

# Juilliard

Biennial Review of the Alcohol and Drug Policies, Procedures, Support Services and Educational Programs  
at The Juilliard School for the period of July 1, 2014 through June 30, 2016 as required by the Drug-Free  
Schools and Campuses Act

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## **Introduction**

The Juilliard School encourages members of the community to make responsible decisions concerning the use of alcoholic beverages. The minimum age for drinking in New York State is twenty-one (21). The [Drug Free Schools and Campuses Regulations \(34 CFR Part 86\) of the Drug-Free Schools and Communities Act 1989 \(DFSCA\)](#) requires institutions of higher education (IHEs) that receive federal funds to develop, certify, and implement programs to prevent the abuse or misuse of alcohol and drugs by students and employees, both on campus and as part of any institutional activities. The Juilliard School, in compliance with this regulation, conducts a biennial review of the program's effectiveness and the consistency of the enforcement sanctions.

## **Regulation Requirements: Annual Notification**

The regulations require The Juilliard School ("Juilliard" or "the School"), to annually distribute the following in writing to all students and employees:

1. Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
2. A description of the legal sanctions under local, state or federal law for the unlawful possession, use or distribution of illicit drugs and alcohol;
3. A statement of all health risks associated with alcohol and drug abuse;
4. A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to students and employees;
5. A clear statement that the School will impose sanctions on students and employees, including a description of those sanctions, up to and including expulsion from the School or termination of employment.

## **Regulation Requirements: Biennial Review**

The law requires the School to conduct a Biennial Review\* of its alcohol and drug abuse prevention program with the following objectives:

1. To determine the effectiveness and consistency of the policy and to implement any needed changes to the campus AOD prevention program; and
2. To determine the effectiveness and consistency of the School's enforcement of disciplinary sanctions for violating standards of conduct.

The Biennial Review must also include a determination as to:

1. The number of reported drug- and alcohol-related violations and fatalities occurring on the campus or as part of the School's activities off-campus; and
2. The number and types of sanctions Juilliard imposes on students or employees as a result of such violations or fatalities.

\* The Department of Education recommends that IHEs conduct the biennial review in even-numbered years and focus their reports on the two preceding academic years.

## **Regulation Requirements: Providing a Copy to the Department of Education**

Juilliard, upon request, must provide a copy of the School's biennial report to the U.S. Department of Education (DOE) or its representative. The DOE may review the report and supporting documentation and, if Juilliard is determined to be noncompliant, may take action ranging from providing technical assistance to terminating federal funding of Juilliard programs.

## **Biennial Review Committee**

Members of the Biennial Review Committee are as follows:

Ms. Joan W. Warren, Vice President for Enrollment Management & Student Development

Dr. Jennifer M. Awe, Dean of Student Affairs

Ms. Sabrina Tanbara, Assistant Dean of Student Affairs

Mr. Todd Porter, Director of Residence Life

Dr. William Buse, Director of Counseling Services

Ms. Beth Techow, Administrator for Health and Counseling Services

Ms. Caryn Doktor, Director of Human Resources

Ms. Mary Anne Richmond, Assistant General Counsel

Ms. Amanita Pleasant-Heird, Director of Special Events

## **Compliance with Drug-Free Schools and Communities Act Alcohol and Drug Policy**

The Juilliard School considers the abuse of drugs or alcohol by its faculty, staff and students to be unsafe and detrimental to the educational process and the work environment. It is Juilliard's policy that the illegal possession, use, consumption, sale, purchase or distribution of alcohol, illegal drugs or illegally possessed drugs by any employee or student while in the workplace, on campus or in the conduct of School-related work or activities off-campus, is strictly prohibited.

For purposes of this policy, the campus is defined as a) any area used for work, education, or recreation; b) the residence hall; and c) adjacent sidewalks and exterior areas.

The School permits persons of legal drinking age or older to possess and consume alcoholic beverages within the confines of private units in the Rose Building subject to all Federal, State and Local laws, and the guidelines which have been established by the School.

Guests under the age of 21 are not allowed to be in a campus housing unit where alcohol is present, regardless of whether they are consuming alcoholic beverages or not.

This policy is not designed to interfere with the appropriate use of prescription drugs. Student employees should notify their supervisors if the proper use of prescribed medication will affect work or academic performance. Abuse of prescription drugs will be treated as a violation of this policy.

## **Drug Free Workplace Act**

The Juilliard School is the recipient of federal grants to assist the School in the education and training of its students. As a recipient of federal grants, Juilliard is required to maintain a drug-free workplace pursuant to the requirements of the *Drug-Free Workplace Act*. The School is firmly committed to maintaining a drug-free workplace.

In conformity with the requirements of the *Drug-Free Workplace Act*, all Juilliard employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of controlled substances anywhere on Juilliard's premises. Employees are also prohibited from reporting for work under the influence of an intoxicant or controlled substance.

The Act makes clear that the violation of its requirements will subject the employee to appropriate disciplinary action, up to and including termination of employment. Violators may also be required to participate in a federally-approved drug abuse assistance or rehabilitation program. Information regarding available drug abuse counseling programs may be obtained on a confidential basis from the Director of Human Resources.

The Act further requires that any employee who is convicted or pleads guilty or no contest to a criminal charge involving the manufacture, distribution, dispensation, use or possession of any controlled substance in the workplace must notify Juilliard's Director of Human Resources in writing within five days of this action. Such an employee may be subject to appropriate disciplinary action and/or required to participate in a drug abuse assistance or rehabilitation program. Juilliard is also required to notify any agency from which it is receiving a federal grant of this occurrence.

Compliance with this policy statement is a condition of employment on all grants funded by federal programs.

### **Disciplinary Actions to Prevent Alcohol and Drug Abuse**

Penalties or sanctions will be imposed by the School in accordance with procedures for disciplinary actions against employees and students as found in the Student Handbook, the Staff Handbook, the Faculty Handbook and other applicable documents. Sanctions and penalties include without limitation referral to rehabilitation programs, written warnings with probationary status, and dismissal from academic programs and termination of employment.

### **Distribution & Review of Policy**

An electronic copy of the School's Alcohol and Drug policy is distributed to all new employees at the start of employment. The policy is available to all current employees online at <http://www.juilliard.edu/AlcoholDrugPolicy>. Beginning January 2017, an electronic copy of the School's Alcohol and Drug policy will be distributed annually to each employee. Each student registered in a degree program during an academic year receives a copy of the policy in the Student Handbook. The Vice President of Enrollment Management and Student Development oversees the biennial review of the Alcohol and Drug policy to determine its effectiveness and to implement any necessary changes.

### **Standards of Conduct**

#### **Guidelines for Legal Use of Alcohol**

Juilliard is committed to providing an educational and work environment in which health, safety, and productivity are paramount. Under the School's policy, specific expectations are clearly communicated, standardized, and enforced across the campus community. These guidelines include:

- maintaining compliance with institutional, state, and federal laws;
- monitoring educational and work performance;
- reporting incidents and concerns by appropriate means to designated individuals (based on classification i.e. student, employee, contractor, etc.);
- investigating and documenting such reports by appropriately identified individuals;
- appropriately and safely intervening as a bystander on behalf of a student or an employee who may be intoxicated;
- imposing corrective measure (including disciplinary action) by appropriately identified individuals;
- referring an affected student or employee to counselling/rehabilitation;
- keeping accurate records of incidents and actions taken; and
- evaluating the data and the effectiveness of the referral process and policy.

Specific information relative to Juilliard's policies, as well as state and federal laws may be viewed at <http://www.juilliard.edu/AlcoholDrugPolicy> or within the student, faculty or staff handbooks.

