

Alcohol and Drug Use Policy

Updated 9/25/13



Brooklyn Law School

ESTABLISHED 1901



Annual Written Distribution of Information to All Students and Employees

Complying with the Drug-Free Schools and Campuses Regulations

Brooklyn Law School (herein “Brooklyn” or “the Law School”), an institution of higher education that receives federal financial funds, is required to certify that it has adopted and implemented a drug and alcohol education and use policy in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and the Drug Free Schools and Communities Act Amendments of 1989 (Section 22 of Public Law 101-226.) Annually, the Law School is required to disseminate information to all students and employees regarding 1) the standards of conduct related to unlawful possession, use, purchase, or distribution of alcohol or illicit drugs on our property or as part of any activities associated with the Law School; 2) the applicable legal sanctions under local, state, or federal law for the unlawful use, possession or distribution of illicit drugs or alcohol; 3) the health risks associated with the abuse of alcohol or illicit drugs and 4) the available counseling, rehabilitation, treatment, or re-entry programs available to employees or students of the Law School; and 5) a description of the disciplinary sanctions that may be imposed against students for violations of Brooklyn’s policies regarding use, possession or distribution of alcohol or illicit drugs on campus.

Standards of Conduct & Law School Sanctions

The unlawful possession, use or distribution of illicit or legal drugs and alcohol by students on Law School property is expressly prohibited. The applicable legal sanctions under local, state or federal law for the unlawful or unauthorized manufacture, sale, possession, use or distribution of illicit drugs and alcohol will be enforced. A federal or state drug conviction can disqualify a student for Federal Student Aid (FSA) funds. The Standards of Conduct related to unlawful possession, use, purchase, or distribution of alcohol or illicit drugs on our property or as part of any activities associated with the Law School (unless alcohol is served as part of the activity) for students are contained in the [Student Handbook](#). Specifically, the Student Handbook (pages 103- 105) states the following:

In compliance with federal and state laws and consistent with this institution’s commitment to a drug-free environment, the following policy applies to all faculty, students and employees of the Law School. We are particularly concerned with employees engaged in activities financed by any federal grant or contract involving this institution.

- a. The use or unlawful manufacture, possession, distribution or dispensation of illicit controlled substances or other drugs and the abuse of alcohol are strictly prohibited in the Law School. Violations will result in appropriate disciplinary action up to and including termination of employment, or expulsion, referral for criminal prosecution if warranted and reporting to appropriate regulatory agencies to the full degree required.

b. An illicit drug is any substance defined and regulated under the provisions of Title 21 of the United States Code and Articles 220 and 221 of the New York Penal Law.

c. Students and employees should be aware that it is a violation of federal and state law to possess or distribute illicit drugs, including marijuana. They should also be aware that they are not permitted to drink alcoholic beverages on Law School property except inside apartments of residence halls and at school functions where consumption is authorized and strictly monitored.

d. Employees, including students employed by the Law School, are obligated to notify the Law School's Human Resources Manager of any drug related conviction for a violation occurring on and off Law School property not later than five days after a conviction. The Law School will then notify any granting or contracting agencies involved within ten days after receiving notice of a drug related conviction. Within thirty days of notification, the Law School will take appropriate personnel action, up to and including termination. In appropriate situations, the Law School may, among other sanctions, require employees convicted of criminal drug related violations in the workplace to satisfactorily complete a drug-rehabilitation program.

e. Students are obligated to notify the Assistant Dean for Student Affairs of any criminal drug related arrest for a violation occurring on the Law School property not later than five days after such arrest. Appropriate action will be taken. See also Reporting Arrests and Convictions, supra.

f. As part of our required drug-free awareness program, it is reiterated, as employees and students should already be aware, that drug abuse in the Law School is dangerous and harmful to the abuser, to other employees and students, and to the institution's obligations to carry out its responsibilities, including those pursuant to federal grants and contracts.

g. Employees and students in need of assistance regarding drug abuse may be eligible to participate in drug counseling and/or drug rehabilitation programs available in the community. Information concerning some of these programs is available from the Assistant Dean for Student Affairs at studentaffairs@brooklaw.edu or the Human Resources Manager at 718-780-0305.

h. All employees engaged in the performance of a federal grant or contract are further advised that their full compliance with the requirements set forth in this section is a specific condition of their employment under any federal grant or contract involving the Law School and is likewise a specific condition of employment for the institution as a whole.

Please note that section A in the above information from the Student Handbook includes the possible sanctions for violating Brooklyn Law School's Alcohol and/or Drug Policy.

The employee policy governing similar unlawful use, sale, possession or distribution of alcohol or illicit drugs while at work or on a school sponsored field trip or other activity is maintained by the Office of Human Resources. According to Brooklyn's employee policy:

It is the School's policy to protect all employees from the detrimental health effects and other risks associated with drug and alcohol abuse. The manufacture, distribution, dispensation, possession, or use of any illegal drug or controlled substance while on the School's premises is strictly prohibited. These activities constitute serious violations of the School's rules, jeopardize the School and can create situations that are unsafe or that substantially interfere with job performance. Employees in violation of this policy are subject to appropriate disciplinary action, up to and including termination. Additionally, the possession or consumption of alcohol on the School's premises is prohibited except for School sponsored activities or functions.

