

Allen School of Health Sciences
Drug-Free Schools and Campuses
Regulations [EDGAR Part 86]
Biennial Review: Calendar Years 2021 &
2022

April 15, 2023

Introduction

This report was made in compliance with the Drug Free Schools and Campuses Regulations, Part 86 of the Education Department General Administrative Regulations (EDGAR). These regulations require federally funded institutions of higher education to demonstrate the existence and implementation of an alcohol and other drugs (AOD) prevention program.

Illegal drug use and alcohol abuse are inconsistent with the Institution's educational process, mission, and values. As such, the Institution has developed and implemented an AOD program to educate students, outline behavioral expectations, and enforce Institution policies and state laws. The AOD program is then examined on a biennial basis to assess its effectiveness on campus and ensure the program's compliance with federal regulations.

Biennial Review Process

This biennial review examines Allen School of Health Sciences AOD program for two calendar years, from January 1, 2021 to December 31, 2022. The biennial review was conducted by a committee composed of the following members: Ruth Martinez, VP, Student Financial Affairs and Campus Director, Joseph Mure, VP, Marketing and Campus Director, Brooklyn, NY, and Dr. Libby Hunt, VP, of Academic Affairs & Campus Director, Phoenix, AZ. The biennial review committee first met on July 1, 2022 to begin the review process, bringing forth documentation of the Institution's student, faculty, and staff AOD policies and procedures. The committee's review concluded on April 15, 2023 with the completion of the 2021-2022 biennial report.

Anyone wishing to view the most current Allen School of Health Sciences biennial review can locate the document on the Institution's compliance page, <http://www.allenschool.edu/annually-updated-documents>

Annual Policy Notification Process

Allen School of Health Sciences' policies reinforce the Institutional values by providing structure for a comfortable and safe atmosphere conducive to academic excellence. Allen School of Health Sciences continues to remain in compliance with the requirements of the Drug-Free Schools and Communities Act by discussing our Drug and Alcohol Prevention Policy to all new students during the student's orientation. Information discussed in the policy review session is then reiterated in a Student Handout, which details the entirety of the Institution's Policy on Alcohol and Drug Use.

Sanctions

Students are prohibited from consuming, transporting, distributing, possessing, or exhibiting disruptive behavior influenced by the use of alcohol and/or drugs. Students found in violation of this policy will be subject to disciplinary sanctions included but not limited to warning and/or probationary period, termination of the program of study, and possible arrest, imprisonment, or fine according to the state alcohol and drug laws.

Campus Alcohol and Other Drug Use Data

The 2021 and 2022 calendar years saw no change in judicial cases from the previous calendar years. There were none.

Violations by Campus

In the 2021 and 2022 calendar years no drug and alcohol-related violations or fatalities occurred on the campus.

Conclusion

Allen School of Health Sciences has established an effective AOD program that is being closely monitored.

Drug & Alcohol Abuse Prevention Policy

The Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, require that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by student and employees on their campus or any part thereof.

In accordance with the Drug-Free Schools and Communities Act of 1986 and the Higher Education Act of 1965 as amended by the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, Allen School adopts the following policy to prevent the unlawful possession, use and distribution of illicit drugs and alcohol by employees. Allen School's policy in accordance with the Federal Drug-Free Workplace Act of 1988, part of the Anti-Drug Abuse Act of 1988, is incorporated herewith.

Standard of Conduct

It is the policy of Allen School that employees will be subject to criminal, civil and disciplinary penalties if they distribute, sell, attempt to sell, possess or purchase controlled substances while at the workplace, while performing in a work-related capacity or at any campus activity. An employee may possess and use a controlled substance which is properly prescribed for him or her by a physician.

Employees are also prohibited from on-the-job use or impairment from alcohol or illicit drugs.

No person, student, employee, visitor, shall sell, deliver or give away or cause or permit to be sold, delivered or given away any alcoholic beverages to any person under the age of 21 years.

No one may induce the sale of alcoholic beverages to any person under 21 by misrepresenting the person's age.

