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

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

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

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

II) THE COLLEGES’ MEDICAL AMNESTY POLICY

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

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

The student being transported and granted amnesty is expected to complete
an assessment and, if compliant, will not be found responsible for violating the
Community Standards or receive social probation or other sanctions.
However, repeated calls for medical assistance due to intoxication may result
in disciplinary actions. Supporting students toward being successful, we may
notify parents when medical attention is necessary. This is part of our
collaboration with the student, parents and necessary support services on
campus and beyond. For drug and alcohol violation amnesty in situations
involving Sexual or Gender-based Harassment, Sexual Assault, Sexual
Exploitation, Intimate Partner Violence, Physical Assault, Stalking, or
Retaliation, please see the Colleges Amnesty Policy in the Sexual Misconduct
Policy.

III) NOTIFICATION AND OUTREACH

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

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

Prohibited Activities:

The following actions/activities are prohibited:

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

B) Allowing Underage Consumption/Possession: Permitting an underage guest or other individual in their presence to possess or consume alcohol on campus property is prohibited.

1) Visitors and guests who violate the Colleges’ Policy on Alcohol and Drugs or New York State or federal law may be removed and/or banned from Colleges’ property and/or subject to criminal action. Students may be held responsible for the behavior of their guests, and for any incidents or disruptions, which result from possession, use, or distribution of alcohol or other drugs by guests.

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

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

E) In The Presence of Drinking Games: Being in the presence of drinking games with alcoholic beverages is prohibited.

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

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

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

1) Possession of Alcohol at College Functions: Possession of alcohol is prohibited at all College functions in which students are in attendance, including (but not limited to) dances, concerts, athletic events, and dinners, without proper approval from the Social Host Event Committee. Consistent with NCAA policy, the use of alcohol is prohibited at all athletic events.

1) The possession or consumption of alcohol on any college owned, leased, or contracted van, bus, boats, or other vehicle travelling to or from on or off-campus events is prohibited.

J) Display of Alcohol/Drug-Related items:

1) Students may not display advertisements or items (i.e. signs, posters, photographs, bottles) that promote illegal drug and/or alcohol products in the public spaces of the campus, i.e. hallways, lounges, bathrooms, exterior windows of residence halls, etc.

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

K) Other Alcohol Regulations:

1) Off-Campus Behavior: Socially irresponsible or illegal alcohol-related conduct that occurs off campus is prohibited (e.g., off-campus arrest or citation for underage drinking, an incident in which local or state police are involved in association with alcohol, or alcohol-related conduct, etc.)

2) Alcohol-Free Residence Halls: Students of legal drinking age may possess and consume alcohol in all Colleges-owned or operated residence hall rooms or apartments except for Jackson, Potter, Rees, Sherrill, Durfee, Miller, or Hirshson, as these are primarily first-year only areas, and other residential areas determined to be Substance Free. However, the student(s) of legal drinking age assume full responsibility for preventing any underage students from possessing or consuming alcohol in that room/apartment.
3) **Alcohol Moderation:** The Colleges’ reserve the ability to limit the amount of alcohol an individual or group may possess as follows:

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

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

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

4) **Paraphernalia:** Possession of alcohol-related paraphernalia (funnels, bars, etc.) is prohibited.

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

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

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

8) **Social Hosting Violation:** Failure to abide by the directives outlined in the Social Hosting Guidelines and Procedures section of the Community Standards, which includes guidelines for distribution of alcohol at social events.
V) OTHER DRUGS POLICIES

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

A) Possession of marijuana

B) Use or possession of illegal drugs other than marijuana

C) Possession of marijuana paraphernalia and/or other drug paraphernalia

D) Illegal use of prescription medications, including without limitation the use of another’s prescribed medications or illegal misuse of personally prescribed or over-the-counter medications

E) Distributing illegal drugs including the sharing of illegal drugs (including, but not limited to, marijuana) or other controlled substances (legal, prescription drugs) or the possession of items typically perceived by a reasonable person to be utilized for distribution

