

# Alcohol and Drug Use Policy



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 (“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.) The Law School is required to disseminate information to all students and employees on an annual basis 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; 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.

### **Drug and Alcohol Policy**

The unlawful possession, use or distribution of illicit or legal drugs and alcohol by faculty, staff, students, and visitors 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.

#### **A. Drugs**

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

- 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. 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.
- 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 (5) days after a conviction. The Law School will then notify any granting or contracting agencies involved within ten (10) days after receiving notice of a drug-related conviction. Within thirty (30) 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 Dean of Student Affairs of any criminal drug-related arrest for a violation occurring on the Law School property not later than five (5) days after such arrest. Appropriate action will be taken.
- 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.
- 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 Dean of Student Affairs at [studentaffairs@brooklaw.edu](mailto: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.

## **B. Alcohol**

- a. New York State Law prohibits the: (1) sale, giving, and serving of alcoholic beverages to persons under the age of 21; (2) the possession and consumption of alcoholic beverages persons under the age of 21; (3) the consumption of an

alcoholic beverage or possession of an open container of an alcoholic beverage in public; (4) the sale, giving, and serving of alcoholic beverages to anyone over the age of 21 without the proper liquor license or permit; and (5) serving and consuming alcoholic beverages at an event/establishment without food being served. For the Law School's comprehensive policy on alcohol, please refer to the *Brooklyn Law School Alcoholic Beverages Policy* which can be found on BLS Connect at <https://blsconnect.brooklaw.edu/administrative/policies/Pages> and the BLS website at <https://www.brooklaw.edu/cityandcampus/policies/policies>.

- b. Students, staff, and faculty are prohibited from consuming alcoholic beverages on Law School property, except inside apartments of residence halls and at school functions where consumption is authorized and strictly monitored.
- c. Any alcohol to be consumed at a school-sanctioned event must be purchased and served according to the *Brooklyn Law School Alcoholic Beverages Policy* which can be found on BLS Connect at <https://blsconnect.brooklaw.edu/administrative/policies/Pages> and the BLS website at <https://www.brooklaw.edu/cityandcampus/policies/policies>.
- i. Violations will result in appropriate disciplinary action up to and including termination of employment (employees), or expulsion (students), referral for criminal prosecution if warranted, and reporting to appropriate regulatory agencies to the full degree required, including the character and fitness committees of the State bar.

This drug and alcohol policy governs school-sponsored, off-campus activities (e.g. Moot Court competition, commencement).

### **C. Law School Sanctions**

Violators of this policy shall be subject to the appropriate disciplinary policy and procedures for the pursuit of sanctions. Student shall be subject to the Student Disciplinary Policy and Procedures, faculty shall be subject to the disciplinary procedures set for in the Faculty Regulations, and staff shall be subject to progressive discipline. Please refer to the following for the disciplinary policies: BLS Connect at <https://blsconnect.brooklaw.edu/administrative/policies/Pages> and the BLS website at <https://www.brooklaw.edu/cityandcampus/policies/policies>.

### **D. Legal Sanctions for Violations**

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 sanctions ranging from 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>.

### **E. 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 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, staff, and students are encouraged to look for the following indicators that may identify someone in need of intervention and services due to alcohol or drug abuse:

- Showing up to class or work drunk or hung over
- Smelling of alcohol
- Inability to complete assignments or job duties
- Inability to concentrate in class or sleeping in class or on the job
- A decline in personal grooming
- Difficulty keeping up/asking for extensions to complete work
- Absenteeism

Students who display any of the behaviors listed above should be referred to Jennifer Lang, the Dean of Student Affairs at 718-780-0679 or [jennifer.lang@brooklaw.edu](mailto:jennifer.lang@brooklaw.edu). Faculty and staff who display any of these behaviors should be referred to Matthew Burns, Director of Human Resources, at 718-780-0305 or [matthew.burns@brooklaw.edu](mailto:matthew.burns@brooklaw.edu). In addition, 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.

### **F. 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](http://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://addictioninstituteny.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 to attend rehabilitation and long-term treatment for drug and/ or alcohol abuse or for other personal reasons according to the guidelines outlined in the Student Handbook. Students can also contact Dean Jennifer Lang at 718-780-0679 or [jennifer.lang@brooklaw.edu](mailto:jennifer.lang@brooklaw.edu).

Employees who need a leave to seek rehabilitation or long-term treatment may be eligible for leave under The Family and Medical Leave Act of 1993 (FMLA), which provides eligible employees with up to twelve (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. For information on FMLA leave, please contact Matthew Burns, Director of Human Resources, at 718-780-0305 or [matthew.burns@brooklaw.edu](mailto:matthew.burns@brooklaw.edu).

#### **G. Review of Institutional Programs Related to Alcohol and Drug Abuse Education**

During orientation, 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.

#### **H. Alcohol and Drug-Related Violations and Fatalities and Imposed Sanctions**

Please referred to the Law School's Clery Report for information on alcohol and drug-related violations. The report is available at <https://www.brooklaw.edu/student-life/public-safety/safety>. There have been no fatalities or imposed sanctions

The Brooklyn Law School is committed to compliance with the Drug Free Schools and Campuses Act. For further information, contact the U.S. Department of Education at 1800-USALEARN (1-800-872-5327) or Jennifer Lang, Dean of Student Affairs at 718-780-0679 or [jennifer.lang@brooklaw.edu](mailto:jennifer.lang@brooklaw.edu).