

Alcohol and Other Drugs Policy

Purpose

The Culinary Institute of America is committed to the prevention of alcohol and drug abuse. In addition, the CIA is committed to supporting and adhering to local, state and federal laws regarding alcohol consumption and the prohibition on the use of illicit or controlled drugs and other substances.

Policy Statement

The Culinary Institute of America is committed to creating and maintaining a campus and work environment that is free of drug and alcohol abuse and complies with all federal, state and local laws governing the service and consumption of alcohol and the use and possession of illegal substances.

The CIA prohibits:

- The unlawful use, manufacture, distribution, dispensation, sale, transportation, purchase, or possession of any non-prescription drugs or controlled substances on its owned, operated, or controlled property or any other location;
- Possession of Drug Paraphernalia;
- The unlawful service, distribution, sale, possession, consumption, or other unlawful use of alcoholic beverages;
- Unlawful behaviors involving alcohol, drugs or controlled substances including, but not limited to, underage drinking, public intoxication which impacts the CIA, driving under the influence of alcohol or drugs, and manufacturing, distributing, and using false identification;
- The unlawful use, purchase and distribution of medication, including but not limited to, prescription and over-the-counter medications.
- The reckless or intentional a) acts that endanger mental or physical health, or b) conduct which creates a substantial risk of injury, to a person in the course of initiation or affiliation with any organization, club or institution.
- Any activities involving the forced consumption of alcohol or drugs, including activities encouraging consumption of large amounts of alcohol or repeated consumption of Alcohol in a confined amount of time.

The CIA imposes sanctions for illegal alcohol or drug use and violation of this policy. In addition, individuals violating the law with the use of alcohol and drugs may be subject to criminal charges as applicable under local, state, or federal law. The CIA will cooperate fully with all civil authorities and enforcement agencies.

Please note: While the use of marijuana for recreational purposes is legal in the state of New York, the CIA follows the federal guidelines under Title IV which prohibits the use of marijuana, recreational or medical, on campus.

Rules Governing Campus Alcohol Use

The states of New York, California, and Texas and the campus alcohol policy limit possession and consumption to those persons 21 years of age or older.

1. Members of the campus community may not give or serve alcoholic beverages to anyone under the legal drinking age. This includes purchasing alcoholic beverages for underage persons, or in any way allowing them to take, have, or help themselves to alcoholic beverages.
2. Members of the campus community may not engage in any public consumption of alcoholic beverages in or on CIA-owned facilities or properties. The exceptions to this regulation are when consumption is part of the legal, accepted course work within the CIA's classrooms, laboratories, and public restaurants, during approved school functions, in the public restaurants, at a CIA-sanctioned event, and at the Student Recreation Center in designated areas.
3. Members of the Campus Community may not produce or manufacture alcohol in any CIA contracted or controlled housing.
4. Open containers of any alcoholic beverage are prohibited in any indoor or outdoor public area of the CIA, including parking areas, athletic fields, gazebos, outdoor patios, sidewalks and walkways, wooded areas on CIA property, or in the common areas.
5. Beer kegs are not permitted anywhere on campus, except in approved campus restaurants. Excessive amounts of alcohol are not permitted in student residence hall rooms—not to exceed twelve 12-ounce containers of beer or pre-mixed beverage alcohol (totaling 144 oz), or two 750ml bottles of wine, or one fifth of distilled alcohol per assigned resident of legal drinking age. Guests may not bring additional amounts.
6. At any given time, alcohol present or stored in a shared area may not exceed twenty-four 12-ounce containers of beer or pre-mixed beverage alcohol (totaling 288 oz), four 750 ml bottles of wine, or one-fifth of distilled spirits pending all assigned residents and/or guests are 21 years of age or older.
7. Beer or other alcohol-related drinking games (e.g., beer pong, funneling, and flip cups) are strictly prohibited anywhere on campus. Also prohibited are "all-you-can-drink" activities.
8. Any member of the CIA administration can terminate an activity involving alcohol at any time at their discretion if the activity is believed to be in violation of campus alcohol guidelines.
9. Students are prohibited from providing any identification or evidence of age that is false, fraudulent, or not actually his or her own, for any purpose including that of obtaining or attempting to obtain alcohol.
10. Alcohol possessed in violation of campus alcohol restrictions will be confiscated and disposed of by designated CIA administration. Confiscation of alcohol will take place under the following conditions:
 1. If those individuals are in possession or consuming alcohol under the state legal drinking age of 21 years;
 2. If the individuals are deemed by a CIA official to be endangering themselves or others by continuing to possess or consume alcohol, even if the individual is of legal drinking age;
 3. If the individual has an open container of alcohol or is consuming alcohol in a public area outlined in (c) above;
 4. If the individual is of 21 years or older and has any open container(s) of alcohol in a residence hall room where a minor is present. The only exception is when the minor is the roommate, and they are the only two people in the room;
 5. If the individual is found in possession of alcohol, in an open or closed container, in any designated alcohol-free environment, such as Hudson Hall on the Hyde Park campus; or
 6. If the individual is in possession of amounts greater than those previously specified in (d) above.