F) Selling illegal drugs (including, but not limited to, marijuana) or other controlled substances (legal, prescription drugs)

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

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

However, when there have been incidents that place the student and/or others at the risk of harm, or when there have been repeated offenses, other steps, such as a referral to alcohol and/or drug services and/or the Center for Counseling and Student Wellness, might be necessary. In addition, some incidents may call for more traditional disciplinary action such as probation or suspension. When an incident involves violations of the alcohol and other drug policy and other policies, other sections of the Handbook of Community Standards will be invoked as well.
The Colleges respond to alleged violations of the Handbook of Community Standards, based on the severity of the incident, by assigning an incident to the Vice President for Campus Life or his/her designees. In general, this may include the Hobart and William Smith Judicial Board, residential education staff members, the Assistant Vice President or Associate Vice President, the Vice President for Campus Life, the Committee on Standards, or other members of the Campus Life team. Based on the severity of the incident and the student’s past behavioral record, a variety of sanctions can be applied, including (but not limited to) reflective assignments, residential re-assignments, social probation, deferred suspension, suspension, or required withdrawal. In all cases, an educational sanction will be required.

A. Group Accountability Student groups that violate the Policy on Alcohol and Drugs face the possibility of the loss of privileges and/or funding, and the suspension or permanent withdrawal of the right to operate as a recognized student group. Similarly, recognized Greek-letter organizations that violate the Policy on Alcohol and Drugs face the possibility of the suspension or permanent withdrawal of recognition or other sanctions.

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

- Alcohol and Other Drugs seminars
- Online education
- Brief Interactive Screening (BASICS)
- One-on-One Assessment
- FLACRA Referral

While sanctions will depend on the severity of the incident and past behavioral record, in some cases, specific sanctions will apply.
<table>
<thead>
<tr>
<th>In cases where a student has been:</th>
<th>Sanctions may include, but not be limited to,</th>
</tr>
</thead>
</table>
| Medically transported for alcohol intoxication or drug use for the first time | • Educational sanctions  
• Parental notification  
• Social probation.  
• An additional transport within a 12 month period will require a required withdrawal for a minimum of one full academic semester or a medical leave of absence. |
| Found to be using, under the influence, or in possession of cocaine or distributing drugs | • Required withdrawal for a minimum of one full academic semester  
• Educational sanction |
| Found to be driving while ability impaired (DWAI) | • Educational sanction  
• Social probation through required withdrawal is a likely outcome  
• Upon return, parking privileges will be suspended |
| Has been found previously responsible for one AOD violations during the same semester (or consecutive 120 days) | • Social probation for the remainder of the semester  
• Educational sanction |
| Has been found previously responsible for two AOD violations during the duration of one academic year. | • Social probation for at least one semester  
• Educational sanction  
• Parental notification |
| Has been found previously responsible for three or more AOD violations. | • Depending on severity of the incident, may include an educational sanction and:  
• Deferred suspension  
• Suspension  
• Permanent separation |
| Participating in behavior that suggests they are repeatedly unable to make healthy decisions about alcohol and/or other drug use, or the student engages in other practices associated with alcohol or other drugs that threaten the life, health or safety or him or herself, or others. | The Colleges may recommend a student to take a Medical Leave of Absence for alcohol and drug use. This normally includes a provision for the student to receive care (medical, psychological, counseling or therapy) while on leave. These procedures will follow the protocols outlined in the Medical Leave of Absence policy in the Community Standards. The Campus Life staff will determine if all criteria have been met and if the student is eligible to return. |
Campus Life values the involvement of athletic staff in the judicial process: all coaches of student athletes may be notified of any violation of the Community Standards.

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

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

**VII) FEDERAL, STATE, AND LOCAL SANCTIONS**

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

A) **Federal Law**

Violation of federal laws regarding illegal substances can result in substantial fines and imprisonment as well as forfeiture of property and denial of federal benefits, including financial aid. For more information, the Federal Trafficking Penalties table is included in the Appendix of the Community Standards and can be found online at [http://www.dea.gov/druginfo/ftp3.shtml](http://www.dea.gov/druginfo/ftp3.shtml).

