

BROOKDALE COMMUNITY COLLEGE COLLEGE REGULATION

3.9011R Alcohol and Drug Abuse Prevention Regulation

I. Title of Regulation

Alcohol and Drug Abuse Prevention

II. Objective of Regulation

To develop a College Regulation which complies with the requirements of the Drug Free Schools and Campuses Regulations of the Drug Free Schools and Communities Act and Drug Free Workplace Act of 1988.

III. Authority

34 CFR Parts 86 and 668.14(c), Public Law 101 - 690, Bylaws of the Board of Trustees, and Board Policy 3.9006.

IV. Regulation Statement

Students

Brookdale Community College (the "College") is committed to providing a safe and healthy learning environment for all members and maximizes the academic and social development of students. The College believes that a student's development is negatively affected by the use of illegal drugs and the irresponsible consumption of alcohol. All students have the right to engage in curricular and co-curricular activities without interference from others who are under the influence of alcohol and/or drugs. In addition, the unlawful and abusive use of alcohol and drugs interferes with the College's goals aligned with teaching and learning. Substance abuse may lead to criminal activity, property damage, and other inappropriate behaviors.

Employees

The College intends to maintain a workplace free from the adverse effects of alcohol and other drugs. Employees are forbidden to use these substances at the workplace or to come to the workplace while under the influence of these substances. In addition, employees are expected to notify the Associate Vice President, HR & Organizational Safety if they are convicted of violating any criminal drug law, either within or outside the work place, or if they are convicted of violating any alcohol beverage control law or law that governs driving while intoxicated, based on conduct occurring in the workplace and at College sponsored events.

Violation of College Policies related to these matters can result in serious disciplinary action including termination and are more fully outlined herein under Section V.

The purpose of this Alcohol and Drug Abuse Prevention Regulation together with other College Policies and Regulations identified in Section VI are to define and communicate, to all members of the College Community:

- I. Standards of conduct that prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
- II. Legal sanctions under federal, state and local law for the unlawful possession or distribution of illicit drugs and alcohol;
- III. Health risks associated with the use of illicit drugs and alcohol abuse;
- IV. Drug or alcohol counseling, treatment, or rehabilitation programs that are available to employees and students;
- V. Sanctions the College will impose on students and employees for violations of the standards of conduct, College Policy, and the law which includes up to expulsion or termination of employment and referral for prosecution; and
- VI. Additional Information on related College Policies and Regulations.

- I. Standards of Conduct
 - A. Students

Currently enrolled students attending all College sites throughout Monmouth County and while at co-curricular or College sponsored events are required to abide by the College's Student Code of Conduct which is available at: www.brookdalecc.edu/conduct.

The College's Student Code of Conduct addresses the possession and/or consumption of alcohol on College premises or College-related premises. Regardless of age, possession and/or consumption of alcohol by students (outside of the Board of Trustees approved Regulations) is considered a violation of the Code of Conduct and will be sanctioned per Section V A below.

College-related premises includes, but is not limited to:

- Venues contracted with the College to host college-sponsored events*
- Venues that host events where College-sponsored trips occur* (i.e. conference centers, hotels, athletic facilities)
- Other colleges/universities where Brookdale students travel for College-sponsored trips* (i.e. sporting events, club meetings, conferences, study abroad trips, etc.)

- Facilities contracted with the College to house Brookdale students on College-sponsored trips* (i.e. hotels, college/university residence halls)

* *Regardless of their policies on alcohol*

The above is not considered an exhaustive list of College-related premises, and students should always seek clarification from the Office of Student Conduct & Compliance regarding specific/unique situations.

B. Employees

The College's Board of Trustees adopted a Drug-Free Workplace Policy and Regulation, in accordance with the Drug Free Workplace Act of 1988.

<https://www.brookdalecc.edu/about/board-of-trustees/college-policies/3-0000-human-resources/3-9006-drug-free-workplace/>

<https://www.brookdalecc.edu/about/board-of-trustees/college-regulations/3-000-human-resources/3-9006r-drug-free-workplace/>

In addition, employees are required to adhere to the requirements of a Code of Ethics for Employees, which Policy and Regulation are available at:

<https://www.brookdalecc.edu/about/board-of-trustees/college-policies/3-0000-human-resources/3-9008-code-of-ethics-for-employees/>

<https://www.brookdalecc.edu/about/board-of-trustees/college-regulations/3-000-human-resources/3-9008r-code-of-ethics-for-employees/>

Failure to abide by these policies may result in disciplinary action as listed in Section V B below.

- II. Legal Sanctions
 - A. Federal Laws

Federal law provides criminal and civil penalties for unlawful possession or distribution of a controlled substance. The Controlled Substance Act (21 U.S.C. 841) makes it a federal crime: (a) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or (b) to create, distribute, or dispense, or possess with intent to distribute or dispense a counterfeit substance.

Classification of Controlled Substances

The U.S. Code establishes, and authorizes the U.S. Attorney General to revise as needed, classifications of controlled substances. The drugs are each classified in five "schedules," Schedule I being comprised essentially of "street drugs" and Schedule V being comprised of

drugs with a “low potential for abuse” when compared with drugs in Schedules I-IV. Examples of Schedule I drugs are; heroin, marijuana, synthetic marijuana, and designer labeled bath salts. Cocaine and codeine are Schedule II drugs. Amphetamines and anabolic steroids are Schedule III drugs, while Barbitol is a Schedule IV drug. An example of a Schedule V drug would be a prescription medication with no more than 200 mg. of codeine per 100 grams. 21 U.S.C. 812.

Penalties for Violations of Federal Drug Laws

Under US federal law, a first offense of illegal possession of a controlled substance can be punished by jail terms of up to twenty years and minimum fines ranging from \$1,000 to \$5,000. Federal possession and trafficking convictions can also lead to the forfeiture of property (which may include homes, vehicles, boats and other personal property), the denial of federal benefits such as student loans and grants, and a criminal record which may prevent an individual from entering certain career fields.

Suspension of Eligibility for Federal Student Aid

Section 484(r) of the Higher Education Reconciliation Act provides that a student's eligibility for federal student aid be suspended if that student is convicted under federal or state law of any offense involving the possession or sale of a controlled substance (not including alcohol or tobacco). The suspension of eligibility ranges from as much as one year to an indefinite period of time, depending upon the number and type of convictions. A student may regain eligibility early if the conviction is overturned or if he or she completes a drug rehabilitation program that meets certain statutory and regulatory requirements.

B. New Jersey State Laws

Alcohol Laws

As of January 1, 1983, New Jersey state law prohibits the sale, possession, or consumption of alcohol by individuals under 21 years of age. N.J.S.A. 9:17B-1. The College is a public institution governed by Federal, State, and local laws, and by College Policies and Regulations. The Brookdale Police Department and other local agencies enforce the laws stated below:

The purchase and consumption of alcohol is a right extended by the State of New Jersey. The legal age to purchase and consume alcoholic beverages in the State of New Jersey is twenty-one. N.J.S.A. 9:17b-1

1. Possession or Consumption of Alcoholic beverages by persons under legal age. N.J.S.A. 2C:33-15. Any person under the legal age to purchase alcoholic beverages who knowingly possesses without legal authority or who knowingly consumes any alcoholic beverage in any school, public conveyance, public place, or place of public assembly, or motor vehicle is guilty of a disorderly persons offense and shall be fined not less than \$500. N.J.S.A. 2C:33-15 1 a.

