250,000, \$1 million other than individual 	<ul style="list-style-type: none"> • Not more than 10 years • Fine \$500,000 if an individual, \$2 million if other than individual
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

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

Appendix C: NYFA Student Code of Conduct

New York Film Academy Student Conduct Code

Revised May 2022

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*.

A. Jurisdiction

The NYFA Student Conduct Code applies to conduct in and around NYFA property, at NYFA sponsored or related activities, to behaviors 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 and/or designee, 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.

B. 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 acknowledgement. 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 NYFA community member's 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 fraternization 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 Obstructionary Behavior

Disorderly, disruptive, or obstructionary behavior includes, but is not limited to, obstruction or intrusion of teaching, research, administrative procedures, disciplinary procedures, productions, 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. This includes use of tobacco products, such as chewing tobacco, that are not part of a smoking cessation program.

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. Violation 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.

A. Reporting Complaints

Complaints involving alleged misconduct by students must be submitted in writing to the Dean of Students, the Associate Dean of Students, 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.

B. 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.

C. 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".

D. 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.
- Describe potential outcomes and/or a range of sanctions.

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).

Students have the right to review documents relevant to the case. If documents are requested, documents may be redacted to comply with state and federal laws and regulations and NYFA policies.

Students have the right to know the length of time NYFA keeps record of disciplinary matters. Please see Section “V. Privacy and Records Retention” for more details.

E. 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.

F. 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.

G. 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.

H. 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.

I. 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 email. All appeals must be written and should clearly articulate and support the basis for appeal. Criteria to include in the written appeal should be the reason for the appeal (listed above) and any evidence the student wants to emphasize for consideration (such as statements, documents, videos, pictures, social media records, etc.). 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.

A. 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

A. NYFA

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

B. 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

C. 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.

D. 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.

E. 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.

F. 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 Associate Dean of Students, or their designees. For the New York Campus, this may mean Dean of Students, her designees, or the Academic Advisors.

G. 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.

H. Respondent

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

I. Working Days

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

J. 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.

K. 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.

L. Student Organization

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

M. 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, interpreter, 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.

N. 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.

Appendix D: St. George Towers Alcohol and Drugs Code of Conduct

St. George Towers Alcohol and Drugs Code of Conduct

INTOXICATION

Intoxication, whether from alcohol, narcotics or prescription medicine, is not an acceptable justification for irresponsible or inappropriate behavior. Residents of legal age who consume alcohol are expected to do so in moderation and in a manner that ensures other residents' rights to privacy, sleep and study. When a staff member is alerted of a resident who becomes incapacitated as a result of drinking or drug use, they will seek medical attention by calling 911. Residents will be financially responsible for the costs of the medical care including ambulance and/or hospitalization and will face disciplinary action. In addition, loud or disruptive behavior, interference or drinking habits that are disruptive or injurious to the health of individuals will not be tolerated and disciplinary action will be taken which could lead to removal from the building and forfeitures of all monies paid.

ALCOHOL

Residents are required to abide by all federal, state and local laws and regulations and the policies of Educational Housing Services and their school regarding the use, sale, and distribution of alcoholic beverages. These rules specify that persons under 21 years of age are prohibited from possessing any alcoholic beverage. Residents who are of legal drinking age may possess and consume alcohol within the privacy of their own rooms in accordance with the following rules (unless otherwise directed by your school/university):

- Alcoholic beverages may be consumed only within assigned rooms. No more than one (1) six pack of beer or one (1) bottle of wine may be allowed within your room. Hard liquor is prohibited. Any liquor that is found in the building will be confiscated, poured out, and the resident will face disciplinary sanction.
- Open containers of alcoholic beverages are prohibited outside of your room.
- Residents who bring alcoholic beverages into the residence are responsible for its legal use. This includes taking reasonable precautions to prevent the possession of alcoholic beverages by underage residents and visitors.
- Kegs, beer balls, and other mechanisms or devices that promote the purchase, storage and distribution of alcoholic beverages in bulk quantities, or that allow unregulated access to alcoholic beverages by any means, are prohibited.
- Alcoholic beverages may not be sold or distributed by a resident or guest in any residence. This prohibition includes, but is not limited to, parties at which

alcoholic beverages are served and for which contributions or donations to offset the costs of the party are sought.