#### **Policy for the Consumption & Serving of Alcohol**

Juilliard does not encourage the presence or use of alcohol at School sponsored events. The School may, however, permit the legal purchase and/or use of alcoholic beverages at School related events that are properly organized and scheduled and do not interfere with academic activities or the normal operations of the School. If the event will involve students, permission to provide alcohol must be obtained from the Dean of Student Affairs or the Assistant Dean of Student Affairs.

Requests for permission to serve alcohol will only be considered if a third party vendor is properly licensed or permitted by appropriate state and local authorities and has been contracted to serve alcohol. A copy of the appropriate license must be submitted with the request.

The full policy is located on-line at: [http://www.juilliard.edu/sites/juilliard.edu/files/wysiwyg-files/policy\\_for\\_the\\_consumption\\_and\\_serving\\_of\\_alcohol\\_2016.pdf](http://www.juilliard.edu/sites/juilliard.edu/files/wysiwyg-files/policy_for_the_consumption_and_serving_of_alcohol_2016.pdf) and is also attached to this document in [Appendix A](#).

For further information and guidance on the policies and procedures related to events with alcohol, please contact the Dean of Student Affairs, the Assistant Dean of Student Affairs or the Special Events Office.

### **Smoking Policy**

The New York Public Health Law and the New York State Clean Indoor Air Act prohibit smoking in any indoor area open to the public to protect all students, employees and visitors from secondhand smoke, an established cause of cancer and respiratory disease. Smoking is not permitted in any indoor locations on Juilliard School operated, controlled or leased property including, but not limited to: classrooms; private faculty, staff, student, and administrative offices; computing facilities; dance, drama, or music studios or dressing rooms; conference, meeting and seminar rooms; cafeteria areas, lunchrooms, and lounges; libraries; stores; health facilities; restrooms; stairwells; elevators; lobbies; or reception areas.

Juilliard is committed to providing a safe and healthful environment for its students, employees and visitors. Research findings show that tobacco use in general, including smoking and breathing secondhand smoke, constitutes a significant health hazard. In addition to creating direct health hazards, smoking contributes to institutional costs in other ways, including fire damage, cleaning and maintenance costs and costs associated with absenteeism. Information about smoking cessation programs and resources is available from the Health and Counseling Office. Smoking is prohibited on the Juilliard campus except in outdoor designated smoking areas. The Juilliard School therefore has set the following policy regarding tobacco use:

- For the purposes of this policy, smoking is defined as burning any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos, pipes, and e-cigarettes.
- Smoking materials will not be sold or dispensed within any property operated, leased or controlled by the School.
- This policy applies to all persons including students, faculty, staff, visitors, contractors, subcontractors and others present on School property.
- Designated smoking areas are identified by signs and contain receptacles for the proper disposal of cigarette butts.
- All students, faculty, staff and others present on School property are expected to observe these designated smoking areas and to dispose of cigarette butts safely and only in the receptacles provided.
- Organizers and attendees at public events, such as conferences, meetings, public lectures, social events and cultural events that use the School facilities are required to comply with this policy.
- Organizers of such events are responsible for communicating this policy to attendees and for enforcing this policy.
- Effective enforcement of this policy depends upon the courtesy, respect and cooperation of all members of the Juilliard community.

### **Electronic cigarettes (E-cigarettes)**

E-cigarettes are battery-powered devices that are designed to mimic cigarettes by vaporizing a nicotine-laced liquid that is inhaled by the user. They are also considered tobacco products and therefore the same rules and conditions apply to the use and sale of these products. Existing smoke-free laws are often interpreted to prohibit e-cigarette use in their provisions.

## **Illegal, Illicit, and Prescription Drug Policy**

The Juilliard School investigates any reported instances of illegal drug activity on campus and enforces all applicable drug laws. Drug policy violations include: illegal purchase, use, possession, manufacturing or distribution of illegal or illegally possessed drugs, drug paraphernalia and controlled substances including unauthorized purchase, use, possession or distribution of prescription medication. Possession of any type of drug paraphernalia is prohibited, including for decorative purposes (e.g., hookahs). “Drug paraphernalia” is anything commonly known to be used in connection with illicit drugs whether an illegal substance is present or not, and is defined as: All equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, transporting, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance.

The School has established procedures for disciplinary action against illegal use or abuse of drugs by employees and students, as set forth in the applicable School handbooks and other related documents. Sanctions and penalties may include, but are not limited to, referral to rehabilitation programs, written warnings, probation, or dismissal from academic programs and termination of employment.

This policy is not designed to interfere with the appropriate use of prescription drugs. Students and employees should notify their supervisors if the proper use of prescribed medication will affect work or academic performance. Abuse of prescription drugs will be treated as a violation of this policy. The policy may be viewed at: <http://www.juilliard.edu/campus-life/policies-disclosures/alcoholdrug-policy>

## **Disciplinary Sanctions**

The Juilliard School, through the Office of Student Affairs (for students) and the Office of Human Resources (for employees), imposes disciplinary sanctions on individuals who violate drug and alcohol policies. The severity of the sanctions vary as appropriate to the violation. The disciplinary sanctions that may be imposed include: admonition, censure, probation, restriction of privileges, eviction from campus housing, suspension, expulsion, termination of employment and referral for prosecution. In addition to the disciplinary sanctions, students and employees may be referred to a medical treatment program, counseling and/or psychological services for assessment and follow-up.

See full Code of Conduct and Disciplinary Sanction for Students [HERE](#).

See full Code of Conduct and Disciplinary Sanction for Faculty [HERE](#).

See full Code of Conduct and Disciplinary Sanction for Staff [HERE](#).

## **Amnesty Policy for Alcohol and/or Drug Use**

The health and safety of every student at The Juilliard School is of utmost importance. Juilliard recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an act of violence occurs, including but not limited to domestic violence, dating violence, stalking, or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Juilliard strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Juilliard officials or law enforcement will not be subject to disciplinary action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

## **Duty of Care**

The Occupational Health and Safety Act 2004 (OHS Act 2004) imposes obligations on employers to ensure the safety of their employees. The Act requires:

- Employers to provide and maintain a working environment that is safe and without risks to health. Without in any way limiting the generality of this duty, employers have duties with respect to plant, substances and systems of work; providing facilities for and information, instruction training and supervision to their employees; monitoring their health and safety and so on;

- Employers and self-employed persons to ensure that persons other than employees (which would include the public) are not exposed to risks to their health or safety arising from the undertaking of the employer or self-employed person; and
- Employees to take reasonable care for their own health and safety and that of others (for example, ensuring they are not, by use of alcohol, affected in a way that may put themselves or others at risk); and to co-operate with employers in their efforts to comply with OHS requirements.

## **Prevention Programs**

### **AOD Program Goals and Goal Achievement**

Juilliard has identified four (4) topical areas of focus for the Alcohol and other Drugs (AOD) program. These objectives include:

#### **1. Early and Regular Education**

- Educating the campus community about the risk factors associated with AOD use/abuse and encourage healthy, low-risk behavior;
- Educating the campus community about recognizing “at-risk” behavior;
- Educating the campus community about the importance of timely notification to trained staff;
- Educating the campus community on how to safely intervene as a bystander and applicable policies (amnesty policy) associated with rendering help;

#### **2. Intervention**

- Providing clear and direct methods by which to refer community members of concern;
- Maintaining easy to use tools by which to refer individuals of concern to the appropriate resources;
- Maintaining an accurate and updated roster of individuals of concern which the appropriate and/or assigned administrator can access for consistent follow-up;
- Providing support services to students, faculty and staff who are experiencing AOD problems;
  - For student, include recommendations for on-campus counseling services and/or off-campus resources;
  - For employees, include contact information for EAP services and/or local resources;

#### **3. Culture**

- Cultivating a culture where all community members recognize the role played for themselves and within the larger context of the campus community;
- Encouraging and promoting a campus culture that focuses on healthy living;
- Encouraging understanding of the link between the arts and alcohol by providing responsible and professional behavior to mirror;

#### **4. Evaluation**

- Evaluating educational initiatives and programs on a bi-annual basis;
- Providing individual opportunities for community members to evaluate educational programs, initiatives, and intervention services at any point, both anonymously and self-identifying (if so inclined);
- Engaging the use of both student and employee focus groups;
- Incorporating AOD research, nonprofit foundations, and college/university benchmarking to evaluate the program offerings and support services.

