

Alcohol and Drug Abuse Prevention Policy

Policy Statement

FPTI is committed to a campus free of illegal drug use, misuse and abuse of prescription drugs, underage drinking and alcohol abuse. The school has no tolerance for illegal activity or any other harmful conduct influenced by drugs or alcohol. Unlawful possession as well as the distribution of illegal drugs or alcohol is prohibited on school property or as part of its activities. The school will cooperate fully with law enforcement agencies and will apply appropriate internal disciplinary processes should a student or an employee violate criminal statutes with regard to illegal drugs or possession or sale of alcohol.

Students who are aware of the use or existence of any such substances at FPTI should notify a school employee immediately. The terms “illegal drugs” and “controlled substances” include all chemical substances and drugs described in any controlled substances laws or regulations, such as the Federal Controlled Substances Act of 1988. Prescription medications that have not been properly prescribed by a doctor to the individual are also included in this policy.

Policy Distribution

All students receive a Drug and Alcohol Abuse Prevention handout at the time of their enrollment. Students verify that they have received a copy and read the policy by signing off on their enrollment packet. This policy is then reviewed during the student orientation

Faculty and Staff receive a copy of FPTI’s Drug and Alcohol Abuse Prevention Policy via FPTI’s employee handbook, which is required for all employees to read and sign an acknowledgment they have received said policy.

Furthermore, FPTI certifies that it has a drug and alcohol abuse awareness program in operation that is accessible to any officer, employee, or student at the school. As per Federally Mandated policy on this matter, FPTI’s Drug and Alcohol program is distributed annually to all students, faculty, and staff.

Institutional Sanctions- Alcohol

Student Sanctions

Sanctions against students include, but are not limited to, disciplinary expulsion, suspension, and/or probation. When appropriate, school sanctions may be entered into permanent records. Parents of dependent students will be notified of pending charges or subsequent decisions.

The following sanctions will be imposed on a student in violation of the policy regarding use, possession or being under the influence of alcohol:

- **First Infraction** – The student and an Executive Director will have a counseling session, which will be documented and become part of the student’s permanent record. The student will be placed on administrative probation and advised to voluntarily seek professional counseling. Students who believe they have a chemical dependency or substance abuse problem and who want help can learn about many helpful resources from the School Director.
- **Second Infraction** – The student will be dismissed from the program

Student Use of Alcoholic Beverages:

The unlawful manufacturing, distribution, possession or use of illegal drugs or other controlled substances and the unauthorized use of alcohol by students on school property and by the School employees at work is prohibited.

Student clubs and organizations may petition the Executive School Directors in advance of a planned event for the use of beer or wine at a “duly authorized function.” School organizations must adhere to stringent guidelines that comply with New York State Alcoholic Beverage Control Law prohibiting the sale, delivery, or providing of alcoholic beverages to people under the age of 21. In addition, School functions that have received permission to serve alcoholic beverages must provide adequate supervision for distribution and consumption. Any person found to have violated the School policy on alcohol and drug use is subject to discipline.

The legal age for drinking alcohol in New York is 21. As stated earlier, it is against the law in New York to sell or give away alcohol to anyone under the age of 21. The possession or use of illegal drugs is a crime in the State of New York. Anyone found on school property may be dismissed from the school, in addition to facing criminal charges and arrest.

Institutional Sanctions- Illicit Drugs

The following sanctions will be imposed on a student in violation of the policy regarding unlawful manufacture, distribution, dispensation, possession, sale or use of illicit drugs:

First Infraction- Immediate dismissal from the program and referral to the proper authorities for prosecution.

FPTI reserves the right, in extreme cases, to immediately dismiss any student in violation of the Drug and Alcohol Prevention Policy, the above outlined procedure notwithstanding. Furthermore, reasonable suspicion may be established by any combination of a student’s appearance, body odor, or behavior; an accident; a physical and/or verbal altercation; or possession of drugs and/or alcohol.

Institutional Sanctions- Additional

Employee Sanctions:

School employees who violate the school’s standards of conduct are subject to disciplinary action including reprimand, suspension, or dismissal. The school may impose sanctions against any employee who violates Federal, State or local laws, or the standards of school conduct. Depending on the nature and severity of the violation, these sanctions can range from warnings and/or mandatory referral for drug or alcohol rehabilitation to outright termination of employment.

