

Be'er Yaakov Talmudic Seminary

Institutional Drug and Alcohol Policy September, 2011

Dear Student and/or Employee,

Our institution is committed to maintaining a **drug-free campus**. This is for your benefit and protection, as well as for the welfare of your fellow students and employees.

Although drug and alcohol abuse are common in American society, we want you to know that we expect our school to be totally drug-free! The policies listed below were formulated with that in mind and we are very serious about enforcement of our standards.

Please read the following carefully, and ask for clarification if needed. Our policies are tough, and we expect them to work!

1. Standards of Conduct Regarding Drug and Alcohol Use

We will not tolerate any unlawful use, possession or distribution of illicit drugs on school property, or as part of school activities.

In addition, any student misusing drugs or alcohol off-campus will be subject to the same reprimands and disciplinary sanctions listed for violation on-campus (see #5 below), up to and including suspension and expulsion.

Responsible use of alcohol on or off premises, by students over 21, while not encouraged, will be allowed under the following circumstances:

- a. as part of ritual services and celebrations
- b. as long as the student makes no attempt to use a motor vehicle.

2. Legal Sanctions: local, state and federal

Please remember that local, state and federal laws are constantly changing. As a result, information we distribute about legal issues may not be up-to-date. [If you are interested, you may check with law enforcement offices about current information.]

Note that the trend in legislation, law enforcement and the courts is toward harsher penalties, larger fines and longer periods of incarceration.

Remember, a conviction causes you to have a permanent criminal record.

You can be arrested if you are in the company of friends who are using illegal drugs, even if you are not participating. The present penal system is such that even one night in jail awaiting a court appearance (even if you are not convicted) is not an experience you will relish.

a. Federal Penalties

There are severe penalties for illegal drug trafficking with minimum sentences for many categories. See attached chart.

b. State Penalties

The State of New York has its drug laws codified in Articles 220 and 221 of the Penal Code. Please note that new and stiffer penalties come up in new legislation with great frequency.

c. Local Ordinances

These may range from fines for driving with an open container of an alcohol beverage in the car, regardless of whether the driver has consumed any alcohol, to more severe penalties.

3. Health Risks

Studies have now proven that all illegal (and many prescription) drugs are, to some extent, physically and / or psychologically addictive.

Marijuana, once considered relatively harmless, has been shown to affect memory and intelligence, most seriously among young people who are at a crucial stage of development. Marijuana may also act as a “gateway” to more dangerous drugs.

In the past, marijuana was often of very weak quality. Potency has increased over the years, and many samples have been found to be adulterated with dangerous hallucinogens and other substances.

There is no safe drug. Many drugs are potentially addictive after only one dose. Many drugs can kill with just the smallest amount of overdose. There is no drug experience that is worth risking your health, and the health of your family, including your unborn children. Remember, you may also be risking your life.

4. Available counseling and treatment

Our institution is committed to helping students deal with life's problems in a mature, sensible manner. The thrust of our institutional counseling effort is directed at prevention, rather than treatment. We take a very positive view on the counseling process. We provide specialists who are at your service on a constant basis. In addition, all faculty members have been trained to be sensitive to the physical and emotional well-being of our students and to assist as appropriate.

In The Event You Have A Drug Problem

If you need assistance, we expect you to come to us. We will refer you for counseling. If you do not come forward, but we discover that you have a problem, you will be required to seek professional assistance before you can return to school.

For counseling and treatment, we refer students to the CounterForce, the counseling and drug abuse prevention and treatment division of Torah Umesorah National Association of Hebrew Day Schools.

5. Disciplinary Sanctions that the Institution Will Impose on Students and Employees

As an institution which firmly opposed to any drug involvement, we shall deal severely with any student who misuses controlled substances. Please read the following carefully. It is the only warning you will receive before sanctions are imposed.

a. Knowledge that another student/employee is involved with drugs or alcohol

Students/employees who become aware that a fellow student/employee is misusing drugs or alcohol are expected to bring the problem to the attention of the Dean of Students immediately. Students/employees who fail to do so will be held responsible and will be censured.

Any problem can be resolved more easily the earlier it is caught. Neglect of a problem can be a severe danger to the person involved, as well as those around him/her.

b. First Offense - Students

A student who is reported to have misused drugs/alcohol will be called to the Dean of Student's office to explain himself. The Dean will interview any witnesses and make a determination of the student's culpability.

If found at fault, the student will receive a reprimand and the offense will be noted in the student's permanent record.

At the discretion of the Dean, the student will be suspended, pending discussion with the student's parents and meeting with a health professional to assess the degree of the problem.

If the Dean is fully satisfied that this was a unique occurrence, and that the student is sincerely regretful, and can be trusted to refrain from any future involvement with drugs, the student will be allowed back into school.

He/she will be clearly warned that any repeat of the offense will result in immediate suspension pending investigation, and ultimately in expulsion.

c. Second Offense - Students

Any student who is guilty of a second offense, as determined by investigation by a faculty board of inquiry, will immediately be expelled from the institution.

Reinstatement may be considered only after a prolonged period of professional counseling and compliance testing, and at the discretion of the Dean.

There is no due process involved, and no appeal will be accepted. Attendance at our institution is a privilege, not a right, and may be withdrawn without notice if the student is deemed a threat to the moral and/or physical integrity of the student body.

d. First Offense - Employees

In general, no applicant who has been convicted of a drug-related offense will be hired as an employee of this institution, although we may consider extenuating circumstances.

Any employee who has concealed a past drug-related conviction will be terminated without notice if such offense comes to our attention.

Any employee who is observed to be misusing drugs/engaging in the unlawful possession or sale of drugs will immediately be terminated and referred to appropriate law enforcement officials.

e. Addiction to Prescription Drugs/Alcohol

As legal substances, prescription drugs and alcohol are, unfortunately susceptible to misuse and addiction under the proper circumstances.

The institution is sympathetic to any individual who is inadvertently entrapped in such a situation, and urges that individual to obtain immediate professional and/or self-help group type of assistance in curing the addiction.

The administration will make every effort to allow the employee to arrange his/her schedule to facilitate seeking professional assistance, and will make every possible effort to allow an employee to return to work after seeking treatment for their addiction at a residential clinic.

f. Responsible Use of Alcohol

Under no circumstances is a student who has consumed **any** alcohol beverage, in **any** quantity, to drive **any** motor vehicle. A student's friends are expected to exercise good judgment and seek the assistance of an adult if they are unable to dissuade a student from driving.

Preferably, a student who is drinking should turn his car keys over to a friend. We wholeheartedly support the idea of a designated driver. This is an arrangement where one person, who will not drink at all, is selected in advance to drive home.

Any student who drinks will be held responsible, and censured severely, for any infraction of this rule, up to and including a meeting with the student's parents, and/or suspension.