## Education

Many departments at Juilliard are involved in educating students, staff, and parents about alcohol and other drugs. Below is a summary of the School's initiatives:

### Student Programs

#### New Student Orientation

New and first-time college (FTC) students attending Juilliard are required to participate in a comprehensive new student orientation program. The program consists of two parts:

##### 1. On-line New Student Orientation Program

The on-line new student orientation program called JONSO (Juilliard Online New Student Orientation) provides students with information about institutional policies contained in the Student Code of Conduct as well as local, state, and federal laws relative to drug and alcohol use and/or distribution. JONSO also includes information about the School's Title IX Policy which addresses sexual harassment and misconduct, the student amnesty policy relative to Title IX violations, and guidelines for healthy relationships. Participation in JONSO is required and must be completed prior to registration for classes.

##### 2. Face-to-Face New Student Orientation Program

The face-to-face new student orientation program provides all FTC students with an opportunity to take the online orientation lessons and apply them in interactive sessions. All new students also participate in a session entitled "Know the Code." This session is geared toward providing specific information about the Student Code of Conduct and how it relates to drug, alcohol and other types of conduct violations. Residential students participate in a session entitled "Safety in the Residence Hall". This session provides information about health and safety within the Residence hall. International students are provided with an additional session entitled "Cross-Cultural Adjustment." This session discusses both cultural adjustments to the United States as well as laws about alcohol and drug use within the United States, which may differ from those in their home countries. All new students, including FTC's, are required to attend a session that discusses Title IX and the School's Sexual Misconduct Policy. This session also discusses the impact drugs and alcohol have on inhibition and the process for reporting an incident and obtaining assistance.

##### 3. Juilliard Campus Life app on Guidebook

Beginning with the 2016 – 2017 academic year, the Office of Student Affairs launched a mobile app which connects students' mobile phones directly to several major components of the School website including the Student Handbook, Campus Safety page, the Policies and Procedures page, and the Student Events calendar.

### Alcohol-Free Programming

#### 1. Student Events Calendar

Juilliard annually provides a wide variety of educational programs that promote alcohol-free options for students. In 2014-2015, the Office of Student Affairs sponsored 125 programs; in 2015-2016, the Office of Student Affairs sponsored 100 programs.

All Juilliard student have access to the online Student Events Calendar (SEC) which outlines the activities, events, and programs sponsored by the School. The SEC provides times, date, locations, a general overview of the event and whether alcohol will be present. If alcohol will be present, the sponsoring department is required to submit an Alcohol Exemption Form two weeks prior to the event and obtain approval from either the Dean of Student Affairs, the Associate Dean of Academic Affairs, or the Provost& Dean. Over 99% of the programs on the SEC are alcohol-free.

Students are also required to participate in annual online Title IX training that includes information about sexual assault, sexual harassment, social media safety, how to file an incident report, and resources for help and support.

The Student Events Calendar may be viewed at: <http://www.juilliard.edu/campus-life/officestudent-affairs/student-events-calendar-sec>

## 2. Residence Life Horizons Program

The Office of Residence Life schedules a variety of alcohol-free events during the week and late nights on most weekends. Student Residence Life Staff are also required to conduct all-hall and floor programs weekly. Programs listed as Horizons Programs have an educational component included in them. Students who desire to live on-campus the subsequent year must complete a minimum of three Horizons Programs each semester in order to participate in the room selection process for the subsequent year. For a description of Horizons, click [HERE](#).

## 3. Foundations Program

Beginning in fall 2016, a new campus wide program model called *Foundations* replaced Horizons.

Foundations programs give Juilliard students learning experiences that complement their academic curriculum and professional experiences. By engaging students in educational conversations, activities, and workshops, students are able to expand their mind and knowledge base as well as develop important skills that they, as performing artists and global citizens, can use throughout their careers and personal lives. For a description of Foundations, click [HERE](#).



## 4. Recreation Programming

The Office of Student Affairs sponsors free aerobic and strength training classes three times per week. These classes are taught by a current faculty member in Juilliard's Drama Division. The Office of Residence Life also maintains the Frederick P. Rose Fitness Center, which is free and open to students seven days a week. The Center contains a variety of state-of-the-art cardiovascular and strength-based machines, as well as free weights and functional fitness apparatus. More information about the Frederick P. Rose Fitness Center can be viewed online at: <http://www.juilliard.edu/campus-life/student-affairsoffice/frederick-p-rose-fitness-center>

## 5. Wellness Programming

Health and Counseling Services at Juilliard provide both active and passive programs for students. They also conduct small group discussion groups and individual treatment courses and referrals for students with alcohol and/or drug issues. Health Services also provides programs and services for smoking cessation and a monthly online publication from Student Health 101.

## 6. Safety-based Educational Programs

A variety of programs geared toward alcohol and drug awareness, use, abuse, and safety are provided throughout the year. In addition to these programs being listed on the SEC, there are also additional marketing and social media advertisements directed toward students to encourage awareness and attendance.

## 7. Juilliard Student Council

The Juilliard Student Council provides opportunities that enhance communication with students on campus policies, procedures, and programming. Increased focus this past year was given to personal safety, civic engagement, and healthy lifestyles. The Student Council regularly sponsors on-campus alcohol-free events and was able to encourage the School to build in a one-hour "Common Hour" on Wednesdays at 1pm, during which all students are free from class and can participate in a variety of educational programs.



## **Prevention for Parents**

### **New Parent and Family Orientation**

Parents, guardians, and family members of new students are encouraged to participate in a comprehensive orientation program. There are three specific methods of communicating institutional policies on drugs and alcohol and educating parents, guardians, and family members about different methods for assistance:

#### **1. Letter to Parents**

Each year, the Dean of Student Affairs sends a letter to the parents of all first-year students encouraging them to talk with their sons and daughters about choices regarding alcohol use and the availability of campus resources.

#### **2. On-line New Student Orientation Program**

The on-line new parent and family orientation program call JONFO (Juilliard Online New Family Orientation) provides parents, guardians, and family members information about institutional policies as well as local, state, and federal laws relative to drug and alcohol use and/or distribution. Participation in JONFO is encouraged for parents, guardians, and family members.

#### **3. The Juilliard School Parent and Family Resource Page**

This webpage provides parents access to information regarding School resources, emergency procedures and contact information, local healthcare facilities, security practices and other pertinent information.

#### **4. Student Events Calendar (SEC)**

Parents can access the Student Events Calendar online which includes information about alcohol and drug programs for students.

#### **5. Juilliard Campus Life app on Guidebook**

Beginning with the 2016 – 2017 academic year, the Office of Student Affairs launched a mobile app which connects students' mobile phones directly to several major components of the School website including the Student Handbook, Campus Safety page, the Policies and Procedures page, and the Student Events calendar. Guidebook is accessible to parents and families.