Legal Sanctions

FPTI is required to include in its Drug and Alcohol Abuse Prevention Policy information regarding Local, State, and Federal legal sanctions. Students are encouraged to read this information carefully. Additionally, the school owners, Directors, faculty and staff will review the institution’s Drug and Alcohol Abuse Prevention Policy at least once every two years to determine its effectiveness and to implement changes to the program as necessary.

Additional Treatment Resources

- **National Drug and Alcohol Treatment Referral Services:**
800-662-4357
- **Alcoholism Council of Greater New York:**
800-56-SOBER
- **New York Center for Addiction:**
212-966-9537
- **Alcoholics Anonymous**
718-520-5021
- **AI-Anon**
212-254-7230
212-260-0407
- **Focus on Recovery**
800-234-1253
- **NYS Drug Information Hotline**
800-522-5353
- **Children of Alcoholics**
800-359-COAF (359-2623)
- **Stop Smoking Hotline**
800-ACS-2345 (227-2345)
- **Marijuana Hotline**
888-MARIJUA
888-627-4582
- **Relapse Hotline**
800-735-2773

Health Risks

The following briefly summarizes health risks and symptoms associated with the use of alcohol and other drugs. It is important to note that individuals experience alcohol and drugs in different ways based on physical tolerance, body size and gender, and on a variety of other physical and psychological factors.

Alcohol:

Alcohol consumption causes a number of changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasingly 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 acts. Moderate to high doses of alcohol cause marked impairments in higher mental functions severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Long-term consumption of large quantities of alcohol can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

Cigarettes and other Nicotine Products:

In 1989, the U.S. Surgeon General issued a report that concluded that cigarettes and other forms of tobacco, such as cigars, pipe tobacco and chewing tobacco, are addictive and that nicotine is the drug in tobacco that causes addiction. In addition, the report determined that smoking was a major cause of stroke and the third leading cause of death in the United States. Nicotine is both a stimulant and a sedative to the central nervous system. Nicotine is absorbed readily from tobacco smoke in the lungs, and it does not matter whether the tobacco smoke is from cigarettes, cigars, or pipes, Nicotine also is absorbed readily when tobacco is chewed.

Prescription Medications:

Prescription drugs that are abused or used for non-medical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opioids (often prescribed in the treatment of pain), central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity). Long-term use of opioids or central nervous system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures and irregular heartbeat.

Marijuana:

Marijuana use can lead to a number of long term and short term physical and psychological effects. Marijuana use leads to a substantial increase in the heart rate, impairs short term memory and comprehension and motivation can be altered.

Amphetamines:

Amphetamines, methamphetamines, or other stimulants can cause increased heart rate and respiratory rates, elevated blood pressure, and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors, and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever, heart failure and death. An individual using amphetamines might begin to lose weight, have the sweats, and appear restless, anxious, moody, and unable to focus. Extended use may produce psychosis, including hallucinations, delusions and paranoia.

Steroids (anabolic):

Anabolic steroids are human-made substances related to male sex hormones. Some athletes abuse anabolic steroids to enhance performance. Abuse of anabolic steroids can lead to serious health problems, some of which are irreversible. Short term side effects include depression, hallucinations, paranoia, severe mood swings and aggressive behavior. Major side effects also can include liver tumors and cancer, jaundice, high blood pressure, kidney tumors, severe acne and trembling. In males side effects may include shrinking of the testicles and breast development. In females, side effects may include growth of facial hair, menstrual changes and deepened voice. In teenagers, growth may be halted prematurely and permanently.

Federal and State Sanctions for the Unlawful Use of Alcohol and Drugs

Illicit Drugs

Both federal and New York State laws make it a criminal offense to manufacture, distribute, dispense, or possess with intent to manufacture, distribute, dispense, or simply possess a controlled substance, including marijuana (21 U.S.C. §801, *et seq.*; Penal Law, §§220, 221; New York State Public Health Law, §3306). The penalties imposed upon conviction for violation of these laws depend upon the particular offense and on aggravating factors such as the type and quantity of drugs in each offense. Sanctions range from monetary fines to imprisonment.

Federal Laws on Illicit Drugs

Simple possession of controlled substances can result in a one year prison term and a \$1,000 fine for first offenders found guilty in a federal court. Subsequent convictions can result in significantly greater penalties (21 U.S. C. 844(a)). A conviction for possession of a controlled substance that results in death or bodily injury can result in life imprisonment. A penalty of ten to sixteen years in prison can be the result of a conviction for possession of more than five grams of cocaine (U.S.S.G.S. 2D2.1 (b) (1)).

