



Herkimer College's Alcohol and Other Drugs (AOD) Policy and Procedures

Policy

This policy on alcohol and other drugs governs the activity of all students, residents, and their visitors and guests. The service, distribution, sale, possession and/or consumption of alcoholic beverages or attempt thereof on the Herkimer College Campus and HCCC Housing Corporation property are **prohibited**.

Unlawful behavior involving alcohol, but **not limited to**, underage drinking, public intoxication, drinking and driving and manufacturing and/or distributing is **prohibited**.

The manufacture, distribution, sale, purchase, possession and/or use of any illegal drugs or controlled substances or attempts thereof on the Herkimer College Campus and HCCC Housing Corporation property are **prohibited**. Persons violating these policies are subject to disciplinary action.

The disciplinary actions may include, but is **not limited to** reprimand, disciplinary probation with or without specific conditions, referral to individual and/or group counseling at the student's expense, parental notification and/or suspension.

A violation of this policy shall be considered a breach of the student housing contract and a violation of the College Student Code of Conduct. Sanctions imposed under this policy are included on the students' judicial record and do not diminish or replace the penalties available under generally applicable federal, state or local laws.

Procedures

An Administrative Hearing will be scheduled for any student allegedly in violation of the policies stated here. In some instances, a formal written warning can be administered. If the student is found responsible for the alleged violation, the following sanctions will be administered:

FIRST OFFENSE

- Disciplinary probation until such time as the student is no longer enrolled.
- Two mandated counseling or substance abuse education sessions.
- Students who host Large Parties (10 or more people) in their on campus apartment when alcohol and other drugs are being consumed may be subject to immediate removal from campus housing.
- Additional sanctions, if deemed necessary.
- Failure to comply with any sanction will result in an additional violation of "failure to comply," thus resulting in additional sanctions being administered.
- Parental Notification.

SECOND OFFENSE

- May be temporarily removed from College Housing.
- Substance abuse assessment by Counseling Center staff and/or referral for substance abuse evaluations to outside agencies as recommended by the College. Mandatory participation in a second level AOD education and intervention program.
- Students who host Large Parties (10 or more people) in their on campus apartment when alcohol and other drugs are being consumed may be subject to immediate removal from campus housing.
- Additional sanctions, if deemed necessary.
- Failure to comply with any sanction will result in an additional violation of "failure to comply," thus resulting in additional sanctions being administered.
- Parental Notification.

THIRD OFFENSE

- Possible suspension from classes for the remainder of the semester and/or subsequent semester.
- Permanent removal from College Housing.
- Additional sanctions, if deemed necessary.
- Failure to comply with any sanction will result in an additional violation of "failure to comply," thus resulting in additional sanctions being administered.
- Parental Notification.

• • • • • Good Samaritan Policy • • • • •

Students who seek medical assistance in an Alcohol and/or substance-abuse-related emergency should not be concerned with the potential disciplinary consequences for themselves and for the person in need of assistance.

Because the safety and security of Herkimer College students is a priority, the College has instituted a medical amnesty policy; also known as the **Good Samaritan Policy**.

This policy is applicable to the following parties:

- **Student requesting medical assistance for oneself;**
- **Student requesting medical assistance for another person;**
- **Student for whom medical assistance was provided.**

When responding to such AOD (alcohol or other drug) violations, the College will consider the student's decision to request medical assistance as an act of good judgment, therefore not deserving of the typical range of AOD sanctions. Thus, if it is determined that the Good Samaritan Policy applies to a situation, the student(s) involved will not be subject to a violation of the AOD Policy.

This policy does not protect students who repeatedly violate college policies. Once a student receives medical amnesty, future amnesty is at the discretion of the Dean of Students' Office. The Dean of Students' Office also has discretion to determine that this policy does not apply in more serious situations including: criminal possession of drugs, property damage, violence, etc.