2. Underage Drinking and Misrepresenting Age to Induce Sale or Delivery to Minor. N.J.S.A. 33:1-81. A person under the legal age for purchasing alcohol who purchases or attempts to purchase alcohol, or who misstates his/her age, or a person of legal age who purchases alcohol for an underaged person(s) faces a conviction of a disorderly persons offense, which incurs a fine of not less than \$500 and loss of license for six months. In addition, underaged persons may be required to participate in a state-sponsored alcohol education or treatment program.
3. Availability of alcoholic beverages to underaged. N.J.S.A. 2C:33-17. Anyone who purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices or encourages that person to drink an alcoholic beverage is a disorderly person. This provision does not apply to certain close relatives, certain activities confined to the home, or if the consumption is part of a religious observance.
4. Transfer of Identification Card ("ID"). N.J.S.A. 33:1-81.7. It is illegal for a minor to use another person's ID to obtain alcohol, or for someone of legal age to give their ID to an underaged person to obtain alcohol. A person violating this statute shall be guilty of a misdemeanor and faces a fine of up to \$300 or up to 60 days in jail.
5. Offenses involving false government documents. N.J.S.A. 2C:21-2.1. A person who knowingly possesses a document or other writing which falsely purports to be a driver's license, birth certificate or other document issued by a governmental agency and which could be used as a means of verifying a person's identity or age or any other personal identifying information is guilty of a crime in the fourth degree.
6. Social Host Liability. Under a 1984 New Jersey Supreme Court decision, *Kelly vs. Gwinnell*, 96 N.J. 538 (1984), the Court held that a social host who served alcoholic beverages to a guest, knowing that the guest was intoxicated and would soon be driving, was held liable for injuries inflicted on a third party caused by that guest's motor vehicle accident.
7. Driving While Intoxicated. N.J.S.A. 39:4-50.
DEFINITION: A person who operates a motor vehicle while under the influence of intoxicating liquor, narcotic, hallucinogenic or habit-producing drug, or operates a motor vehicle with a blood alcohol concentration of 0.08% or more is considered driving while intoxicated ("DUI").
PENALTIES: All persons convicted of DWI must pay an insurance surcharge of \$1,000 per year for three years. In addition:
 - a. For the first offense, there are additional fines and charges of at least \$500 (bringing the total minimum charges for a first offense to \$3,500); loss of license for 3-12 months; mandatory installation of an ignition interlock system during

and after license suspension; requirement to spend 12-48 hours in an Intoxicated Driver Resource Center; and up to a possible 30day jail term.

- b. For a second offense, there are additional fines and charges up to \$1000; loss of license for 2 years; mandatory installation of an ignition interlock system during and after license suspension; 30 days of community service; 48 hours in an Intoxicated Driver Resource Center program; and up to a possible 90-day jail term.
- c. For a third offense, additional fines and charges of at least \$1,220; loss of license for 10 years; mandatory installation of an ignition interlock system during and after license suspension; and a 180day jail term. The insurance surcharge for a third-time offender is \$1,500 per year for three years.

These fines and charges do not include court costs and attorney's fees.

- 8. Penalties for Driving While License Is Suspended Due to DWI. N.J.S.A. 39:3-40. If a person is found driving while his/her license is suspended due to a conviction for DUI, that person upon conviction again shall be fined \$500, shall have his/her license to operate a motor vehicle suspended for an additional period of not less than one year nor more than two years, and may be imprisoned in the county jail for not more than 90 days. Second and subsequent convictions for driving during a license suspension carry additional penalties including revocation of motor vehicle registration.
- 9. Refusal to Take the Breathalyzer Test. N.J.S.A. 39:4-50.4a. Refusal to take the breathalyzer test where there is probable cause for arrest for DWI may result in driver's license suspension ranging from seven months to one year, a fine of \$300-\$1000, installation of an ignition interlock device for six months to one year and an obligation to satisfy the requirements of an alcohol education or rehabilitation program. A person can also be convicted of DWI without the results of a breathalyzer test. In that case, s/he will suffer all the additional fines and penalties specified for the DWI conviction.

Drug Laws

The College cooperates with municipal and other law enforcement authorities in enforcing the following State laws pertaining to illegal drugs:

- *Leader of Narcotics Trafficking Network*, (N.J.S.A. 2C:35-3) provides penalties for a person found to have acted as an organizer, supervisor, manager or financier of a scheme distributing any Schedule I or II drug.

- *Maintaining or Operating a Controlled Dangerous Substance (“CDS”) Production Facility*, (N.J.S.A. 2C:35-4) provides that such conduct is a first degree crime punishable by imprisonment and fines.
- *Manufacturing, Distributing, or Dispensing a CDS* (N.J.S.A. 2C:35-5) provides that such conduct results in imprisonment and fines.
- *Distribution, Manufacture or Possession with Intent to Distribute Anabolic Steroids* (N.J.S.A. 2C:35-5.1) provides that such conduct is a third degree crime punishable by imprisonment and fines.
- *Employing a Juvenile in a Drug Distribution Scheme* (N.J.S.A. 2C:35-6) provides that such conduct is a second degree crime punishable by imprisonment and fines.
- *Distribution on or within 1000 ft. of school property a/k/a “Drug-Free School Zones”* (N.J.S.A. 2C:35-7) provides that any person who distributes, dispenses, or possesses with intent to distribute a controlled dangerous substance within 1,000 feet of school property is guilty of a crime of the third degree and be sentenced to imprisonment.
- *Distribution to Persons Under Age 17 or to Pregnant Females* (N.J.S.A. 2C:35-8) carries a penalty of fines and imprisonment.
- *Strict Liability for Drug-Induced Deaths* (N.J.S.A. 2C:35-9) provides that any person who manufactures, distributes or dispenses a CDS is strictly liable for a death caused by the CDS and is guilty of a first degree crime but no intent need be shown, only that death resulted as a result of the use of a drug supplied by the defendant.
- *Possession, Use, or Being Under the Influence, or Failure to Make Lawful Disposition* (N.J.S.A. 2C:35-10) provides that such conduct carries penalties of imprisonment and fines.
- *Imitation Controlled Dangerous Substance (CDS)*,(N.J.S.A. 2C:35-11) provides that dispensing or distributing a substance falsely purported to be a CDS is a third degree crime, and can carry a fine up to \$200,000.

Paraphernalia

Drug paraphernalia is defined as “ ...all equipment, products, and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance... including... roach clips... bongs... pipes...”

- The *Use or Possession with Intent to Use Narcotic Paraphernalia* (N.J.S.A. 2C:36-2) is a disorderly persons offense.
- It is unlawful to *Distribute, Dispense, or Possess with Intent to Distribute or Manufacture Narcotics Paraphernalia* (N.J.S.A. 2C:36-3) which is a fourth degree crime.
- *Advertising to Promote the Sale of Narcotics Paraphernalia,*(N.J.S.A. 2C:36-4) is a fourth degree crime.
- *Delivering Drug Paraphernalia to Person Under Eighteen Years of age* (N.J.S.A. 2C:36-5) constitutes a third degree crime.
- The *Possession or Distribution of a Hypodermic Syringe* (N.J.S.A. 2C:36-6) constitutes a disorderly persons offense.
- *Driving While Intoxicated* (N.J.S.A. 39:4-50) provides that a person who operates a motor vehicle while under the influence of intoxicating ... narcotic, hallucinogenic or habit-producing drugs is subject to the same penalties stated in the State of New Jersey Alcohol Laws section of the Student Handbook, including loss of license, as for a driver who is intoxicated through use of alcohol.
- *Driving While License is Suspended Due to DWI* (N.J.S.A. 39:3-40). If a person is found driving while his/her license is suspended due to a conviction for Driving While Intoxicated, that person upon conviction again shall be fined \$500, shall have his license to operate a motor vehicle suspended for an additional period of not less than one year nor more than two years, and may be imprisoned in the county jail for not more than 90 days. Second and subsequent convictions for driving during a license suspension carry additional penalties including revocation of motor vehicle registration.