Rules Governing the Use of Illegal Drugs and Substances

The CIA will not tolerate the possession, use, or sale of illegal drugs and substances.

1. No one may use, possess, sell, distribute, or be in the presence of illegal drugs or substances, or drug paraphernalia anywhere on CIA grounds or at CIA-sponsored events on or off campus.
2. Individuals who are arrested by civil authorities for illegal drug use or possession, or who fail drug tests for or at an externship site or other employment, will also be subject to CIA sanctions.

3. No one may use, possess, sell, distribute, or be in the presence of the use of any prescription drugs or other medications that are not specifically prescribed to the user. The inappropriate use of prescription and over-the-counter drugs, even by those to whom the medication is prescribed, is also prohibited.
4. The CIA's drug policy remains in effect for students on externship since this is an integral part of the academic program.
5. A student who has been convicted of any offense under federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance during the period beginning on the date of such conviction and ending after an interval specified by the federal government.
6. Any student requiring medical treatment for a drug overdose may be prevented by the CIA from continuing in classes pending further evaluation and treatment that may involve an extended leave of absence.
7. The use, possession, cultivation, or being under the influence of marijuana whether or not for medical purposes is not permitted in or on any CIA campus, facility, or property; nor is it permitted at any CIA-sponsored event or activity that takes place in an off-campus environment.

Approved Use at Approved Student Functions

1. To serve alcoholic beverages at functions which involve students, individuals must receive prior approval from:
 1. Hyde Park—Associate Dean of Student Activities/Recreation
 2. Greystone—Managing Director
 3. San Antonio—Managing Director
2. Supervising members of CIA administration must be present for the full duration of any student function where alcohol is served.
3. The quantities of alcohol allowed to be served will be limited to a specific amount, at the discretion of the office authorizing the function.
4. Members of the campus community are not permitted to consume alcoholic beverages at student functions while wearing a chef's or table service uniform.
5. Students are required to carry a valid CIA student ID card at all locations and student functions where alcohol is being served. Individuals under 21 years of age will not be permitted to order, purchase, or consume alcoholic beverages. At certain functions, as determined by the supervisor(s) of the event, individuals under 21 years of age may not be permitted to enter the function area.
6. Individuals who appear to be intoxicated, as determined by the supervising staff, will not be permitted into the location or student function.
7. The possession and consumption of alcohol will be limited to beverages sold or served at the approved event or location. Individuals may not bring additional alcoholic beverages to, or take alcohol from, the designated function area.

Use of CIA Vehicles

Students who are authorized drivers of CIA vehicles are prohibited from being under the influence of drugs or alcohol while operating these vehicles. The CIA reserves the right to test students for the use of drugs or alcohol following any accident in which they are in a CIA vehicle. The use of drugs or alcohol while operating a CIA vehicle will result in immediate suspension of the driver's ability to operate these vehicles, in addition to penalties for policy violations.

Service of Alcohol at CIA-Sanctioned Events

The CIA is committed to the responsible and safe service of alcoholic beverages at CIA-sanctioned events.

1. Alcohol may only be dispensed by CIA employees or student employees at events. Student volunteers, under the direct supervision of a CIA staff manager, may occasionally be utilized to assist in serving alcohol.
2. All alcohol will be dispensed under the supervision of a member of the CIA administration.
3. Student employees of the CIA who are dispensing alcohol must do so under the direct supervision of a staff supervisor who is certified by TIPS, ServSafe, or an equivalent program.
4. Student employees of the CIA are required to immediately notify a member of management should they believe that a patron or guest has reached the limit of safe alcohol consumption. The manager will limit further alcohol consumption if appropriate.
5. Student employees who over-serve a patron or guest, serve alcohol to a minor, improperly offer free or complimentary alcohol, or serve a guest who has had consumption limited by management will be subject to termination of their student employment and may face further sanctions.

Drug and Alcohol Abuse Prevention Programs

The CIA offers a Drug and Alcohol Abuse Prevention Program to its students that includes an annual notice to all students with the following information:

1. The standards of conduct outlined under this policy;
2. A description of the local, state, and federal legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol;
3. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of the available drug or alcohol counseling, treatment, or rehabilitation or re-entry programs for students; and
5. A copy of the disciplinary sanctions that can be issued under this policy.

The CIA conducts a biennial review of its prevention programs to determine their effectiveness and implement changes to the programs if they are needed. As a part of this review, the CIA will ensure that the disciplinary sanctions listed below are consistently enforced.

The CIA will submit a written certification of its drug and alcohol abuse prevention programs to the office of the Secretary, Department of Education, as required by law on a regular basis.

Penalties for Policy Violation

CIA sanctions may be imposed in addition to sanctions applicable under local, state, or federal law. The CIA will cooperate fully with all civil authorities and enforcement agencies.