B) **State Law**

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

- For a person under the age of 21 to consume alcohol or to possess alcohol with the intent to consume it.

- To sell, deliver, or give away alcoholic beverages to any person actually or apparently under the age of 21.
o To sell, deliver, or give away any alcoholic beverage to any intoxicated person or any person under the influence of alcohol.

o To sell, deliver, or give away any alcoholic beverage to any habitual drunkard known to be such to the person authorized to dispense any alcoholic beverage.

o To sell alcohol, including charging admission at the door of an event where alcohol is distributed free of charge, without an Alcoholic Beverage Control license.

o For any person under the age of 21 to present or offer identification of age which is false, fraudulent, or not their own, for the purpose of purchasing alcohol or attempting to purchase alcoholic beverages. It is also illegal for another person to misrepresent the age of someone under 21 for the purpose of helping the person under 21 obtain alcohol.

o To operate a motor vehicle with the blood alcohol content between .05 and .07 percent. This is known as “Driving While Ability Impaired,” or DWAI. “Driving While Intoxicated” (DWI) is defined by a blood alcohol content of .08 percent or greater, and is also illegal.

o For any person under the age of 21 who operates a motor vehicle while having a blood alcohol content of .02 percent or greater (a very low threshold).

The State of New York Penal Law (Articles 220, 221 and 178) define a wide range of offenses and penalties for possessing or distributing marijuana and other controlled substances. Sanctions include fines and imprisonment ranging from several months to life.

C) Local Ordinances

City of Geneva Ordinance §§ 69-4, 69-7. Under this ordinance, it is illegal for a person to drink or otherwise consume liquor, wine, beer or other alcoholic beverages while such person is in or upon any public sidewalk, street, highway, parking lot, bathing beach, public park or such other public place. It is also illegal for a person to carry or have in their possession, within the City of Geneva, any open bottle or open container containing liquor, wine, beer or other alcoholic beverage with the intent of the possessor or another to consume such
beverages in any public places. A violation of this provision shall
be punishable by a fine not exceeding $250 or by imprisonment not
exceeding 15 days, or by both said fine and imprisonment.

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

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

D) Civil Liabilities

Dram Shop Liability. Any person who is injured by an intoxicated per-
son has a legal right of action against anyone who has unlawfully sold
alcohol to the intoxicated person or unlawfully assisted the intoxi-
cated person in obtaining liquor. In any such legal action, the injured
person has a right to recover both actual and punitive damages.

Social Host Liability. Any person who furnishes alcoholic beverages
to an individual under the age of 21 is at risk of civil liability if the
intoxication of the person under the age of 21 results in injury or
damages to a third party.
VIII) HEALTH RISKS OF ALCOHOL AND OTHER DRUGS

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

A) **Alcohol**

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

B) **Marijuana**

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

C) **Cocaine/Crack**

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


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

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

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

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

F) Amphetamines (Benzedrine, Dexedrine cross tops, whites, uppers; Methamphetamines – crank, crystal)

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

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

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

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

IX) EDUCATIONAL AND COUNSELING PROGRAMS FOR ALCOHOL & OTHER DRUGS

The Colleges provide educational programs and counseling services to address the issues of alcohol and other drug use. The Colleges’ goals are to increase awareness, and to assist those in need of help, as in those potential instances of addiction, chemical dependency, and other negative consequences resulting from use or abuse of alcohol and other drugs.
Educational outreach is offered throughout the school year by the Office of Campus Life, Residential Education, The Center for Counseling and Student Wellness, and various offices and organizations including athletics, Student Activities, and fraternity houses. Courses in a variety of disciplines (e.g., biology, chemistry, philosophy) also provide academic discussion of alcohol or other drug use.