Medical Marijuana

The State of New Jersey passed the *New Jersey Compassionate Use Medical Marijuana Act* in 2010, legalizing the use of marijuana for medical purposes when prescribed by a licensed physician under certain conditions. On July 2, 2019, Governor Murphy changed the name of the law to the “Jake Honig Compassionate Use Medical Cannabis Act” (CUMCA) which restructures the state’s program and increases patient access to medical marijuana. However, in compliance with the *Drug-Free Schools and Communities Act*, the CUMCA, and the *New Jersey Drug Free School Zone, Brookdale Community College does not allow the use or possession of marijuana for medical purposes at any of its locations.* Use or possession of marijuana while on any campus, regardless of a valid prescription, will be considered a violation of the College’s Code of Conduct and Drug Free Workplace Policy and could result in arrest by campus or local police as well as internal disciplinary procedures.

C. Local Laws

Township of Middletown (location of the Lincroft Campus)

- A. It shall be unlawful for any person to drink, consume, transport, carry or possess any alcoholic beverage, except in the original package, with the seal unbroken, and in a bag, on any public street, sidewalk, parkway, public parking lot, semipublic parking lot or any other public or semipublic areas in the township. Public and semipublic areas shall include all buildings, structures, facilities or complexes used by the general public or to which the general public is invited, including but not limited to theaters, concert halls, auditoriums, museums, schools, libraries, recreation facilities, public transportation terminals and stations, factories, office buildings, businesses, shopping centers, hotels or motels and public eating places, all whether privately or publicly owned, and the roads, streets, driveways, parking areas, parkways, exits, entrances and all other roadways within the confines of parking areas adjacent to and used in connection therewith. This provision, however, shall not apply to prohibit drinking or consuming alcoholic beverages on licensed premises or in restaurants, whether licensed or unlicensed, excluding fast-food service establishments as that term is defined in the Planning and Development Regulations.

This provision shall also not apply to prohibit the transportation, carrying or possessing of alcoholic beverages in connection with the transportation of such beverages to and from locations where consumption is allowed pursuant to this provision, provided that the container carrying the alcoholic beverage is closed and transported in a bag or other similar container.

- B. It shall be unlawful for any person under the age of twenty-one (21) years to consume or to have in his or her possession any alcoholic beverage in or upon any public street, highway, park, footway or other public or quasi-public place within the township.
- C. It shall be unlawful for any person under the age of twenty-one (21) years to consume or to have in his or her possession any alcoholic beverage while in a motor vehicle on any public street or highway or while in a motor vehicle in any public place or quasi public place in the township.
- D. Any person under the legal age to purchase alcoholic beverages who, without legal authority, knowingly possesses or who knowingly consumes any alcoholic beverage on private property shall be punished by a fine of two hundred fifty dollars (\$250.) for a first offense and three hundred fifty dollars (\$350.) for any subsequent offenses.
1. The court may, in addition to the fine authorized for this offense, suspend or postpone for six (6) months the driving privilege of the defendant. Upon conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the State Motor Vehicle

Commission stating the first and last day of the suspension or postponement period imposed by the court pursuant to this subsection. If a person at the time of the imposition of a sentence is less than seventeen (17) years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six (6) months after the person reaches the age of seventeen (17) years.

2. If a person at the time of the imposition of a sentence has a valid driver's license issued by this state, the court shall immediately collect the license and forward it to the Motor Vehicle Commission along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the court.
3. The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of a written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.
4. The court shall, of any person convicted under this subsection who is not a New Jersey resident, suspend or postpone, as appropriate, the nonresident driving privileges in the State of New Jersey of the person based on the age of the person and submit to the Motor Vehicle Commission the required report. The court shall not collect the license of a nonresident convicted under this subsection. Upon receipt of a report by the court, the Motor Vehicle Commission shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.
5. Exceptions.
 - i. This provision shall not apply to or prohibit an underaged person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite, or consuming or possessing an alcoholic beverage in the presence of and with the permission of their parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages. As used herein:
Guardian: A person who has qualified as a guardian of the underaged person pursuant to testimony or court appointment.
Relative: The underaged person's grandparent, aunt or uncle, sibling or any other person related by blood or affinity.

- ii. This provision shall not apply to or prohibit possession of alcoholic beverages by any such underaged person while actually engaged in performance of employment by a person or facility licensed under Title 33 of the Revised Statutes, or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at the county vocational school or post-secondary educational institution; however, no ordinance enacted pursuant to this subsection shall be construed to preclude the imposition of a penalty under this subsection, N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

Freehold Township (location of the Freehold Campus)

- A. No minor shall purchase, attempt to purchase, or have another purchase for him any alcoholic beverage on any premises licensed for the sale of alcoholic beverages.
- B. No person shall purchase or attempt to purchase alcoholic beverages for a minor. It shall be unlawful for any person to induce or attempt to induce any licensee or any employee of a licensee to sell, serve or deliver alcoholic beverages to a minor.
- C. No person shall misrepresent his age or the age of another person for the purpose of inducing any licensee or his employee to sell, serve or deliver any alcoholic beverage to a person under 21 years or to permit a person under 21 years to remain on any premises.
[Amended 12-27-2005 by Ord. No. O-05-48]
- D. Any parent or guardian of a minor who accompanies such minor into a premises in which alcoholic beverages are served and who permits the minor to possess or consume alcoholic beverages shall be presumed to have misrepresented the age of the minor.
- E. No minor shall possess, serve, sell or consume any alcoholic beverage in any public place within the Township.
- F. Any person under the legal age to purchase alcoholic beverages who knowingly possesses without legal authority or who knowingly consumes any alcoholic beverage on private property shall be punished by a fine of \$250 for a first offense and \$350 for any subsequent offense. The court may, in addition to the fine authorized for this offense, suspend or postpone for six months the driving privilege of the defendant.

- 1. Upon the conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court pursuant to this article. If a person at the time of

the imposition of a sentence is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years.

2. If a person at the time of the imposition of a sentence has a valid driver's license issued by this state, the court shall immediately collect the license and forward it to the Division along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the court.

3. The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of a written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.

4. The court shall, of any person convicted under this article who is not a New Jersey resident, suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division the required report. The court shall not collect the license of a nonresident convicted under this article. Upon receipt of a report by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

5. Exceptions

i. This article does not prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony, or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.

ii. As used in this section, the following terms shall have the meanings indicated: Guardian: A person who has qualified as a guardian of the underage person pursuant to testamentary or court appointment. Relative: The underage person's grandparent, aunt or uncle, sibling or any other person related by blood or affinity.

- iii. This article does not prohibit possession of alcoholic beverages by any such person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes, or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post secondary educational institution; however, no ordinance enacted pursuant to this article shall be construed to preclude the imposition of a penalty under this article, N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

Asbury Park City (location of the Culinary Education Center)

- A. No person shall serve, sell, dispense, drink or consume any alcoholic beverage or have in their possession an open container containing an alcoholic beverage on a public street, highway, avenue, alley or road of the City or upon any public grounds, parks, sidewalks, beaches, marine basins, beachfronts, or boardwalks in the City, or in any nonoperating automobile, other vehicle or in any other means of transportation on the public streets, highways, alleys, avenues, grounds, sidewalks, beaches, parks, marine basins, beachfronts or boardwalks in the City.
- B. No person shall possess any alcoholic beverage with intent to violate paragraph a. of this subsection.
- C. Any person violating any provision of paragraphs a. or b. of this subsection in the presence of a police officer shall be subject to arrest without a warrant.
- D. No owner, agent or employee of any business or mercantile establishment shall suffer or permit any person to consume any alcoholic beverage, as defined in N.J.S.A. 33:1-1 et seq., upon the premises, or furnish ice, glasses or other beverages to be used in conjunction with the consumption of alcoholic beverages unless such consumption is permitted on the premises pursuant to a valid liquor license issued by the City.
- E. No person shall consume any alcoholic beverage, as defined in N.J.S.A. 33:1-1 et seq., or bring with intent to consume any alcoholic beverage upon the premises of any business or mercantile establishment unless such consumption is permitted upon the premises pursuant to a valid liquor license issued by the City.
- F. It shall be unlawful for any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes any alcoholic beverage on private property. Violations of this section shall be punishable by a fine of two hundred fifty (\$250.00) dollars for the first offense and three hundred fifty (\$350.00) dollars for any subsequent offense.