Students who violate the alcohol and drug policy will receive a sanction, under the direction of the Associate Vice President and Dean of Student Affairs or their designee, ranging from written warnings, fines, demerits, community service, and suspension from the CIA and/or loss of campus housing privileges. Serious violations may also result in immediate suspension or expulsion from the CIA. The severity of penalties will increase with repeated violations of CIA policy. In addition to sanctions, students may be expected to complete individualized educational sessions, assessment by a licensed counselor or medical doctor that may include drug testing, and/or completion of specified drug/alcohol rehabilitation programs.

In addition to the sanctions indicated above, a Student who possesses or uses illegal drugs or substances will be subject to sanctions including, but not limited to probation, suspension, or expulsion as determined by the conduct officer. When suspension is applied it will typically be for the following length of time:

First offense: 15 – 24 weeks.

Second offense: Two years.

A student suspended for a drug violation may not be eligible to reside on campus upon return to classes based on the severity of the violation as determined by the conduct officer. If a student loses the ability to reside on campus following their first drug offense, a Student may petition to the Associate Vice President and Dean of Student Affairs in writing to reside on campus, but is not guaranteed housing. A student found responsible for a second drug offense is not eligible to reside on campus. If the CIA determines that a student is found responsible for the sale of illegal drugs through the conduct process, that student will be permanently expelled from the CIA.

Charges and sanctions for all violations are given in writing. Students charged with violations have three (3) business days from receipt of their letter to request an appeal of their sanction, other than written warnings, through the process outlined in the Student Code of Conduct found in the Student Handbook and specific to each of the branch campuses.

Availability of Counseling, Treatment, and Rehabilitation

Use of alcohol or other substances may be the way one has learned to cope with personal stress. Yet, students may experience decreased academic performance, relationship dissatisfaction, health concerns, anxiety, and other negative side effects from the misuse of alcohol and other drugs. Counseling, treatment, and rehabilitation resources are available at or through each of the CIA campuses. Counseling and Psychological Services (CAPS) on the New York campus and counseling on the California campus can provide a confidential assessment to better understand patterns of use and the role alcohol or drugs are playing in an individual's life. The staff therapists can assist the individual with planning a broad approach to deal with substance misuse and related personal matters. As needed, the CAPS staff/therapist works in collaboration with community-based treatment centers and self-help resources. Personal counseling is also available for individuals who have been affected by a family member's or friend's alcohol or drug use. Please note that the CIA does not provide court-ordered assessment or treatment, but can refer the individual to appropriate providers for those situations.

New York campus:

- CAPS may be contacted at 845-905-4241, or at the CAPS office, Student Commons, room 218.
- Alcoholics Anonymous and Narcotics Anonymous groups in the Hyde Park area can be located online at www.ny-aa.org or at www.newyorkna.org.

California campus:

- Counseling may be contacted at 707-967-2443, or at the Counseling Office in the main entryway of the Greystone building in the Rhodes Room.
- The Napa County help line for substance abuse may be reached at 707-253-4771; and the Napa County Crisis Hotline may be reached at 707-253-4711.
- Alcoholics Anonymous and Narcotics Anonymous groups in the St. Helena area can be located online at www.aanapa.org or at www.sonomacountyaa.org.

Texas campus:

- Bexar County Mental Health may be contacted at 210-223-7233, 24 hours a day. Individuals should check with their insurance provider for a list of therapists and psychiatrists in Bexar County who accept your insurance.
- Alcoholics Anonymous and Narcotics Anonymous groups in the San Antonio area can be located online at www.aasanantonio.org or at www.eanaonline.org.

Sanctions Under Applicable Laws

Laws governing the misuse or abuse of alcohol vary from state to state. Click on the link to view the applicable state laws and sanctions for your campus location:

New York State

California State

Texas State

Penalties Under Federal Law

- **Manufacture, Distribution, or Dispensing of Drugs (including marijuana).** The minimum penalty is a term of imprisonment for up to three years and a fine of \$250,000, or both. The maximum penalty is a term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$8,000,000 for an individual or \$20,000,000 (if other than an individual).
- **Possession of Drugs (including marijuana).** The minimum penalty is imprisonment for up to one year and a fine of not less than \$1,000, or both. The maximum penalty is imprisonment for not more than 20 years nor less than five years and a fine of not less than \$5,000 plus costs of investigation and prosecution.
- **Distribution of Drugs to a Person Under 21 Years of Age.** The minimum penalty is double the federal penalty for distribution of drugs. The maximum penalty is triple the federal penalty for distribution of drugs.

The federal penalties described above are based on applicable federal statutes and are subject to change at any time by Congress and the president. There are additional factors in the federal sentencing guidelines, including various enhancement provisions for prior offenses. Title 21 U.S.C. Section 860 provides that the federal statutory penalties double (and in some cases triple) when a controlled substance is distributed (or even possessed with intent to distribute) within 1,000 feet of a school or a public university.