Legal Sanctions for Violations

Persons under the age of 21 are prohibited from using or possessing alcoholic beverages and persons no matter their age are prohibited from operating a motor vehicle while legally impaired. Further, any controlled substance for which one does not have a prescription from a licensed physician is not permitted on our campus or at any Law School sponsored or controlled activity. Possession, use or distribution of any illicit drug including marijuana, cocaine, methamphetamine, GHB, ecstasy, synthetic marijuana, or amphetamine is strictly prohibited and against not only Law School policy, but state and federal law. A description of the legal sanctions under local, state, or federal law for the unlawful use, possession or distribution of illicit drugs or alcohol on campus or associated with a Law School activity can be found in the New York State Penal Law, Sections 220.00-221.55 and include educational rehabilitative programs to significant jail time. The link to all the statutes defining illegal use, possession, or distribution and the potential criminal charges associates with such conduct can be found online at <http://ypdcrime.com/penal.law/index.htm>.

Health Risks Associates with Use

The health risks associated with long term use and abuse of both legal and illegal drugs are serious and potentially life threatening. Alcohol and drug abuse can cause damage to every major system of the body and lead to death. Long term use of alcohol can result in dementia, neurological disorders, injuries, liver disease and put one at greater risk of being a victim of violence. Use of illicit drugs can cause instant death or brain damage as well as the aforementioned damage to major organ systems. More information on health risks associated with use and abuse of alcohol or use of illicit drugs can be found <http://www.cdc.gov/alcohol/>.

Faculty and staff are encouraged to look for the following indicators that may identify students in need of intervention and services due to alcohol or drug abuse:

- Showing up to class drunk or hung over
- Smelling of alcohol
- Inability to complete assignments

- Inability to concentrate in class/sleeping
- Decline in personal grooming
- Difficulty keeping up/asking for extensions to complete work
- Missing class

Students who display any of the behaviors listed above should be referred to Jennifer Lang, the Assistant Dean for Student Affairs at 718-780-0679.

An employee may show similar indicators if suffering adversely from the use or abuse of alcohol or drugs. Assistance for faculty and staff members is available at Health Management Systems of America, 24 Hours a Day, 7 Days a week. 800-767-5320. Employees who display any of the behaviors listed above should be referred to Christina Wallace in Human Resources at 718-780-0305.

Rehabilitation, Treatment, or Re-Entry Programs

The Law School is committed to helping students and employees attain available counseling, rehabilitation and treatment for alcohol and drug abuse and provides the below list of area providers located off campus.

Suggested area resources for employees and students:

Alcoholics Anonymous of Brooklyn www.brooklynintergroup.org

Narcotics Anonymous of Brooklyn <http://www.bklynna.org/content/findameeting.html>

Long Island College Hospital <http://www.downstate.edu/lich/>

The Brooklyn Hospital Center <http://www.tbh.org/>

The Addiction Institute of New York <http://addictioninstitute.org>.

Substance Abuse and Mental Health Services <http://www.samhsa.gov>

Local Treatment Centers:

<http://www.choosehelp.com/newyork/drug-rehabs-alcohol-rehabilitation-programs>

Students can request a Leave of Absence from the School in order to seek rehabilitation and long-term treatment for drug and/ or alcohol abuse or for other personal reasons according to the guidelines outlined below from the Student Handbook:

A student in good standing who wishes to take a temporary leave of absence must apply in writing to the Assistant Dean for Student Affairs. To be eligible for a leave of absence, a student must have completed at least one semester by taking all regularly scheduled examinations and submitting all papers, and must be in good academic standing. Leaves during the first year of law study are strongly discouraged and will be granted only in extraordinary circumstances.

Leaves of absence requested more than fifty calendar days after the start of the semester will not be granted except for documented medical reasons or in exceptional circumstances.

If a student demonstrates sufficient reason for a leave, the Assistant Dean for Student Affairs will grant the request in writing for a specified time period and with conditions appropriate for the particular student. Leaves are normally approved only for one semester but never more than one academic year absent exceptional circumstances. The decision to grant a leave of absence is within the sole discretion of the Assistant Dean for Student Affairs.

Employees are entitled to The Family and Medical Leave Act of 1993 (FMLA). FMLA provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. At the conclusion of the leave, subject to certain exceptions, an employee generally has a right to return to the same or to an equivalent position with equivalent pay, benefits and other terms of employment.

Review of Institutional Programs Related to Alcohol and Drug Abuse Education

During orientation, the entering students are required to attend Professional 102 classes as part of the Introduction to the Study of Law. One of the Professional 102 sessions includes a discussion of the resources available to students for the treatment of alcohol and drug abuse. In addition, during the Student Organization and Community Fair, brochures are provided for a local program that is available for students with an alcohol or drug abuse problem.

Alcohol and Drug Related Violations and Fatalities and Imposed Sanctions

There was one report during the past year of the use of marijuana in a student's apartment in Feil Hall. The School investigated the complaint and no evidence was found.

The Brooklyn Law School is committed to compliance with the Drug Free Schools and Campuses Act. For further information, contact the US Department of Education at 1-800-USALEARN (1-800-872-5327) or Jennifer Lang, Assistant Dean for Student Affairs at 718-780-0679.