## Support Services at Juilliard

Any employee or student who believes he or she has a problem with drug and/or alcohol abuse is urged, for his or her own benefit as well as the benefit of fellow employees and students, to seek counseling and treatment through a treatment program of his or her choice.

### Options for student assistance and referral include

- a) Professional mental health counselors on staff in the Counseling Offices.
- b) Referrals to a treatment program. including:
  - i. Outpatient Treatment: [Addictions Institute](#) (Mount Sinai West Hospital)
  - ii. Inpatient Treatment: [Stuyvesant Square Chemical Dependency Services](#) (Mount Sinai Beth Israel)
  - iii. Meetings: [Alcoholics Anonymous \(AA\)](#)
  - iv. Meetings: [Narcotics Anonymous \(NA\)](#)
- c) Assistance from the Office of Student Affairs, including the Dean of Student Affairs, Associate Dean of Student Affairs, and Residence Life staff who are trained in crisis intervention and may provide assistance and/or implement the necessary procedures regarding student behavior.
- d) The Office of Academic Support and Disability Services (OASDS) is the central point of contact for information on physical and programmatic access, specific accommodations, faculty and staff concerns, and identification of available services. This office will coordinate the provision of appropriate accommodations and/or academic adjustments on an individual basis for students with disabilities who identify themselves to OASDS, provide adequate documentation of their disability and need for accommodation, request services and complete required forms as needed. In addition, training, consultation, and information regarding disability issues is provided.
- e) Clinics and programs that provide counseling and/or treatment can be found on the internet by looking under the heading "Drug Abuse and Addiction Information and Treatment."

### Options for employee assistance and referral include

- a) Employees may contact the Office of Human Resources for assistance in locating a treatment program. All requests for counseling and treatment sessions, as well as referrals, are handled in a confidential manner.
- b) Employee Assistance Program (EAP)  
Juilliard offers an Employee Assistance Program (EAP) through Bensinger, DuPont & Associates. BDA offers confidential support, guidance and resources to assist faculty and staff and immediate family members in the prevention, early intervention and resolution of problems that may impact job performance.

BDA Member Advocates are professionals who can confidentially consult with you over the telephone and help you find solutions and resources for personal and work/life issues. The program also includes a limited number of face-to-face assessment and counseling sessions. The Member Advocate may then provide you with consultation, resources, an action plan and information to help you address your issue. All services are offered at no cost to the employee. However, if a referral to an outside service provider is accepted, the employee may be responsible for the costs of those services.

**All calls and counseling services are completely confidential.** Telephone and online access to the EAP services are available 24 hours a day, 7 days a week.

## Other Support Services in New York

New York City Department of Health and Mental Hygiene

P: 1-800-LIFENET

W: <http://www1.nyc.gov/site/doh/health/health-topics/alcohol-and-drug-use.page>

New York State Office of Alcoholism and Substance Abuse Services (OASAS)

1450 Western Avenue

Albany, NY 12203

P: 518-485-1768

W: <https://www.oasas.ny.gov/>

R: [Alcohol and Your Child: Information Every Parent Should Know](#) (2008)

Substance Abuse and Mental Health Services Administration (SAMHSA)

1 Choke Cherry Road

Rockville, MD 20857

P: 1-877-SAMHSA-7

W: <https://www.samhsa.gov/>

R: [Behavioral Health and Substance Abuse Treatment Services Locator](#)

## Alcohol and Drug Data

### Student Statistics & Sanctions

The data reflects disciplinary statistics from July 1, 2014 through June 30, 2016 from the Office of Student Affairs and the Office of Residence Life.

Semester/ Time Frame	Alcohol Violation	Drug Violation	Sanction Warning	Sanction Probation	Sanction Educational*	Sanction Suspension/ Expulsion	Counseling Referral(s)
Fall 2014 (July 1 – Dec. 31)	9	3	2	4	0	0	3
Spring 2015 (Jan 1 – June 30)	8	1	8	1	6	0	1
Fall 2015 (July 1 – Dec. 31)	1	1	2	1	6	0	1
Spring 2016 (Jan 1 – June 30)	15	0	14	1	0	0	0

### Employee Statistics & Sanctions

The data reflects disciplinary statistics from July 1, 2014 through June 30, 2016 from the Office of Human Resources.

Semester/ Time Frame	Alcohol Violation	Drug Violation	Disciplinary Action	Counseling and/or Referral(s)
Fall 2014 (July 1 – Dec. 31)	0	0	0	0
Spring 2015 (Jan 1 – June 30)	0	0	0	0
Fall 2015 (July 1 – Dec. 31)	0	0	0	0
Spring 2016 (Jan 1 – June 30)	0	0	0	0

### Student AOD Survey Summary

The “Student Voice: Alcohol & Drug Survey” was conducted November 15, 2016 – November 22, 2016 using Survey Monkey. Survey items assessed student attitudes, perception and opinions about alcohol and drugs at the School and the prevalence of use both in prior years and currently. The survey also measured the perception of the campus climate and prevention efforts.

The Office of Student Affairs issued four (4) emails to the entire Juilliard student body (x = 892 students) to solicit anonymous responses to survey questions. The response rate of 24.6% (n= 219 participants) was found to be statistically significant for the School and representative of the Juilliard student population with consideration to year, major, gender, age and residential status.

### Demographic Information Summary

Approximately 84.9% of the Juilliard students who answered the survey (n=219) were between 18 and 25 years old, with only a few outliers in either direction. Participants identified gender as 47% male, 50%

female and 1.4% identifying as transgender or nonconforming. The ethnicity of the participants was predominantly White (55%), Asian (34%), and Multiracial (6.4%) with the remaining 17.45% accounting for Black/African American, Hispanic/Latino, those who preferred to not identify their ethnicity, or those who chose an alternative ethnic identification. The vast majority of respondents were US citizens or permanent residents (76.7%) with a residential status leaning slightly higher (52%) toward off-campus residency. All three Divisions, including Dance, Drama and Music were represented with approximately 11.1%, 8.8%, and 80.1% participation respectively.

### **Alcohol Characteristics Summary**

A vast majority of the students who responded (83.9%) reported consuming alcohol, with the average starting age split between 14-17yrs old (38.5%) and 18-20 years old (44.4%). Of those students who responded, only 8.3% were of legal drinking age in the US (21)\* when they started to consume alcohol. Curiosity (67.5%), other factors (26%), and influence of an adult or not wanting to feel left out (18.3%) were the top reasons for starting to consume alcohol. Additionally, over 37.9% of student respondents reported drinking on special occasions, 17.8% of those respondents favored weekend drinking and 17.1% reported drinking 3-5 times per week.

When students were asked about binge drinking (5+ drinks in one sitting) and risky behavior, 50.3% of students reported they have engaged in binge drinking that resulted in passing or blacking out and memory loss (37.8%), engaging in unplanned sexual activity (32.5%), having unprotected sex (19.5%), getting hurt or injured (13.6%), or missing class (10.6%). Of those who responded, 42% admitted to having regrets after being under the influence of alcohol.

When students were asked if help was sought for alcohol abuse, they overwhelmingly said no (95.2%); however, 4.7% of students reported that they have sought help, thought about getting help, or seriously considered it. 27.2% of the students who responded stated that there was a history of alcohol abuse in their family.