- Residents found to be intoxicated (including those who have to seek medical treatment for intoxication) may be subject to the appropriate disciplinary sanction by Educational Housing Services, your school and by legal authorities.

Please note: if you are living with us through your school and your campus is a no-alcohol or dry-campus community, those rules apply while you are staying with us at the St. George Residence as well. Security and the EHS staff reserve the right to refuse access to anyone attempting to bring in alcohol.

DRUGS

Residents are required to abide by all federal, state and local laws and regulations and the policies of all Educational Housing Services, regarding the use, sale, and distribution of controlled substances despite its changing legal status in other jurisdictions. For example, the possession and use of marijuana in the residence halls and in all private and shared rooms of EHS facilities is prohibited, regardless of the New York State laws permitting the possession and use of both recreational and medical marijuana. If we find any resident or visitor to a residence room to be in possession of or using, selling or distributing marijuana or other controlled substances (or in the case of prescription drugs, without a valid prescription) within any residence, we will contact the New York City Police Department. Your housing agreement will be immediately terminated, your rights to live in any EHS residence will cease and all monies paid forfeited and you will be required to vacate the premises.

Appendix E: South Beach Tenant Alcohol and Drugs Code of Conduct

Tenant Alcohol and Drugs Code of Conduct

INTOXICATION

Intoxication, whether from alcohol, narcotics or prescription medicine, is not an acceptable justification for irresponsible or inappropriate behavior. Tenants of legal age who consume alcohol are expected to do so in moderation and in a manner that ensures other tenants' rights to privacy, sleep and study. When a staff member is alerted of a tenant who becomes incapacitated as a result of drinking or drug use, they will seek medical attention by calling 911. Tenants will be financially responsible for the costs of the medical care including ambulance and/or hospitalization and will face disciplinary action. In addition, loud or disruptive behavior, interference or drinking habits that are disruptive or injurious to the health of individuals will not be tolerated and disciplinary action will be taken which could lead to removal from the building and forfeitures of all monies paid.

ALCOHOL

Tenants are required to abide by all federal, state and local laws and regulations and the policies of New York Film Academy regarding the use, sale, and distribution of alcoholic beverages. These rules specify that persons under 21 years of age are prohibited from possessing any alcoholic beverage. Tenants who are of legal drinking age may possess and consume alcohol within the privacy of their own rooms in accordance with the following rules:

- Alcoholic beverages may be consumed only within assigned rooms. No more than one (1) six pack of beer or one (1) bottle of wine may be allowed within your room. Hard liquor is prohibited. Any liquor that is found in the apartment will be confiscated, poured out, and the tenant will face disciplinary sanction.
- Open containers of alcoholic beverages are prohibited outside of your room.
- Tenants who bring alcoholic beverages into the apartment are responsible for its legal use. This includes taking reasonable precautions to prevent the possession of alcoholic beverages by underage Tenants and visitors.
- Kegs, beer balls, and other mechanisms or devices that promote the purchase,

storage and distribution of alcoholic beverages in bulk quantities, or that allow unregulated access to alcoholic beverages by any means, are prohibited.

- Alcoholic beverages may not be sold or distributed by a resident or guest in any apartment. This prohibition includes, but is not limited to, parties at which alcoholic beverages are served and for which contributions or donations to offset the costs of the party are sought.
- Tenants found to be intoxicated (including those who have to seek medical treatment for intoxication) may be subject to the appropriate disciplinary sanction by the New York Film Academy Services, and by legal authorities.

ILLEGAL DRUGS

Tenants are required to abide by all federal, state and local laws and regulations and the policies of all New York Film Academy Policies, regarding the use, sale, and distribution of controlled substances despite its changing legal status in other jurisdictions.

Marijuana is considered an illegal substance in the State of Florida and according to federal regulations, and is strictly prohibited in any apartment. Also, the possession and use of marijuana for medical purposes is also strictly prohibited in the SOBE apartments, regardless of the Florida State Law permitting the possession and use of medical marijuana. If we find any tenant or visitor to an apartment room to be in possession of or using, selling or distributing marijuana or other controlled substances (or in the case of prescription drugs, without a valid prescription) within any apartment, we will contact the Miami Police Department. Your housing agreement will be immediately terminated, your rights to live in the NYFA apartment will cease and all monies paid forfeited and you will be required to vacate the premises.