- a. In addition to the fine imposed pursuant to this section, the Court may, suspend or postpone for six (6) months, the driving privilege of the defendant. Upon conviction of any person and the suspension, or postponement of that person's driver's license, the Court shall forward a report to the Motor Vehicle Commission stating the first and last day of the suspension or postponement period imposed by the Court pursuant to this section. If a person at the time of the imposition of the sentence is less than seventeen (17) years of age, the period of license postponement, including the suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six (6) months after the person reaches the age of seventeen (17).
- b. If a person, at the time of the imposition of a sentence, imposed pursuant to this section, has a valid driver's license issued by this State, the Court shall immediately collect the driver's license and forward it to the Commission along with the report. If for any reason the license cannot be collected, the Court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the Court.
- c. The Court shall inform the person in writing pursuant to P.L. 2000, Chapter 33, amending R.S. 40:48-1, as to the potential consequences of violating the period of suspension of postponement.
- d. Exceptions.
 - i. This section shall not be construed to prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony, or rite, or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.
 - ii. For purposes of this section, "guardian" is defined as a person who has qualified as a guardian of the underage person pursuant to testamentary or Court appointment.
 - iii. Pursuant to this section "relative" shall be defined as the underage person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.
 - iv. This section shall not be construed to prohibit possession of alcoholic beverages by any person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes of the State of New Jersey, or actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a County vocational school, or post-secondary educational institution.

Hazlet Township (location of the Hazlet Regional Location)

- A. No person shall serve, sell, dispense, drink or consume any alcoholic beverage on a public street, highway, avenue, alley or road of this Township, or upon any public grounds, parks, sidewalks or in any automobile or other vehicle or any other means of transportation, while on the public streets, highways, alleys, avenues, public grounds, parks or sidewalks, except as provided in Subsection C of this section.
- B. No person shall possess any open bottle, can or container which contains alcoholic beverages on any public street, highway, avenue, alley or road of this Township, or upon any public grounds, parks, sidewalks or in any automobile or other vehicle or any other means of transportation while on the public streets, highways, alleys, avenues, public grounds, parks or sidewalks, except as provided in Subsection C of this section.
- C. Restrictions set forth in Subsections A and B of this section shall not apply to any Township recreational facility, where a permit has been issued by the Board of Recreation Commissioners to allow use of alcoholic beverages at a specific activity, and a special permit for social affairs is obtained from the Division of Alcoholic Beverage Control.
- D. The restrictions set forth in Subsections A and B of this section shall not apply to the Hazlet Swim and Tennis Club facility when and if the activity is sanctioned by the Hazlet Swim and Tennis Club officials, and a special permit for social affairs is obtained from the Division of Alcoholic Beverage Control.
- E. Any person under the legal age, without legal authority, who knowingly consumes an alcoholic beverage on private property shall be guilty of a violation of this article and shall be punished by a fine of \$250 for a first offense and \$350 for any subsequent offense.
 - a. The court, may, in addition to the fine authorized under this article, suspend or postpone for six months the driving privileges of the defendant. Upon conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years.
 - b. If a person at the time of the imposition of sentence has a valid driver's license issued by this state, the court shall immediately collect the license and forward it to the Division along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the court.
 - c. The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A.

39:3-40 a person shall be required to acknowledge receipt of the written notice in writing. Failure to receive notice or failure to acknowledge in writing the receipt of written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.

- d. If the person convicted under this article is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division the required report. The court shall not collect the license of a nonresident convicted under this article. Upon receipt of a report by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.
- e. Exceptions.
 - i. Nothing in this article shall prohibit an underaged person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite or consuming an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.
 - ii. Nothing in this article shall prohibit possession of alcoholic beverages by any person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes, or while actively engaged in the preparation of food while enrolled in culinary arts or hotel management program at a county vocational school or post secondary educational institutions; however, this section shall not preclude the imposition of a penalty under this section, N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

Long Branch City (location of the Long Branch Regional Location)

- A. No person shall serve, sell, dispense, drink or consume any alcoholic beverage on a public street, highway, avenue, alley or road of the City; or upon any public and quasi-public parking lots or garages or any other parking facilities in the City; or on any public grounds, parks, sidewalks, beaches, marine basins, beachfronts or boardwalks, promenade or quasi-public areas; or in any automobile, other vehicle or in any other means of transportation on the public streets, highways, alleys, avenues, grounds, sidewalks, beaches, parks, marine basins, beachfronts or boardwalks, promenade or quasi-public areas in the City.
- B. No person shall misrepresent his age or the age of another person for the purpose of inducing any licensee or his employee to sell, serve or deliver any alcoholic beverages to a person under the legal age of consumption of alcoholic beverages in the State of New Jersey.

- C. Presumption. Any parent or guardian of a minor who accompanies such person under the legal age for consumption of alcoholic beverages in the State of New Jersey into a premises in which alcoholic beverages are served and who permits the minor to possess or consume alcoholic beverages shall be presumed to have misrepresented the age of the minor.
- D. It shall be unlawful for any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes any alcoholic beverage on private property. Violation of this subsection shall be punishable by a fine of \$250 for the first offense and \$350 for any subsequent offense.
- a. In addition to the fine imposed pursuant to this section, the Court may suspend or postpone, for six months, the driving privilege of the defendant. Upon conviction of any person and the suspension or postponement of that person's driver's license, the Court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the Court pursuant to this section. If a person at the time of the imposition of the sentence is less than 17 years of age, the period of license postponement, including the suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17.
 - b. If a person, at the time of the imposition of a sentence imposed pursuant to this section, has a valid driver's license issued by this state, the Court shall immediately collect the driver's license and forward it to the Division along with the report. If for any reason the license cannot be collected, the Court shall include in the report the complete name, address, date of birth, eye color and sex of the person, as well as the first and last date of the license suspension period imposed by the Court.
 - c. The Court shall inform the person, in writing, pursuant to P.L. 2000, Chapter 33, amending N.J.S.A. 40:48-1, as to the potential consequences of violating the period of suspension or postponement.
 - d. Exceptions.
 - i. This section shall not be construed to prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite, or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.
 - ii. For purposes of this section "guardian" is defined as a person who has qualified as a guardian of the underage person pursuant to testamentary or Court appointment.
 - iii. Pursuant to this section "relative" shall be defined as the underage person's grandparent, aunt or uncle, sibling or any other person related by blood or affinity.

- iv. This Subsection shall not be construed to prohibit possession of alcoholic beverages by any person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes of the State of New Jersey, or actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or a post-secondary educational institution.

Neptune Township (location of the Neptune Regional Location)

- A. No licensee shall sell, serve, deliver or allow, permit or suffer the service or delivery of any alcoholic beverage, directly or indirectly, to any person under the legal age.
- B. It shall be unlawful for a person under the legal age to enter any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage.
- C. It shall be unlawful for a person under the legal age to consume any alcoholic beverage on premises licensed for the retail sale of alcoholic beverages, or to purchase, attempt to purchase or have another purchase for him or her any alcoholic beverage.
- D. It shall be unlawful for a person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any retail license to sell, serve or deliver any alcoholic beverage to a person under the legal age.
- E. Any person who shall violate any of the provisions of this section shall be deemed and adjudged to be a disorderly person, and upon conviction thereof and in accordance with N.J.S.A. 33:1-81, shall be punished by a fine of not less than one hundred (\$100.00) dollars. In addition, the Court shall suspend the person's license to operate a motor vehicle for six (6) months or prohibit the person from obtaining a license to operate a motor vehicle in this State for six (6) months beginning on a date he/she becomes eligible to obtain a license or on the date of conviction, whichever is later. In addition to the general penalty prescribed for an offense, the Court may require any person under the legal age to purchase alcoholic beverages who violates this act to participate in an alcohol education or treatment program authorized by the Department of Health for a period not to exceed the maximum period of confinement prescribed by law for the offense for which the individual has been convicted.
- F. It shall be unlawful for any minor to knowingly possess or knowingly consume an alcoholic beverage in a private premises.
- G. It shall be unlawful for any person to furnish or serve any alcoholic beverage to a minor in any private premises in the Township of Neptune or to knowingly permit a minor to possess or consume any alcoholic beverage in any private premises in the Township of Neptune.