### **Tobacco Characteristics Summary**

Of the Juilliard students who responded (n=17), less than expected reported using tobacco. Notably, only 8.3% of students reported currently smoking cigarettes or using other tobacco products, including chewing tobacco, snuff or e-cigarettes, with the highest number of students (41.2%) starting use between 14-17 years of age. Of those who did smoke, 53% reported smoking only when they drink or go out, and 5% reported smoking rarely/occasionally. Of those who smoked on a regular basis, 5% smoked 1-9 cigarettes daily, 0% smoked 10-19 cigarettes daily, and 0% smoked 20+ cigarettes daily.

Most commonly, students started using tobacco out of curiosity (64.7%), stress/anxiety (47.1%), or boredom and help with weight loss/gain (both at 23.5%). Of those who responded, 35.3% of students have either sought help or tried to quit smoking or using tobacco products.

### **Drug Characteristics Summary**

35.3% of students (n=72) reported using or consuming illegal drugs, including prescription medication that was not theirs. Of the students who admitted to using drugs recreationally, 98.6% of respondents favored marijuana. Additionally, 28.2% used stimulants including Ritalin, Adderall, or Concerta; 21.1% used MDMA, including ecstasy or "Molly"; 19.7% used cocaine; 14.1% used hashish. On average, students began using illegal drugs between 18-20 years of age (39.3%) followed by 14 -17 years of age (28.1%).

While under the influence of drugs, students reported having regrets (29.6%), passing or blacking out with memory loss (12.7%), missed class (9.9%) or having unprotected sex (8.5%). Of the students who responded, 0% (n=71) reported having been taken advantage of sexually while under the influence of drugs. While the majority of students who responded have never sought help for drug use (95.8%), just 4.2% of students have gotten, or have thought about getting, help. 11.3% of students who responded had a family history of drug use/abuse.

## Alcohol & Drug Attitudes & Behaviors

Of the students who responded, 71.4% have asked, thought about asking, or seriously considered asking to walk/escort a friend home because they believed the friend was too drunk or high. Furthermore, 45.2% of students have done something, thought about doing something, or seriously considered doing something to help a person whom they thought might be taken advantage of while clearly intoxicated or high. 56.3% of students said they would tell campus staff, faculty or security authorities about information that might be helpful in protecting themselves, a friend or fellow student, while 40.2% of students stated that it would depend on the situation or they were not sure, and 3.5% would not say anything.

### Significant Statistical Changes: 2014 v. 2016

Overall demographic data in 2016 remained relatively consistent with 2014 data (gender identity, age, residential status, citizenship, and division). Below are significant statistical changes from 2014 to 2016.

#### *At what age did you start consuming alcohol?*

The largest change came in the “Under 13 years of age” category.

2014	4.6%
2016	8.9%

#### *Why did you start consuming alcohol? (Select all that apply.)*

Among the 6 response options, “curiosity” showed a 5% increase.

2014	62.1%
2016	67.5%

#### *How often do you consume alcohol?*

In 2016, occurrence of drinking 3-5 weeks has increased from 2014.

2014	3-5 times per week	10.3%
2016	3-5 times per week	17.2%

#### *Do you or have you engaged in binge drinking? (5+ drinks per sitting)*

2014	46.2%
2016	50.3%

#### *While under the influence of alcohol, have you ever...? (Select all that apply.)*

Of the 11 answer choices, the following showed significant changes.

	2014	2016
Passed out (blacked out) or experienced memory loss	32.8%	37.9%
Engaged in unplanned sexual activity	26.2%	32.5%
Sexually taken advantage of someone else while they were under the influence	1.5%	0.6%

#### *Have you ever used or consumed illegal drugs (including prescription medication that was not yours)?*

There is an increase in illegal drug use.

2014	29.4%
2016	35.3%

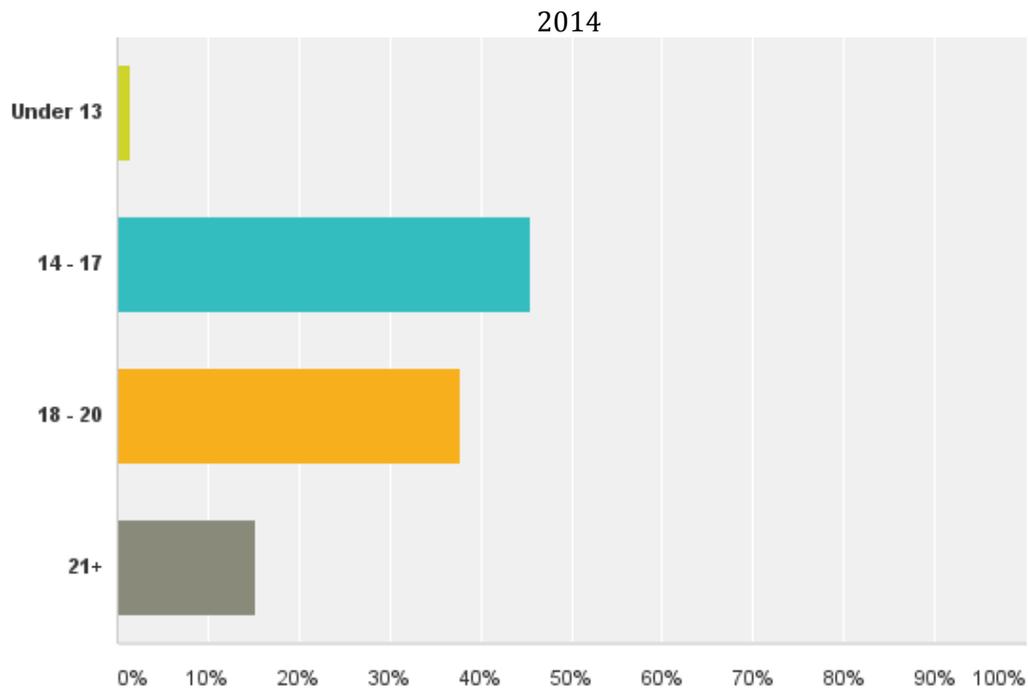
#### *What drugs have you taken recreationally? (Select all that apply.)*

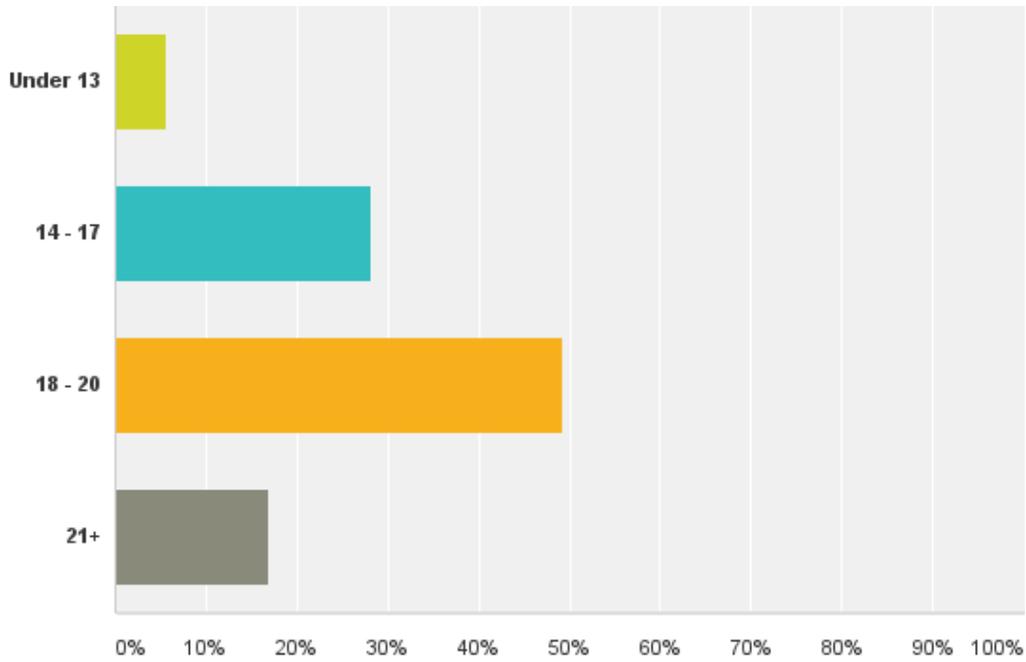
Marijuana remains the most commonly used drug at 98% of those who use drugs in 2014 and 2016.