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

<table>
<thead>
<tr>
<th>Hobart and William Smith Employee Assistance Program (EAP)</th>
<th>The HWS EAP is administered by the Office of Human Resources. All employees, faculty members and their dependents are eligible to participate in the drug and alcohol abuse programming offered through the EAP. Additional information about the EAP program can be obtained by calling (315) 781-3312 or by visiting <a href="http://www.hws.edu/offices/hr/index.aspx">http://www.hws.edu/offices/hr/index.aspx</a>.</th>
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<tbody>
<tr>
<td>Hubbs Health Center</td>
<td>The Hubbs Health Center serves HWS students and provides health education on issues including substance abuse. For more information, please call (315) 781-3600 or visit <a href="http://www.hws.edu/studentlife/health_center.aspx">http://www.hws.edu/studentlife/health_center.aspx</a>.</td>
</tr>
<tr>
<td>Center for Counseling and Student Wellness</td>
<td>The Center for Counseling and Student Wellness provides free, confidential services for HWS students, including individual and group counseling; emergency psychological services; and outreach and educational programming. The CCSW also offers psychological consultation to students, faculty and staff. For more information, please call (315) 781-3388 or visit <a href="http://www.hws.edu/studentlife/counseling.aspx">http://www.hws.edu/studentlife/counseling.aspx</a>.</td>
</tr>
<tr>
<td>The Office of Alcohol and Other Drug Prevention</td>
<td>The Office of AOD Prevention manages the alcohol and other drug education and prevention programs and services. The Office of AOD is guided by a proactive, social norming and harm reduction approach, providing education, prevention and counseling services necessary so that HWS community members can make responsible choices about alcohol and other drugs. The Office of AOD Prevention provides referrals for students who are at risk of developing alcohol and other drug-related concerns as well as for those who are impacted by another person's abuse. Referrals can include one-to-one and group counseling at the Center for Counseling and Student Wellness, local OASAS-approved alcohol and drug treatment centers, and local AA and NA chapters. Students seeking assistance for themselves or a friend are protected under federal confidentiality guidelines. For more information please call the Office of Campus Life at 315-781-3900 or visit <a href="http://www.hws.edu/studentlife/health_promotions.aspx">http://www.hws.edu/studentlife/health_promotions.aspx</a>.</td>
</tr>
<tr>
<td>Off-Campus Resources</td>
<td>Council on Alcoholism and Other Drug Dependencies of the Finger Lakes, (315) 789-0310</td>
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<tr>
<td></td>
<td>Finger Lakes Addictions Counseling and Referral Agency, (315) 781-0771</td>
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<tr>
<td></td>
<td>A more complete list of Alcohol and Other Drugs Evaluations &amp; Treatment Facilities is available through the Colleges’ Center for Counseling and Student Wellness website, at <a href="http://www.hws.edu/studentlife/pdf/aod_list.pdf">http://www.hws.edu/studentlife/pdf/aod_list.pdf</a>.</td>
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</table>

**X) DRUG-FREE WORKPLACE POLICY**

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

**A) Sanctions for Violation or Non-Compliance**

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

**B) Compliance as a Condition of Employment**

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

**C) Employee Obligation for Notification of Conviction**

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

D) Employer Obligation for Notification
The Colleges are obligated to notify the appropriate federal contracting or granting agency, if applicable, within 10 calendar days after receiving notice of an employee conviction under paragraph three above. An academic officer, supervisor, or Vice President for Campus Life or designee who receives notification of a conviction under paragraph three above shall immediately inform the Office of Human Resources in writing so that in those cases where a convicted employee is engaged in the performance of a federal grant or contract, the appropriate federal agency can be notified.