No person under the age of 21 years may purchase alcoholic beverages with intent to consume such beverage.

Any person who knowingly causes the intoxication of a person under 21 may be civilly liable in the event of personal injury or property damage to a third party.

Employees are prohibited from personally catering alcohol events.

Policy Regarding Drug-Free Workplace

In accordance with the Federal Drug-Free Workplace Act of 1988 part of the Anti-Drug Abuse Act of 1988, the unlawful use, possession, manufacture, dispensation or distribution of controlled substances in all Allen School locations is prohibited.

Employees who unlawfully manufacture, distribute, dispense, possess, or use a controlled substance in or on property owned by or under the control of Allen School will be subject to disciplinary procedures consistent with applicable laws, rules and regulations.

Sanctions

Institution:

Employee violation of these standards of conduct could result in disciplinary action up to and including discharge. An employee who is charged with a violation within the Institution may also be referred for criminal prosecution.

Employees should be fully aware that Allen School will impose sanctions in all cases where there has been a violation of any of the above standards.

State of New York:

- a. Effective October 19, 1989, persons under the age of 21 who present an altered New York State driver's license for the purpose of illegally purchasing an alcoholic beverage may be subject to a suspension of that driver's license for up to ninety (90) days and may also be required to apply to the Department of Motor Vehicle for a restricted use driver's license following the suspension.
- b. Effective November 1, 1989, persons under the age of 21 who present falsified or fraudulently altered proofs of age for the purpose of purchasing or attempting to purchase alcoholic beverages are guilty of a violation, punishable by a fine of up to \$100 and a community service requirement of up to thirty (30) hours. Previously, violations of this section were punishable only by the imposition of a one-year probationary period or fine.
- c. Effective January 1, 1990, persons under the age of 21 are prohibited from possessing any alcoholic beverage with intent to consume the beverage. Exceptions are provided for consumption in an instructional setting and in cases where the alcoholic beverage is provided by a parent or guardian. Violators are subject to a fine of up to \$50 per offense, but are not subject to arrest. Alcoholic beverages involved in alleged violations of this law may be seized by the authorized law enforcement officials, including campus public safety officers. Disposal and destruction of the seized alcoholic beverages are also authorized but cannot be carried out until three days after the initial appearance date, unless otherwise ordered by a court. The court may order the beverage returned if it is determined that return would be in the interest of justice or the beverage was improperly seized.
- d. Controlled Drugs: See Attachment A

The City of New York follows the same penal code as the state of New York. See Above.

Federal: See Letter B below for penalties.

Employees must abide by the terms of this statement and must notify Human Resources of any criminal drug statute conviction for a violation occurring at the workplace, or at a work site, no later than five (5) working days after such conviction.

Allen School will make a good faith effort to maintain a drug-free workplace. That effort will include referral to drug awareness education programs and the implementation and strict enforcement of this policy.

Distribution and Review

This program will be distributed annually to all employees and reviewed biennially to determine its effectiveness, implement needed changes and ensure that disciplinary sanctions are consistently enforced.

Certification

Allen School will further comply with the requirements of the Drug-Free Workplace Act of 1988 by submitting a certification that a drug-free workplace will be provided as a precondition for receiving federal funds for contracts and grants awarded or substantially modified after the effective date of the Act.

In order to comply with the Drug-Free Schools and Communities Act of 1989, Public Law 101-226, the Higher Education Act of 1965, and the Federal Drug-Free Workplace Act of 1988, part of the Anti-Drug Abuse Act of 1988, this policy supersedes all pre-existing alcohol and drug policies.

Different organizations sponsor numerous educational programs throughout the year that are specifically concerned with information and prevention of alcohol and drug abuse and are open to all members of the Allen School community.

B. Description of Health Risks Associated with the Use of Illicit Drugs and Abuse of Alcohol

Alcohol

Profound acute impact on cognitive functioning, i.e., loss of inhibitions, disruption of memory functions. Profound chronic impact on cognitive functioning, e.g., permanent memory impairment, dementia. Impaired coordination. Increased risk of cancer, stroke, heart disease, heart conduction disturbances, stomach lesions, intestinal track injury and liver damage. Sexual functioning disturbances. Increased risk of accidents, including drowning, fires and falls. Increased risk of violence.