	2014	2016
Hashish	25.8%	14.1%
Cocaine	24.2%	19.8%
MDMA (Ecstasy, "Molly")	19.7%	21.2%
Heroin	1.5%	2.8%
Alprazolam (Xanax, Xanibars, Xanor, Alprax, etc.)	9.1%	5.6%
Stimulants (Ritalin, Adderal, Concerta)	25.8%	28.2%

*At what age did you start using/consuming illegal drugs recreationally?*

There is a significant change in the onset of drug use as demonstrated by the charts below.





*While under the influence of drugs have you ever...? (Select all that apply.)*  
 Of the 11 answer choices, the following showed significant changes.

	2014	2016
Passed out (blacked out) or experienced memory loss	18.2%	12.7%
Engaged in unplanned sexual activity	22.7%	8.5%
Had unprotected sex	15.2%	7.1%
Been sexually taken advantage of	4.6%	0%
Missed class	21.2%	9.9%
Had regrets after	21.2%	29.6%

## Summary

The appointed review committee conducted a comprehensive review of the alcohol and drug policy related programs, services and enforcement practices for academic years 2014-2016. The committee identified AOD Program strengths, challenges, and action items listed below.

### AOD Program Strengths

- Juilliard is in compliance with the Drug Free Schools and Campuses Regulations;
- Juilliard has an effective AOD policy;
- The policy consistently enforces standards of behavior related to AOD abuse;
- The policy is distributed annually via electronic means to all community members – which allows for ease of electronic archive and electronic search features;
- Juilliard uses a comprehensive, environmental approach to address alcohol and other drug use on campus;
- The policy focuses on all aspects of education, social life, academics, enforcement and intervention;
- The School follows national, evidence-informed recommendations made by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and the Social Ecological Framework;
- A comprehensive approach is the result of collaborative efforts by our many offices, departments, and student groups on and off campus;
- Employees are provided free access to EAP services;
- Violations are adjudicated quickly and provide for both educational sanctions and referrals to counseling services;
- The School continues to review its Alcohol Consumption & Serving Policy and to date finds the current policy appropriate for our community.

### AOD Program Challenges

- While Juilliard has a comprehensive approach to combating Alcohol and Drug abuse, the School recognizes these issues present continuing challenges, and strategies must be evaluated and revised accordingly;
- The School needs a more consistent assessment tool;
- The School does not currently benchmark against other “like” institutions (small, private, pre-professional school) given the small number of schools that qualify;
- The School should consider trained student “peer mentors”;
- The School has an online reporting mechanism for employees that is not effectively used;
- The School does not consistently collect data on faculty and staff use/abuse; and
- There are limited programming opportunities for employee education.

### Action Items

Based on its review of the School’s alcohol and other drug program, the Biennial Review Committee makes the following recommendations:

- Increase alcohol and other drug programming for employees;
- Bring the EAP provider to campus to increase awareness of this service;
- Include employees in alcohol and other drug program goals;
- Benchmark Juilliard with other “like” institutions to collect and assess normative data;
- Develop a consistent assessment cycle and select a standardized assessment tool;
- Seek grant funding for alcohol and other drug programming;
- Analyze data from the 2016 AOD student survey to address specific trends and issues;
- Review institutional policies regarding service of alcohol at School sponsored events on and off campus, including the utilization of CaterTrax as a tracking mechanism;
- Review policies regarding consistent monitoring at School events with alcohol.

## Appendices

- A. ALCOHOL CONSUMPTION & SERVING POLICY
- B. HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS & ALCOHOL ABUSE
- C. LEGAL SANCTIONS
- D. REFERENCES AND RESOURCE LIST

## Appendix A Alcohol Consumption & Serving Policy

The Juilliard School encourages members of the community to make responsible decisions concerning the use of alcoholic beverages. **The minimum age for drinking in New York State is twenty-one (21). It is unlawful for a person under the age of twenty-one to purchase, possess, provide or consume alcohol.** To comply with state law and with the Drug Free Schools and Campuses Regulations ([34 CFR Part 86](#)) of the Drug-Free Schools and Communities Act 1989 (DFSCA), which require institutions of higher education (IHEs) to certify they have adopted and implemented programs to prevent the abuse of alcohol and/or use or distribution of illicit drugs by students and employees, both on campus and as part of any institutional activities, Juilliard has developed the following guidelines for alcohol consumption at the School, on School grounds, or at outside functions hosted or sponsored by the School.

Every department, group, or individual planning to serve alcohol at **any School-related event**, including when students or employees (regardless of age) are or may be present, must receive prior authorization from the Office of Development and Public Affairs – Special Events in coordination with the Dean (DOSA) or Assistant Dean of Student Affairs (ADOSA). Each staff, faculty, or designated monitor must meet with the Director of Special Events and the Assistant Dean of Student Affairs or designee to review these guidelines **before** serving alcohol at an event.

- a. Requests to serve alcohol must be processed through the Office of Development and Public Affairs – Special Events via CaterTrax. All requests to serve alcohol will be reviewed, archived, and forwarded to the Dean or Assistant Dean of Student Affairs for reporting purposes.
- b. To ensure proper supervision, one (1) alcohol monitor for every twenty-five (25) people in attendance at an event is required. The department hosting the event must provide monitors. Monitors must be over the age of twenty-one (21) and must be Juilliard staff or faculty. Monitors are responsible for reading and complying with the School’s Alcohol Policy. Monitors are **NOT** permitted to consume alcohol at the event. Students, interns, teaching assistants, teaching fellows or event catering staffs are not permitted to be monitors.
- c. New York State law (see above bold) must be clearly posted near the bar.
- d. Valid photo identification (with age clearly indicated) must be checked at the entrance to the event. This must be done by a licensed bartender or a representative of the host department (staff or faculty only). Wristbands (available in the Office of Student Affairs) should be placed on the wrist of anyone twenty-one (21) years of age or older wishing to consume alcohol. It is the responsibility of the department to obtain wristbands prior the event. **\*Exceptions to wrist banding may be made for events with prior authorization by the DOSA.\***
- e. Bartenders must check for wristbands prior to serving alcohol and refer an individual to a monitor if there is a problem or question.
- f. Visibly intoxicated persons will not be served alcohol and may be referred for disciplinary action.
- g. The caterer will determine the per person amount of alcohol to be served but may follow special instructions (if given) of the host department.
- h. Alcohol may only be consumed in designated areas during designated and preauthorized events.
- i. Open containers or cups of alcohol may not be taken outside of the designated event area.
- j. Adequate amounts of non-alcoholic beverages and food must be available at events with alcohol service.
- k. Student violations of these policies or the Student Code of Conduct must be reported to the Office of Student Affairs; faculty or staff violations of these policies or the Faculty/Staff Handbook must be reported to the Office of Human Resources.