- H. These restrictions shall not apply to an adult who furnishes or serves alcoholic beverages to a minor or permits a minor to possess or consume alcoholic beverages where such adult is related to the minor by blood, marriage or adoption, provided that the relationship is as close or closer than first cousins.

Wall Township (location of the Wall Campus)

- A. No person shall drink or otherwise consume, or offer to another person for the purpose of consumption, in any public place or any commercial establishment where persons congregate for any purposes whatsoever, any alcoholic beverage; provided, however, that the provisions of this subsection shall not apply to any place or establishment for which a valid alcoholic beverage consumption license has been issued by the Township or by the New Jersey Division of Alcoholic Beverage Control. No person owning or operating any commercial establishment, whether or not food or beverages are sold or served on the premises, shall permit or allow the consumption of alcoholic beverages on the premises whether or not said alcoholic beverages are brought onto the premises by the owner or operator of the establishment or by any member of the general public.
- B. No person under 21 years of age shall purchase, attempt to purchase, or have another purchase for him any alcoholic beverages on any premises licensed for the sale of alcoholic beverages.
- C. No person shall purchase or attempt to purchase alcoholic beverages for a person under 21 years of age. It shall be unlawful for any person to induce or attempt to induce any licensee or any employee of a licensee to sell, serve or deliver alcoholic beverages to a person under 21 years of age.
- D. No person under 21 years of age shall possess, serve, sell or consume any alcoholic beverage in any public place within the Township. No person under 21 years of age shall be under the influence of any alcoholic beverage in any public place within the Township.
- E. No person under 21 years of age shall knowingly possess or consume any alcoholic beverage while on private property within the Township.
- F. This section shall not prohibit an underage person from consuming or possessing an alcoholic beverage in connection with any religious observance, ceremony, or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages; nor prohibit possession of alcoholic beverages by an underage person engaged in the performance of employment by an employer licensed to sell alcoholic beverages or engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post secondary educational institution.

- G. Any person who is found to have violated this section shall be subject to the following penalties, which shall be imposed in the manner set forth in N.J.S. 40:48-1.2: a fine of not more than \$250 for a first offense; and a fine of not more than \$350 for any subsequent offense. The court, in addition to imposing a fine may suspend or postpone driving privileges for a term of not more than six months, and the court may also require up to 180 days of community service.

III. Health Risks

There are various health risks associated with the use and abuse of alcohol and other drugs (“AOD”). The following information from the National Institute on Drug Abuse identifies various AOD and side effects. The College has permission to publish this information from www.abovetheinfluence.com:

- **Adderall (Also known as[AKA]: Addies, Study Drugs, the Smart Drug):**
 - These drugs require a prescription for a reason. When abused they can become dangerous, and in some circumstances, even deadly. Effects include increased blood pressure and heart rate, and at high doses, stimulants can cause irregular heartbeat, dangerously high body temperatures and the potential for seizures or heart failure.
 - Combining with alcohol can make for an especially dangerous mix. Stimulants mask the alcohol’s depressant effects, increasing the risk for alcohol overdose or poisoning.
 - Stimulants can be addictive. The more you take, the easier it is to get hooked. Taking high doses of some stimulants repeatedly over a short time can lead to feelings of hostility or paranoia. There is also the potential for cardiovascular failure (heart attack) or lethal seizures.

- **Alcohol (AKA: Drink, booze, brew, liquor, sauce):**
 - In small doses, some of the short-term effects of alcohol are reduced tension and relaxation, but these are also accompanied by reduced inhibition (your ability to stop yourself from doing something you know you shouldn’t), coordination and reaction time – all of which put you at risk.
 - When you drink a lot and drink fast (binge drinking), the risks go up even faster. In addition to the serious danger of alcohol poisoning, the depressant effects of alcohol can overwhelm your body’s defenses. Unable to move and think clearly, you can do risky and reckless things that are unsafe, or even lethal.
 - Each year, approximately 5,000 people under the age of 21 die as a result of underage drinking. This includes about 1,900 deaths from car accidents, 1,600 homicides, 300 suicides, and hundreds of other deaths due to accidents like falls, burns and drownings.
 - Alcohol travels through your bloodstream and can damage your brain, stomach, liver, kidneys and muscles. For a young person, your body is still developing, so

damage done to it now can affect the rest of your life. Over time, drinking can wreak havoc with your body and mind.

- **Bath Salts (AKA: Brand names of: Brand names include Blizzard, Blue Silk, Charge+, Ivory Snow, Ivory Wave, Ocean Burst, Pure Ivory, Purple Wave, Snow Leopard, Stardust, Vanilla Sky, White Dove, White Knight and White Lightning):**
 - There have been reports of a surge in visits to emergency rooms and poison control centers linked to Bath Salts. Their full risks and effects are still unknown, but commonly reported reactions include rapid heartbeat, high blood pressure, chest pains, agitation, hallucinations, extreme paranoia, aggressive behaviors, and delusions. Bath salts have also been fatal in several instances.
 - Bath salts are a relatively new drug, so it's hard to know the full range of long-term effects, but they seem to have many similarities to methamphetamine (meth). Taking a lot of it for a long time can lead to emotional and physical "crash-like" feelings of depression, anxiety and intense cravings for more of the drug.
- **Benzos (AKA: Xanies, Sticks, Bars, BenZ):**
 - Side effects can include impaired motor skills, drowsiness, fatigue, depression, impaired memory and cognitive function, slurred speech, nausea, vomiting and diarrhea. And because depressants work by slowing the brain's activity, they can diminish heartbeat and respiration to dangerously low levels. This is especially true when depressants are combined with alcohol or OTC medications. It's a combination that can become lethal.
 - Depressants are highly addictive drugs, and when chronic users or abusers stop taking them, they can experience severe withdrawal symptoms, including anxiety, insomnia and muscle tremors. In fact, going "cold turkey" off of some depressants can have life-threatening consequences, like seizures, convulsions and, in rare instances, death.
- **Cocaine (AKA: blow, bump, C, candy, Charlie, coke, snow):**
 - Cocaine is a powerful stimulant, which means it might keep you wired, but not without major risks. Cocaine causes your blood vessels to constrict immediately, increasing your heart rate, blood pressure and body temperature. At first, this may make you sweaty and shaky, but seizures, cardiac arrest and even death are real risks. The risk of sudden death is even greater when cocaine is combined with alcohol.
 - Cocaine, like most drugs of abuse, targets and overstimulates your brain's natural reward system. While this may result in the drug's pleasurable effects, over time it can actually change the way your brain works, teaching you to repeat the behavior. In other words, cocaine can be highly addictive. And smoking it, in the form of "crack," increases the risk of addiction because it gets into your brain even faster. Binge-pattern use – taking the drug repeatedly and at higher doses in a short period of time – can lead to irritability and anxiety. Abusers may even experience temporary states of paranoid psychosis.