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

## Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>II</td>
<td>Cocaine 500-4999 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Cocaine 5 kilograms or more mixture</td>
<td><strong>First Offense:</strong> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>II</td>
<td>Cocaine Base 28-279 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Cocaine Base 280 grams or more mixture</td>
<td><strong>Second Offense:</strong> Not less than 20 yrs. and not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.</td>
</tr>
<tr>
<td>IV</td>
<td>Fentanyl 40-399 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Fentanyl 400 grams or more mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>Fentanyl Analogue 10-99 grams mixture</td>
<td><strong>Second Offense:</strong> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $40 million if not an individual.</td>
<td>Fentanyl Analogue 100 grams or more mixture</td>
<td><strong>Second Offense:</strong> Not less than 20 yrs. and not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $100 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>Heroin 100-999 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Heroin 1 kilogram or more mixture</td>
<td><strong>Second Offense:</strong> Not less than 20 yrs. and not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $100 million if not an individual.</td>
</tr>
<tr>
<td>I</td>
<td>LSD 1-9 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>LSD 10 grams or more mixture</td>
<td><strong>Second Offense:</strong> Not less than 20 yrs. and not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $100 million if not an individual.</td>
</tr>
<tr>
<td>II</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Methamphetamine 50 grams or more pure or 500 grams or more mixture</td>
<td><strong>Second Offense:</strong> Not less than 20 yrs. and not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $100 million if not an individual.</td>
</tr>
<tr>
<td>II</td>
<td>PCP 10-99 grams pure or 100-999 grams mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>PCP 100 grams or more pure or 1 kilogram or more mixture</td>
<td><strong>Second Offense:</strong> Not less than 20 yrs. and not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $100 million if not an individual.</td>
</tr>
</tbody>
</table>

### Substance/Quantity

<table>
<thead>
<tr>
<th>Substance/Quantity</th>
<th>Penalty</th>
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</thead>
<tbody>
<tr>
<td>Any Amount Of Other Schedule I &amp; II Substances</td>
<td><strong>First Offense:</strong> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if not an individual.</td>
</tr>
<tr>
<td>Any Drug Product Containing Gamma Hydroxybutyric Acid</td>
<td><strong>Second Offense:</strong> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.</td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV) 1 Gram</td>
<td><strong>First Offense:</strong> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual.</td>
</tr>
<tr>
<td>Any Amount Of Other Schedule III Drugs</td>
<td><strong>Second Offense:</strong> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual.</td>
</tr>
<tr>
<td>Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)</td>
<td><strong>First Offense:</strong> Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
</tr>
<tr>
<td>Any Amount Of All Schedule V Drugs</td>
<td><strong>Second Offense:</strong> Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if other than an individual.</td>
</tr>
<tr>
<td>Any Amount Of All Schedule V Drugs</td>
<td><strong>Second Offense:</strong> Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.</td>
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<tr>
<td>Substance</td>
<td>First Offense</td>
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<td>---------------------------------</td>
<td>------------------------------------------------------------------------------</td>
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<tr>
<td>Marijuana 1,000 kg or more</td>
<td>Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.</td>
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<tr>
<td>marijuana mixture or 1,000</td>
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<tr>
<td>or more marijuana plants</td>
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<tr>
<td>Marijuana 100 to 999 kg</td>
<td>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.</td>
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<tr>
<td>marijuana mixture or 100 to</td>
<td></td>
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<tr>
<td>999 marijuana plants</td>
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<tr>
<td>Marijuana 50 to 99 kg</td>
<td>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if other than an individual.</td>
</tr>
<tr>
<td>marijuana mixture, 50 to 99</td>
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<tr>
<td>marijuana plants</td>
<td></td>
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<tr>
<td>Hashish more than 10 kg</td>
<td>Second Offense: Not more than 10 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual.</td>
</tr>
<tr>
<td>Hashish Oil more than 1 kg</td>
<td></td>
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<tr>
<td>Marijuana less than 50 kg</td>
<td>Second Offense: Not more than 10 yrs. Fine $500,000 if an individual, $2 million if other than an individual.</td>
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<tr>
<td>marijuana (but does not include</td>
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<tr>
<td>50 or more marijuana plants</td>
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<tr>
<td>regardless of weight)</td>
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<tr>
<td>1 to 49 marijuana plants</td>
<td></td>
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<tr>
<td>Hashish 10 kg or less</td>
<td></td>
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<tr>
<td>Hashish Oil 1 kg or less</td>
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