**Policy for Off-Campus Events & Activities**

Juilliard is considered the host of the event whenever an employee is hosting an off-campus event for students and the event is sanctioned or sponsored by Juilliard (e.g., the event is part of a performance activity or is advertised as a Juilliard event), or if an employee is otherwise participating in a Juilliard sanctioned or sponsored off-campus activity with a student (e.g., as part of the Mentoring Program, departmental group tours or special community engagement projects). Juilliard employees are prohibited from purchasing alcohol for students of any age at off-campus events or during off-campus activities. Anyone found in violation of this policy may be subject to disciplinary action and/or may lose the privilege to serve alcohol at future events. Juilliard discourages the use of alcohol at off-campus Juilliard sponsored or sanctioned events and activities where students are present.

## **Appendix B**

### **Health Risks Associated with the use of Illicit Drugs/Abuse of Alcohol**

Illicit drugs and the health risks involved in using them include, but are not necessarily limited to:

#### **Cannabis (Marijuana)**

Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time and reduce ability to perform tasks requiring concentration and coordination, such as riding a bike. Marijuana can also produce paranoia and psychosis.

#### **Inhalants (gasses or volatile liquids)**

Immediate negative effects may include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays may also decrease the heart and respiratory rates and impair judgment. Amyl and Butyl nitrite cause rapid pulse, headaches and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage.

#### **Cocaine**

Use causes the immediate effects of dilated pupils, elevated blood pressure, increased heart rate and elevated body temperature. Chronic use can cause ulceration of the mucous membrane in the nose and produce psychological dependency. Crack or freebase rock, a concentrated form of cocaine, and produces effects within 10 seconds of administration. In addition to the above, other effects include loss of appetite, tactile hallucinations, paranoia and seizures. Cocaine in any form may lead to death through disruption of the brain's control of heart and respiration. Amphetamines and methamphetamines produce the same effects. Users may perspire, experience headache, blurred vision, dizziness, sleeplessness and anxiety. Extremely high doses can cause physical collapse, very high fever, stroke or heart failure.

#### **Depressants**

Included are barbiturates, methaqualones ("Quaaludes"), and tranquilizers. Effects include slurred speech, staggering gait and altered perception. Very large doses can cause respiratory depression, coma and death. The combination of depressants and alcohol can be devastating. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs. Some show birth defects and/or behavioral problems.

#### **Hallucinogens**

Effects of hallucinogens vary depending upon the type of drug. Chronic users may experience mood disorders, paranoia, violent behavior, hallucinations, panic, confusion, loss of control and death.

#### **Narcotics (including heroin)**

Overdose may produce slow and shallow breathing, clammy skin, convulsions, coma and death. Tolerance to narcotics develops rapidly and dependence is likely. Addiction in pregnant women can lead to premature, stillborn, or addicted infants.

#### **Designer Drugs**

These drugs have had their molecular structure changed chemically to produce analogs such as synthetic heroin and hallucinogens. These analogs can be hundreds of times stronger than the original drug which they are designed to imitate. One dose can cause uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage.

#### **Abuse of Alcohol**

Alcohol consumption causes a number of marked changes in behavior. 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.

Moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including murder, rape, armed robbery, vandalism, spouse and child abuse and drunk driving. Moderate to high doses of alcohol can cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Heavy use may cause chronic depression and suicide, and is also greatly associated with the abuse of other drugs.

Very high doses cause respiratory depression and death. If combined with other central nervous system depressants, much lower doses of alcohol will produce the effects described. The use of even small amounts of alcohol by pregnant women can damage their fetus.

Long-term heavy alcohol use can cause digestive disorders, cirrhosis of the liver, circulatory system disorders and impairment of the central nervous system, all of which may lead to an early death. Repeated use of alcohol can lead to dependence, particularly in persons with 1 or more parents or grandparents who were problem drinkers. At least 15-20% of heavy users will eventually become problem drinkers or alcoholics if they continue drinking. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions, which can be life threatening.

### **Smoking**

Research findings show that tobacco use in general, including smoking and breathing secondhand smoke, constitutes a significant health hazard. In addition to causing direct health hazards, smoking contributes to institutional costs in other ways, including fire damage, cleaning and maintenance costs and costs associated with employee absenteeism.

## Appendix C Legal Sanctions

In addition to Juilliard disciplinary sanctions, students, faculty, and staff who violate this policy may be subject to State and/or Federal Legal sanctions. Employees who work off-site are subject to the appropriate state and/or local sanctions for their work location. This list is not meant to be an exhaustive or definitive statement of all applicable laws, but rather it indicates the types of conduct that are against the law and the range of legal sanctions that can be imposed for such conduct.

A further overview of federal laws governing the possession, use and distribution of alcohol and illegal drugs is available <http://www.justice.gov/dea/index.shtml>.

### New York State Offenses & Penalties

#### A) Alcohol

New York State offenses and penalties are defined by the Alcoholic Beverage Control Law and Penal Law. They include driving while intoxicated, while ability is impaired by alcohol, or after consuming alcohol while under age 21; furnishing alcohol to a person under age 21; selling alcohol to an intoxicated person; or providing false identification.

The four acceptable forms of I.D. for alcohol service in New York State are a driver's license, a non-driver's I.D., a military I.D., or a passport. New York State General Obligations Law imposes personal injury liability for damages resulting from furnishing alcohol to persons under age 21 or selling alcohol to an intoxicated person. The city of New York prohibits the consumption of alcohol, or the possession of an open container with intent to consume, in any public place or on private property without the owner's permission. A summary of offenses and penalties is provided below:

- 1. Serving Alcohol to Persons Under 21:**
  - Up to 1 year in jail, \$1,000 fine
- 2. Fraudulent Attempt to Purchase Alcohol (using false ID or ID of another person):**
  - Fine up to \$100, community service up to 30 hours, and/or completion of an alcohol awareness program, 90 days license suspension if a New York State driver's license is used as the false I.D.
- 3. Possession of Alcohol by Person Under 21:**
  - Up to \$50 fine and/or completion of an alcohol awareness program and/or up to 30 hours of community service
- 4. Driving While Intoxicated (DWI) (.08 blood alcohol content):**
  - 1st offense--up to 1 year prison, \$500 to \$1,000 fine, minimum 6 months license revocation
  - 2nd offense in 10 years--up to 4 years prison, \$1,000 to \$5,000 fine, minimum 1 year license revocation
- 5. Driving While Ability Impaired (DWAI) (.05-.07 blood alcohol content):**
  - 1st offense--up to 15 days jail, \$300 to \$500 fine, 90-day license suspension
  - 2nd offense in 5 years--up to 30 days jail, \$500 to \$750 fine, minimum 6-months license revocation
  - 3rd offense in 10 years--up to 180 days jail, \$750 to \$1,500 fine, minimum 6-months license revocation
- 6. Operating a Motor Vehicle after Consuming Alcohol while under age 21:**
  - License suspension or revocation and \$125 fine

## 7. **Possession of Open Container in Public Place:**

- Up to 15 days in jail, \$100 - \$150 fine, required alcohol awareness training, and up to 30 community service hours, plus the suspension of your license for 90 days and for a subsequent offense by a definite term of imprisonment not exceeding 1 year and a fine of \$1,000. It is similarly prohibited and punishable to distribute alcohol to minors.