- Prolonged cocaine snorting can irritate and cause scabs to form on your mucus membranes, damage your nasal septum (the thin wall that separates your left and right nostrils) and eventually make your nose collapse.
- **DXM (dextromethorphan)/Cold Medication (AKA: Robotripping, robo, tussin, triple c, dex, skittles, velvet, drank):**
 - A single high dose of DXM can completely distort your vision, and make you dizzy, agitated and paranoid. Hallucinations are another side effect of DXM intoxication. And it can also affect your body. Taking large doses of DXM can make you vomit, lose your coordination and impair your judgment. When abused at high enough doses, DXM can suppress the central nervous system, and result in death.
 - People who abuse DXM can develop a psychological dependence on the drug, increasing risks over the long-term. DXM can cause serious damage when abused. And many of the over-the-counter medications that contain DXM, also include other ingredients such as antihistamines, analgesics or decongestants that may increase the harmful effects, including potentially fatal liver injury. In combination with alcohol or other drugs, DXM can also lead to overdose and death.
- **GHB (AKA: G, Georgia homeboy, grievous bodily harm, liquid ecstasy, soap, scoop, goop, liquid X):**
 - GHB has severe physical effects. These can range from vomiting, drowsiness and visual distortion, to unconsciousness, seizures, slowed heart rate and even death. Its effects on the brain, including confusion and memory loss – even amnesia – lower your defenses and can make you especially vulnerable. Because GHB is generally taken in a liquid mixture, it's easy to take it without knowing it, and easy to take too much, which puts you in a vulnerable situation—that's why it's known as a date rape drug. Even at a low dose, the drug is extremely dangerous, but taken at a higher dose, or when combined with alcohol, GHB can lead to lung failure, coma and even death.
 - Using GHB repeatedly can cause severe withdrawal symptoms, including insomnia, anxiety, tremors, and increased heart rate and blood pressure.
- **Hallucinogens: LSD/Mushrooms/Mescaline (LSD AKA: Acid, blotter, cubes, microdot, yellow sunshine, blue heaven, Cid; Mushrooms AKA: Simple Simon, shrooms, silly putty, sherms, musk, boomers; Mescaline AKA: Cactus, cactus buttons, cactus joint, mesc, mescal, mese, mezc, moon, musk, topi):**
 - Taking any hallucinogens can cause you to experience anxiety, fear and paranoia, sometimes verging on psychosis (a complete loss of contact with reality). In this state of mind, it can be very easy to have a dangerous, or even fatal, accident.
 - Though more common with LSD, all hallucinogens can cause flashbacks: feelings and thoughts that replay the effects of being on the drug weeks or even years after taking them. Since all hallucinogens disturb the normal functioning of the brain, they put you at risk of developing long-lasting psychoses or mental disorders.

- **Heroin (AKA: Smack, horse, brown sugar, dope, H, junk, skag, skunk, white horse, China white, Mexican black tar):**
 - Heroin enters the brain very quickly, making it particularly addictive. It's estimated that almost one-fourth of the people who try heroin become addicted. And over time, heroin users develop a tolerance, meaning that more and more of the drug is needed to achieve the same results.
 - It is extremely easy to not only become addicted, but to become physically dependent on heroin as well. Physical dependence occurs when your body adapts to the drug's presence, causing withdrawal – symptoms include muscle and bone pain, diarrhea and vomiting – when use stops. Chronic heroin users can begin experiencing withdrawal in as little as a few hours.
 - Heroin suppresses breathing, which is why using heroin always carries the risk of overdose and death. Also, heroin often has additives that will not dissolve in the bloodstream. This can easily cause a blood clot to form and travel to the lungs, liver, heart or brain, which is instantly fatal.
 - In a short amount of time, regular heroin use destroys the body. Common conditions that plague heroin users include infection of the heart lining and valves, liver disease, lung disease, and hepatitis and HIV/AIDS from needle use.

- **Inhalants (AKA: Laughing gas, poppers, snappers, whippets):**
 - Since the “high” feeling of inhalants lasts only a few minutes, people often use them over and over again, which is extremely dangerous. “Sudden sniffing death” can happen to a completely healthy young person from a single session of inhalant use.
 - Inhalants produce effects similar to those of anesthesia. They slow the body down, produce a numbing feeling and can cause unconsciousness. Inhaling concentrated amounts of these chemicals can cause heart failure, suffocation, convulsions, seizures and coma.
 - Inhalants go through the lungs and into the bloodstream, and are quickly distributed to the brain and other organs in the body. Ongoing exposure to inhalants can lead to brain or nerve damage that produces results similar to that of multiple sclerosis. Inhalants can also do damage to the heart, lungs, liver and kidneys. Prolonged abuse can permanently affect thinking, movement, vision and hearing.

- **Ketamine (AKA: K, special K, vitamin K, cat valium):**
 - Ketamine produces a range of effects, from intoxication to delirium. It can also make you unable to move and feel pain. Since it's an anesthetic, you can easily black out and forget what happened while under the drug's influence. When combined with simple activities like driving, this drug can become deadly.

- A side effect of the drug called a “K-hole” is described as a frightening near-death experience by users who are left feeling completely detached from their body and unable to move.
- Using ketamine can cause profound physical and mental problems, including impaired learning ability and memory, amnesia and potentially fatal respiratory problems. Cases are also being reported of significant urinary tract dysfunction linked to ketamine use.
- **Marijuana (AKA: Blunt, dope, ganja, grass, herb, joint, bud, Mary Jane, pot, reefer, green, trees, smoke, skunk, weed, hash, tea, chronic, loud):**
 - THC acts on specific targets in the brain, called cannabinoid receptors. Ordinarily, these receptors are activated by brain chemicals similar to THC that are part of a neural communication system, and play an important role in brain development and function. Marijuana over activates this system, causing impaired coordination, difficulty with thinking and problem solving, and disrupted learning and memory.
 - Anything that impairs coordination and judgment, which marijuana does, increases a driver’s risk of being in an accident. And when used in conjunction with alcohol, the combined result is worse than either substance alone.
 - Your brain goes through significant development during your teen and young adult years, and marijuana’s effects on the developing brain create risks unique to that time period. Following marijuana use, a teen’s decrease in cognitive abilities can last much longer than an adult’s, as long as several weeks since last use. With regular use (daily or nearly daily), the alterations to the brain caused by marijuana become prolonged by frequent recurrences, which can in-turn lead to lowered learning capabilities, a shortened attention span, and weakened verbal communication skills.
 - There is also an association between regular and prolonged marijuana use and mental illness. A link has been demonstrated with later development of psychosis, and rates increase for those who start young. Associations have also been found with other mental health problems such as depression, anxiety, and suicidal thoughts among adolescents. It’s important to note that the nature of these links is still unclear. More research is needed to better understand whether there is only correlation, or whether causality may exist as well.
 - Marijuana, just like any other drug, can be addictive. It affects the brain’s reward system in the same way as all other drugs of addiction – and the likelihood of addiction increases considerably for those who start young. When marijuana use becomes daily, or nearly daily, alterations to the brain can actually lead to an inability to perceive any negative impact.
 - In addition to the possible effects on your cognitive development, marijuana smoke is an irritant to the lungs, and frequent marijuana smokers can develop many of the same respiratory problems as tobacco smokers, such as daily cough and phlegm production, more frequent acute chest illness, and a greater risk of chest infections.

- **MDMA (AKA: Molly, ecstasy, XTC, X, E, Adam, Eve, clarity, hug, beans, love drug, lovers' speed, peace, uppers)**
 - Like any other stimulant, MDMA will increase your heart rate and blood pressure. Other physical effects include tremors, muscle cramps, nausea, faintness, chills, sweating and blurred vision. People who use MDMA are also at risk of dehydration, which may not seem like a big deal, but by interfering with the body's ability to regulate its temperature, it puts you at risk of dangerous, sometimes fatal, overheating.[1](#)
 - MDMA can also be extremely dangerous in high doses or when multiple small doses are taken in a short amount of time (usually in an attempt to maintain the high). High levels of the drug in the blood stream can increase the risk of seizures and affect the heart's ability to maintain its normal rhythm.
 - Shortly after taking MDMA, it's possible to feel confusion, depression or even severe anxiety—but these psychological effects have also been reported to occur days or weeks after taking the drug.
 - MDMA directly affects the brain chemical serotonin, and how your brain cells communicate with each other. Clinical studies show that MDMA can be harmful to your brain and can increase the risk of long-term problems with memory and learning. Also, taking too much MDMA can interfere with the body's ability to regulate its temperature. This can cause hyperthermia, which can lead to liver, kidney and cardiovascular failure.