Amphetamines (Speed, Ups, Pep Pills, Meth)

Elevated heart rate, blood pressure and respiration rate. Decreased appetite. Pupillary dilation. Effects at high doses include: cognitive confusion, physical disorganization, inability to relax and sleep, teeth-grinding, dry mouth, muscle twitching, convulsions, fever, chest pain, irregular heart beat and lethal overdose.

Barbiturates, Sedatives, Tranquilizers (Yellow Jackets, Reds, Red Devils, Ludes, PCP or Angel Dust)

Difficulty concentrating, maintaining coordination and staying awake. Reduces cognitive and motor functioning. Increases accident risks. Effects at high doses include: slurred speech, staggering, decreased ability to reason and solve problems, difficulty in judging distance and time, double vision, amnesia, depressed breathing, coma, brain damage and respiratory failure, especially when mixed with alcohol.

Cocaine (Coke, Crack, Blow)

Increase heart rate, blood pressure, breathing rate, and body temperature. Constriction of blood vessels. Pupillary dilation. Effects at high doses include: cognitive confusion and physical disorganization, perspiration, chills, elevated heart rate, nausea, vomiting, hallucinations and possible death from convulsions and respiratory arrest.

Hallucinogens (LSD or Acid, Mesc, DMT, DET)

Alterations of sensory, emotional and cognitive functioning. Elevated heart rate, blood pressure, and body temperature. Pupillary dilation, nausea, muscle weakness, dizziness, tremors and exaggeration of normal reflexes. Risk of accidents, disorientation, wide mood swings, flashbacks. Possible psychosis.

Heroin (H, Horse, Smack)

Reduces cognitive and physical prowess. Blocks hunger. Dull aggression. Blocks menstrual cycle. Reduces sex drive. Constricts pupils. Induces drowsiness and sedation. Causes constipation, itchy skin. Increases accident risk. High risk of respiratory collapse with overdose.

Inhalents (Poppers, Snappers, Rush, Glue)

Initial excitement, sedation and confusion. Prolonged or regular use could cause bone marrow depression, cerebral damage, liver and kidney disorders, irregular heartbeat and blood pressure, and respiratory disorders.

Marijuana

Risks of short term memory problems, lung damage, major slowdown in cognitive functioning, loss of alertness and productiveness. Possible psychosis with chronic use.

Federal Drug Trafficking Penalties

| (As of January 1, 1996) | | | | | | | | |
|-------------------------|---|---|-------------------------------------|-------------------------------------|---|---|--|--|
| CSA | 1st Offense | 2nd Offense | Quantity | Drug | Quantity | 1st Offense | 2nd Offense | |
| I And II | Not less than 5 years. Not more than 40 years. | Not less than 10 years. Not more than life. | 10-99 gm pure or 100-999 gm mixture | Methamphetamine | 100 gm or more pure of 1 kg or more mixture | Not less than 10 years. Not more than life. | Not less than 20 years. Not more than life. | |
| | | | 100-999 gm mixture | Heroin | 1 kg or more mixture | | | |
| | If death or serious injury, not less than 20 years or more than life. Fine of not more than \$2 million individual, \$5 million other than individual. | If death or serious injury, not less than life. Fine of not more than \$4 million individual \$10 million other than individual. | | 500-4,999 gm mixture | Cocaine | 5 kg or more mixture | If death or serious injury, not less than 20 years or more than life. Fine of not more than \$4 million individual, \$10 million other than individual. | If death or serious injury, not less than life. Fine of not more than \$8 million individual, \$20 million other than individual. |
| | | | | 5-49 gm mixture | Cocaine Base | 50 gm or more mixture | | |
| | | | | 10-99 gm pure or 100-999 gm mixture | PCP | 100 gm or more pure or 1 kg or more mixture | | |
| | | | | 1-9 gm mixture | LSD | 10 gm or more mixture | | |
| | | | | 40-399 gm mixture | Fentanyl | 400 gm or more mixture | | |
| | | | | 10-99 gm mixture | Fentanyl Analogue | 100 gm or more mixture | | |