## **B) Drugs**

The State of New York Public Health Law prohibits: growing marijuana or knowingly allowing it to be grown without destroying it; selling or possessing a hypodermic needle without a doctor's written prescription; or manufacturing, selling, or possessing with intent to sell an imitation controlled substance. The State of New York Penal Law and federal laws define a wide range of offenses and penalties for possessing or distributing marijuana and other controlled substances. In addition, driving a motor vehicle while impaired by drugs is subject to the same New York State law and sanctions as driving while intoxicated. A more complete description of these offenses and penalties is provided below:

### **B1) Possession and Distribution of Marijuana:**

#### **1. Unlawful Possession**

- 1st offense--fine less than \$100
- 2nd offense--fine less than \$200
- 3rd offense--fine less than \$250

#### **2. New York State Penal Law Sanctions for Criminal Possession and Sale (Degree depends upon amount of substance seized):**

- 5th Degree: Class B Misdemeanor 3 month imprisonment or less
- 4th Degree: Class A Misdemeanor 1 year imprisonment or less
- 3rd Degree: Class E Felony 4 years imprisonment or less
- 2nd Degree: Class D Felony 7 years imprisonment or less
- 1st Degree: Class C Felony 15 years imprisonment or less

#### **3. Federal Sanctions for Sale of Marijuana:**

- A first offense of trafficking in marijuana in amounts of less than 50 kg may result in imprisonment of not more than 5 years and a fine not to exceed \$250,000. Imprisonment and fine minimums are doubled for a second offense
- Trafficking in marijuana in quantities greater than 1,000 kg may result in not less than 10 years and not more than life imprisonment and/or a fine not to exceed \$4 million (minimums double for a second offense)

### **B2) Possession and Distribution of Other Controlled Substances (heroin, cocaine, methamphetamine, base, PCP, LSD, Fentanyl, Fentanyl analogue):**

#### **1. State Penal Law Sanctions for Possession and Sale (Degree depends upon substance, amount of substance, age of purchaser, and prior record):**

- 7th Degree: Class A Misdemeanor 1 year imprisonment or less
- 5th Degree: Class D Felony 7 years imprisonment or less
- 4th Degree: Class C Felony 15 years imprisonment or less
- 3rd Degree: Class B Felony 6 to 25 years imprisonment
- 2nd Degree: Class A-II Felony 3 to 8 years to life imprisonment
- 1st Degree: Class A-I Felony 15 to 25 years to life imprisonment

#### **2. Federal Sanction for Possession of a Controlled Substance:**

- First conviction: Up to one year imprisonment and fine of at least \$1,000 but not more than \$100,000, or both

- After one prior drug conviction: At least 15 days in prison, not to exceed 2 years and fine of at least \$2,500 but not more than \$250,000, or both
- After two or more prior drug convictions: At least 90 days prison, not to exceed 3 years and fine of at least \$5,000 but not more than \$250,000, or both.
- Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years, and fine of up to \$250,000, or both if:
  - 1st conviction and the amount of crack possessed exceeds 5 grams;
  - 2nd conviction and the amount of crack possessed exceeds 3 grams;
  - 3rd or subsequent conviction and the amount of crack exceeds one gram
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance
- Civil fine up to \$10,000 (pending adoption of final regulations)
- 853a: Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses
- 922(g): Ineligible to receive or purchase a firearm
- Miscellaneous: Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies

### 3. Federal Sanctions for Sale of Controlled Substances

- Penalties range from imprisonment for less than one year and/or a fine of less than \$100,000 for a first offense involving a small quantity of a controlled substance
- For a large quantity, second offense, the penalty may be as severe as 20 years to life imprisonment and a fine of not more than \$8 million.

### *C) Smoking*

The New York Public Health Law and the New York State Clean Indoor Air Act prohibit smoking in any indoor area, open to the public, to protect all students, employees and visitors from secondhand smoke, an established cause of cancer and respiratory disease. Smoking is not permitted in any indoor locations on School operated, or controlled or leased property including, but not limited to, classrooms; private faculty, staff, student, and administrative offices; computing facilities; studios; conference, meeting and seminar rooms; cafeteria areas, lunchrooms, and lounges; libraries; stores; health facilities; restrooms; stairwells; elevators; lobbies; reception areas; and School-owned or hired vehicles.

The law also prohibits the sale of any tobacco products, rolling papers, or pipes to individuals under 18 years of age and requires that proof of age be provided through a driver's license or other governmental photo I.D. card, unless the individual reasonably appears to be at least 25 years of age. Effective February 28, 1997, Federal Food and Drug Administration regulations also prohibit retailers from selling cigarettes, cigarette tobacco, or smokeless tobacco to any person under age 18, and require retailers to check the photo I.D. of every person under age 27 who wishes to purchase such products.

### **Electronic cigarettes (E-cigarettes)**

E-cigarettes are battery-powered devices that are designed to mimic cigarettes by vaporizing a nicotine-laced liquid that is inhaled by the user. They are also considered tobacco products and therefore the same rules and conditions apply to the use and sale of these products. Existing smoke-free laws are often interpreted to prohibit e-cigarette use in their provisions.

## Appendix D Reference and Resource List

As recommended by the Higher Education Center, guidelines used in the development and review of The Juilliard School's Alcohol and Drug programs and the Biennial Review included:

- The National Institute on Alcohol Abuse and Alcoholism (NIAA) Report (2002), [A Call to Action: Changing the Culture of Drinking at U.S. Colleges and the Environmental Management Strategies](#)
- The National Institute on Alcohol Abuse and Alcoholism (NIAA) Report (2007), [What Colleges Need to Know Now: An Update on College Drinking](#)
- The National Institute on Alcohol Abuse and Alcoholism (NIAA), Fact Sheet (2015), [College Drinking](#)
- The National Institute on Alcohol Abuse and Alcoholism (NIAA), [College Alcohol Intervention Matrix](#)
- U.S. Department of Health and Human Services (2002), [High-Risk Drinking in College: What We know and What We Need To Learn](#)
- Centers for Disease Control and Prevention (2016), [Fact Sheets - Underage Drinking](#)
- U.S. Department of Education (2006), [Complying with the Drug-Free Schools and Campuses Regulations – A Guide for Universities and College Administrators \[EDGAR Part 86\]](#)
- U.S. Government Publishings Office (2016), [Title 34: Education, Part 86 – Drug and Alcohol Abuse Prevention](#)
- CRS Report for Congress (2008), [The Higher Education Opportunity Act: Reauthorization of Higher Education Act](#)
- The Maryland Collaborative (2011), [Reducing Alcohol Use and Related Problems Among College Students: A Guide to Best Practices](#)
- NACUA NOTES (2012), [Federal Enforcement of Drug-Free Schools Regulations Likely to Increase](#)
- NACUA NOTES (2016), [Drug and Alcohol Issues: Old and New](#)
- Executive Office of the President of the United States (2012), [National Drug Control Strategy](#)
- Community Anti-Drug Coalitions of America, [WEBSITE](#)
- Underage Drinking Enforcement Training Center, [WEBSITE](#)
- Pacific Institute for Research and Evaluation (PIRE), [WEBSITE](#)
- Substance Abuse and Mental Health Services Administration (SAMHSA), [WEBSITE](#) o [Model Plan for a Comprehensive Drug-Free Workplace Program](#)
- Facing Alcohol Concerns through Education (FACE), [WEBSITE](#)
- The Center on Alcohol Marketing and Youth, [WEBSITE](#)
- New York State Office of Alcoholism and Substance Abuse Services, [WEBSITE](#)
- New York State Alcohol, Drug, and Smoking Laws: Public Health and Tobacco Policy Center [WEBSITE](#)
- New York State Liquor Authority, [WEBSITE](#)
- Other IHE's Biennial Reviews
- Lincoln Center and Juilliard Security drug and alcohol incident reports
- The Juilliard School Student Conduct reports and sanctions
- The Juilliard School Student Handbook
- The Juilliard School Faculty Handbook
- The Juilliard School Staff Handbook
- The Juilliard School Office of Health Services - policies and resources
- The Juilliard School Office of Counseling Services – policies and resources