- **Methamphetamine (AKA: Meth, ice, crank, chalk, crystal, fire, glass, go fast, speed, Tina, T):**
 - Like cocaine and speed, even small amounts of meth can cause a rapid and/or irregular heartbeat, increased blood pressure and elevated body temperatures. These symptoms, especially when meth is taken at high doses, can cause death from stroke, heart attack or organ failure due to overheating. Meth works by severely changing the way the brain functions. First, it increases the release of the brain chemical dopamine. At the same time, it blocks the brain from absorbing the dopamine released. Studies show that alterations in the brain's dopamine system are associated with reduced motor skills and impaired verbal skills.
 - Meth is a highly addictive drug— and repeated use can negatively affect your body and brain. Abuse can cause extreme weight loss, dental problems (“meth mouth”), and lead to sores and scabs on your skin and face. Chronic meth abusers can become anxious and violent. Meth users often display a range of psychotic behaviors, including paranoia, hallucinations, and delusions. One of the most common meth delusions is the feeling of insects crawling under the skin.

- **Prescription Drugs:**
 - **Painkillers (AKA: Captain Cody, Cody, sizzurp, lean, syrup, schoolboy, doors & fours, loads, oxy, oxycotton, oxycet, hillbilly heroin, percs):**

- Prescription painkillers are powerful drugs that can be dangerous, or even deadly, especially when taken at high doses or combined with alcohol. A single large dose can cause breathing difficulty that can lead to death. The short-term effects of painkiller abuse can include lack of energy, inability to concentrate, nausea and vomiting.
 - Because of their effect on the brain, prescription painkillers can be highly addictive when used for non-medical purposes. Even patients who are prescribed painkillers for a long time can develop a “physical dependence,” meaning that the body becomes accustomed to having the drug. Stopping the drug abruptly can cause severe withdrawal symptoms, so, any changes when using these medications must be reported to and carefully monitored by a doctor.

- **Depressants (AKA: Downers, downs, barbs, benzos, reds, red birds, phennies, tooies, yellows, yellow jackets, candy, sleeping pills, tranks, xanies):**
 - In teens, depressants can cause depression, confusion, exhaustion and irritability. And because they work by slowing the brain’s activity, they can diminish heartbeat and respiration to dangerously low levels. This is especially true when depressants are combined with alcohol or OTC medications. It’s a combination that can even lead to death.
 - Depressants are highly addictive drugs, and when chronic users or abusers stop taking them, they can experience severe withdrawal symptoms, including anxiety, insomnia and muscle tremors. In fact, going “cold turkey” off of some depressants can have life-threatening consequences, like seizures, convulsions and, in rare instances, death.

- **Stimulants (AKA: Uppers, bennies, black beauties, crosses, hearts, truck drivers, JIF, MPH, R-ball, Skippy, the smart drug, vitamin R):**
 - Abusing drugs that are prescribed to treat specific medical conditions is never a good idea. And without a doctor’s supervision or monitoring, side effects can become harmful, or even dangerous. Excessive vomiting, tremors, sweating and anxiety are just some of the risks of abusing stimulants.
 - When taken at high doses, with alcohol or with over-the-counter (OTC) medicines, stimulants can cause irregular heartbeat, dangerously high body temperatures and the potential for seizures or heart failure.
 - Stimulants can be addictive. The more you take, the easier it is to get hooked. When stimulants are taken over a long period of time, stimulant abusers run the risk of developing suicidal or homicidal tendencies, paranoia and cardiovascular collapse.

- **Rohypnol (AKA: Forget-me pill, Mexican valium, R2, roche, roofies, roach, rope, wolfies):**
 - Rohypnol slows down the central nervous system, causing a range of effects, including exhaustion, sedation, confusion, impaired coordination, impaired judgment and memory loss. Use it, and you can become physically and psychologically incapacitated, meaning you're unable to move or think—or you're knocked out. This is why it has been used in targeting people for sexual assault. In the past, it was easy to slip the drug into a drink, because it was colorless and tasteless. In 1997, the drug was reformulated so that when dissolved in light-colored drinks, it will dye the liquid blue. Still, be forewarned: generic versions of Rohypnol may not contain this blue dye.
 - Rohypnol is lethal when combined with alcohol or other drugs. It can slow the pulse and breathing, leading to unconsciousness, slowed heart rate, suppressed breathing and, ultimately, death.

- **Salvia (AKA: Salvia, shepherdess's herb, diviner's sage, seer's sage, Maria pastora, magic mint, Sally-D):**
 - People who abuse salvia generally experience hallucinations or episodes that mimic psychosis, meaning a complete loss of contact with reality. In this state of mind, you may lose all normal coordination, feel anxious and experience tremors, numbness, memory loss and nausea.
 - The long-term effects of salvia have not been studied, but experiencing a hallucination or a psychotic episode can make simple activities, like driving or swimming, fatally dangerous.

- **Spice (AKA: K2, fake marijuana, Blaze, Yucatan Fire, Skunk, Moon Rocks):**
 - When it comes to spice, you really don't know what exactly is in the mix—many different ingredients have been found that have a high potential for abuse. The inconsistency and variability of ingredients can lead to unexpected harm to your body and brain. People taken to emergency rooms or Poison Control Centers have symptoms that include rapid heart rate, vomiting, agitation, confusion and hallucinations. The drug has also been linked to acute kidney injuries, which left untreated, can lead the kidneys to shut down.
 - Filling your body with unknown substances can have severe consequences. New risks have continued to emerge – including signs of withdrawal and addiction – however, it's not yet known how the synthetic cannabinoids and other ingredients in spice may affect you down the line.

- **Steroids (AKA: Arnolds, gym candy, juice, pumpers, roids, stackers, weight trainers):**
 - When you're young and your body is still developing, the effects of steroids can be dangerous and unattractive, and they can also be permanent. Males can get shrunken testicles, develop breasts and lose hair. For females, it can stop your

menstrual cycle, may cause excessive body and facial hair, leave you with male-pattern baldness and decrease your breast size. Steroids can also make you irritable, hostile and aggressive, and cause you to develop severe acne.

- Abusing steroids while you're still growing can cause a range of physical changes, including stunting your height permanently. But the long-term effects are not just superficial. Steroid use can lead to high blood pressure, an increased risk of blood clotting and increases in LDL (bad cholesterol)—all three combined are a recipe for heart failure.

- **Tobacco & Nicotine (AKA: Smokes, cigs, butts, chew, dip, spit tobacco, snus or snuff):**

- Whether smoked or chewed, nicotine is one of the most highly addictive drugs used in today's society. And once you're hooked, it's extremely hard to overcome this addiction. Surveys have shown that most adult smokers first tried cigarettes during their teen years, and there is a direct relationship between early smoking and adult addiction.
- Smoking harms your immune system and can affect nearly every organ of your body. The nicotine gets you hooked, but it's the other chemicals in tobacco like carbon monoxide, tar, formaldehyde, cyanide and ammonia that cause the major damage—many of these are known carcinogens (cancer-causing poisons). Carbon monoxide keeps red blood cells from getting the full load of oxygen needed for healthy cellular growth. This encourages the carcinogens in tobacco to bind to the cells throughout your body and cause cellular damage.
- Chewing or sniffing tobacco is just as dangerous as smoking and also has a high risk of addiction. And prolonged use of smokeless tobacco leads to a high risk of cancers of the mouth.
- Bidis and hookahs have become popular alternatives to smoking cigarettes, and some people seem to think they are less harmful than regular cigarettes. The truth is that hookah smoke still delivers addictive nicotine, and bidis actually have more nicotine than cigarettes.
- The greatest long-term risk of smoking is cancer and lung disease. Here are some numbers to consider: In the 40 years between 1964 and 2004, cigarette smoking caused an estimated 12 million deaths, including 4.1 million deaths from cancer, 5.5 million deaths from cardiovascular disease, 1.1 million deaths from respiratory disease and 94,000 infant deaths related to mothers smoking during pregnancy.
- Even after 30 years of warnings on packages, tobacco continues to impact our health. In 2010, more than 220,000 new cases of lung cancer were reported, and more than 150,000 Americans died as a direct result of the disease.