| CSA | Drug | Quantity | 1st Offense | 2nd Offense |
|----------------|---|----------|--|---|
| I And II | Others (law does not include marijuana, hashish, or hash oil) | Any | Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual. | Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual. |
| III | All (included in Schedule III are anabolic steroids, codeine and hydrocodone with aspirin or Tylenol□, and some barbiturates) | Any | Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual. | Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual. |
| IV | All (included in Schedule IV are Darvon□, Talwin□, Equanil□, Valium□, and Xanax□) | Any | Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual. | Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual. |
| V | All (over-the-counter cough medicines with codeine are classified in Schedule V) | Any | Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual. | Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual. |

| Description | Quantity | 1st Offense | 2nd Offense |
|-------------|--|---|---|
| Marijuana | 1,000 kg or more mixture; or 1,000 or more plants | <p>Not less than 10 years, not more than life.</p> <p>If death or serious injury, not less than 20 years, not more than life.</p> <p>Fine not more than \$4 million individual, \$10 million other than individual.</p> | <p>Not less than 20 years, not more than life.</p> <p>If death or serious injury, not more than life.</p> <p>Fine not more than \$8 million individual, \$20 million other than individual.</p> |
| Marijuana | 100 kg to 999 kg mixture; or 100-999 plants | <p>Not less than 5 years, not more than 40 years.</p> <p>If death or serious injury, not less than 20 years, not more than life.</p> <p>Fine not more than \$2 million individual, \$5 million other than individual.</p> | <p>Not less than 10 years, not more than life.</p> <p>If death or serious injury, not more than life.</p> <p>Fine not more than \$4 million individual, \$10 million other than individual.</p> |
| Marijuana | 100 kg to 999 kg mixture, or 100-999 plants; 50 to 99 kg mixture, or 50 to 99 plants | <p>Not more than 20 years.</p> <p>If death or serious injury, not less than 20 years, not more than life.</p> <p>Fine \$1 million individual, \$5 million other than individual.</p> | <p>Not more than 30 years</p> <p>If death or serious injury, not more than life.</p> <p>Fine \$2 million individual, \$10 million other than individual.</p> |
| Marijuana | Less than 50 kg mixture | Not more than 5 years. | <p>*Not more than 10 years* *Fine \$500,000 individual, \$2 million other than individual.</p> |
| Hashish | 10 kg or more | Fine not more than \$250,000, \$1 million other than individual. | |
| Hashish Oil | 1 kg or more | | |

The Controlled Substances Act (1970) places all substances regulated under federal law into one of five schedules based on the substance's medical use, potential for abuse, and safety or dependence liability.

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance 21 U.S.C. 844(a) 1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
- After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

- Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:
 - 1st conviction and the amount of crack possessed exceeds 5 grams.
 - 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
 - 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7) 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 1 year imprisonment. (See special sentencing provisions re: crack)

21 U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a Civil fine of up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 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.

18 U.S.C. 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.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

Contact Information

Tim Cheslik, Director of the Main Campus in Jamaica, 718-291-2200
tim.cheslik@allenschool.edu

Laurie Pringle, Director of the Branch Campus in Brooklyn, 718-243-1700
laurie.pringle@allenschool.edu

National Toll-Free Hotlines

1. 1-800-662-HELP (M-F, 8:30a.m. - 4:30p.m.) National Institute on Drug Abuse Informational and Referral Line
2. 1-800-241-9746 (M-F, 8:30a.m. - 5:00p.m.) Parent's Resource Institute for Drug Education (PRIDE)
3. 1-800-COCAINE (M-F, 9:00a.m. – 3:00a.m.; S-S, 12 noon – 3:00a.m.)
4. 1-800-622-2255 National Council on Alcoholism