Denial of Federal Aid (20 USC 1091)

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved substance abuse rehabilitation program.

Federal penalties are similar to those assessed by New York State. : A variety of criminal penalties may result from the misuse of alcoholic beverages:

- In New York, if you give or sell an alcoholic beverage to a person less than 21 years old, you are committing a Class A misdemeanor, punishable by up to 1 year in jail and a possible \$1,000 fine. New York State Penal Law §260.20 (2).
- Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that one may endanger oneself or other persons or property, or annoy persons in one's vicinity, is a violation, punishable by a fine and imprisonment up to 15 days as per New York State Penal Law §240.40.

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<p>First Offense: 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.</p> <p>Second Offense: 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, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p>First Offense: 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.</p> <p>Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
Substance/Quantity		Penalty		
Any Amount Of Other Schedule I & II Substances		<p>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 not an individual.</p>		
Any Drug Product Containing Gamma Hydroxybutyric Acid		<p>Second Offense: 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.</p>		
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		<p>First Offense: 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.</p> <p>Second Offense: 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.</p>		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Any Amount Of All Schedule V Drugs		<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 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

State of New York Laws on Illicit Drugs

The New York Penal Code (New York State Penal Law §§220.00-220.21) identifies six levels of criminal possession of controlled substances and marijuana, respectively. First-degree possession of a controlled substance is a class A-1 felony (§220.21); criminal possession of the same is a class A misdemeanor. Separately, first-degree possession of marijuana (weighing more than ten pounds in the aggregate) is a class C felony (New York State Penal Law §221.00), while possession alone is a violation.

In addition to controlled substances and marijuana, possession of precursors of controlled substances, precursors of methamphetamines, hypodermic instruments, and methamphetamine manufacturing material may also violate the law.

A defendant convicted of a class A-1 felony may be sentenced to a term of 8 to 20 years imprisonment or a fine of \$100,000. Convictions of class B to class E felonies range from sentences of a minimum of one year to a maximum of 1.5 to 9 years or fines ranging from \$15,000 to \$30,000 for class B and class C felonies.

Unlawful possession of marijuana is a violation and is subject to imprisonment of no more than 15 days or a fine in an amount less than \$250.

Biennial Review

The Drug Free Schools and Campuses Regulations (34 CFR, Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require FPTI to certify it has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by students and employees both on the premises and as part of any activities. At a minimum FPTI must annually distribute the following in writing to all students and employees:

- Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees
- A description of the legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol
- A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.
- A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

The law further requires that the institution conduct a biennial review of its program with the following objectives:

- Determine the effectiveness of the policy and implement changes to the program, if needed.
 - Ensure that the sanctions developed are enforced consistently.
- The biennial review must also include a determination as to:
- The number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials; and
 - The number and type of sanctions the school imposes on employees as a result of such violations or fatalities.

The school acknowledges a legal obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act and authorized an administrative review to be conducted to determine if the school fulfills the requirements of the Federal regulations.

Biennial Review Committee

Both Executive School Directors will be on the Biennial Review Committee.

Materials Reviewed:

- The Higher Education Amendments of 1998 (P.L. 105-244) and the Drug-Free Schools and Communities Act Amendments of 1989 (P.L.101-226)
- Previous Biennial Review reports, if applicable
- FPTI's Alcohol and Drug Policy documents distributed to all faculty, students and staff.
- NY State laws regarding drug and alcohol abuse.
- Summary of alcohol and other drug-free programming/events sponsored by the school.

Summary:

In 2015, the Biennial Review Committee has conducted a comprehensive study of the FPTI's Alcohol and Drug Policy. The school has developed a successful approach to address alcohol and other drug issues on campus. We will continue to develop, evaluate, assess and pursue the best practices for the school to create a safe and healthy environment for our students, faculty and staff.

DRUG ABUSE HANDBOOK & DRUG PREVENTION PROGRAM

I _____ have received a copy of FPTI's Drug and Alcohol Prevention Abuse Policy. I understand that if I am a drug or alcohol offender, I will be dismissed from the school immediately. Possession, distribution or illegal use of alcohol or illicit substances will bring immediate termination from the school and may result in legal criminal charges and arrest.

Signature

Date

Print Name