- **Xanax (AKA: Xanies, Sticks, Barz, BenZ):**
 - Side effects can include impaired motor skills, drowsiness, fatigue, depression, impaired memory and cognitive function, slurred speech, nausea, vomiting and diarrhea. And because depressants work by slowing the brain’s activity, they can diminish heartbeat and respiration to dangerously low levels. This is especially true when depressants are combined with alcohol or OTC medications. It’s a combination that can become lethal.
 - Depressants are highly addictive drugs, and when chronic users or abusers stop taking them, they can experience severe withdrawal symptoms, including anxiety, insomnia and muscle tremors. In fact, going “cold turkey” off of some depressants can have life-threatening consequences, like seizures, convulsions and, in rare instances, death.

IV. Drug and Alcohol Programs

The College is committed to maintaining an environment that is free from substance abuse. That commitment involves both preventive measures through educational means as well as treatment for existing problems through on-campus counseling and off-campus referrals.

Students who need help with alcohol and/or drug use and abuse can visit the College Counseling Center in MAC 109 for confidential on-campus assistance and connection with off-campus resources. For more information on counseling services, please visit www.brookdalecc.edu/counseling. This website provides information for students regarding on-campus services, local Monmouth County services, and national hotlines and crisis lines.

Students can also visit following websites for helpful off-campus resources:

- Monmouth County Department of Human Services:
<https://www.visitmonmouth.com/page.aspx?ID=157>Alcohol & Drug Treatment in Monmouth County Brochure:
http://co.monmouth.nj.us/documents/41/ADBrochure_2018.pdf
- <https://www.reachnj.gov/>
- <https://www.collegedrinkingprevention.gov/SpecialFeatures/alcoholpolicies.aspx>
- www.abovetheinfluence.com

Employees who need help with alcohol and/or drug use and abuse have several avenues of support. They can contact their personal doctors, their medical plan provider, the College’s EAP, their union’s EAP, if available, or other sources listed on the Employee Benefits page in Sharepoint under Wellness. This information includes information from the following websites:

<https://www.collegedrinkingprevention.gov/SpecialFeatures/alcoholpolicies.aspx>
<https://www.reachnj.gov/>

V. Disciplinary Sanctions

A. Students

Sanctions for Student Alcohol Violations

Possession of Alcohol* on campus and campus-related premises (outside of prescribed regulations) **Clear evidence must be found that the charged student was not drinking.*

- 1st violation (over the age of 21) – written warning placed in the student’s file
- 1st violation (under the age of 21) – written warning, possible Disciplinary Probation, possible Conditional Probation

After the first violation for possession of alcohol, the sanctions become the same as for consumption of alcohol.

Consumption of Alcohol on campus and campus-related premises (outside of prescribed regulations)

- 1st violation – not less than a \$50 fine, attendance at an alcohol abuse education/treatment program, possible Parental Notification (refer to Parental Notification policy), possible Disciplinary Probation, and possible Conditional Probation.
- 2nd violation – not less than a \$75 fine, attendance at an alcohol abuse education/treatment program, possible Parental Notification (refer to Parental Notification policy), possible Disciplinary Probation, and possible Conditional Probation.
- 3rd and subsequent violations – not less than a \$100 fine, attendance at an alcohol abuse education/treatment program, 10 Community Service hours, possible Parental Notification, possible Disciplinary Probation, possible Conditional Probation, and possible Suspension or Expulsion from the College.

Distribution and/or the sale of alcohol to underage persons will be viewed as an aggravating factor in sanctioning. Other factors to be considered in deciding sanctions shall include past disciplinary record of the student; the nature of the offense; other violations committed with the alcohol violation; and severity of any damage, injury, or harm resulting from it as perceived by the victim and/or appropriate College officials.

Sanctions for Student Drug Violations

Violations of the Code of Conduct and Federal, State, or local statutes related to the possession, use, or distribution of illicit narcotics, drugs or other controlled dangerous substances (“illegal drugs”) are treated as very serious matters. Students found responsible, through the College’s disciplinary process, for the possession, use, or distribution of illegal drugs on campus or College-related premises events can expect serious consequences including loss of privileges, suspension, or expulsion from the College. In certain cases, a student’s financial aid or scholarship funds may be negatively affected as called for by law.

College officials may inform local or other law enforcement authorities about suspected or known drug violations.

Drug Possession, Use, and/or Possession of Drug Paraphernalia

- 1st violation - not less than \$50 fine, attendance at a drug abuse education/treatment program, 20 Community Service hours, possible Disciplinary Probation, possible Conditional Probation, and possible Suspension from the College.
- 2nd and subsequent violations – Suspension or possible expulsion from the College, possible Parental Notification.

Distribution of Drugs (Without Intent of Financial Gain)

- 1st violation - Suspension or possible Expulsion from the College, possible Parental Notification,
- 2nd violation – Expulsion and possible Parental Notification

Distribution of Drugs (With Intent of Financial Gain)

- 1st violation – Expulsion and possible Parental Notification.

Other factors to be considered in deciding sanctions shall include past disciplinary record of the student; the nature of the offense; other violations committed with the drug violation; and severity of any damage, injury, or harm resulting from it as perceived by the victim and/or appropriate College officials.

Repeated or aggravated violations of any provisions of this policy may result in expulsion, suspension, or in the imposition of such lesser sanctions as may be appropriate.

B. Employees

Sanctions for Employee Alcohol Violations

Employees who violate College policy and regulations regarding alcohol use at work, while representing the College at off-campus event/activities, or for off campus violations based on conduct occurring in the workplace are subject to discipline in accordance with the Progressive

Discipline policy, up to and including termination. Illegal activity is also subject to police action and/or prosecutor involvement.

The College prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by any employee on its property or as any part of its activities. Under local, state, or federal law, those individuals who violate College policy are subject to the full range of criminal penalties including fines and imprisonment. In addition to criminal penalties, violators of College policy may be subject to College disciplinary action up to and including termination. The use of alcohol by employees while on College owned or controlled property, including meal periods and breaks, is prohibited except when authorized by the College for approved College functions. No employee will report to work while under the influence of alcohol or illegal drugs.

Sanctions for Employee Drug Violations

Violations of the Employee Code of Conduct and Federal, State, or local statutes related to the possession, use, or distribution of illicit narcotics, drugs or other controlled dangerous substances (“illegal drugs”) are treated as very serious matters. Employees found responsible, through the College’s disciplinary process, for the possession, use, or distribution of illegal drugs on campus or at College-related events can expect serious consequences up to and including termination of employment.

College officials may inform local or other law enforcement authorities about suspected or known drug violations.

The College prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by any employee on its property or as any part of its activities. Under local, state, or federal law, those individuals who violate College policy are subject to the full range of criminal penalties including fines and imprisonment. In addition to criminal penalties, violators of College policy may be subject to College disciplinary action up to and including termination. The use of illegal drugs or prescription drugs that impair judgment/behavior by employees while on College owned or controlled property, including meal periods and breaks, is prohibited. No employee will report to work while under the influence of alcohol or drugs.

In order to comply with federal law and state policy, the College requires that an employee notify the Associate VP, HR & Organizational Safety in writing of any criminal drug statute conviction no later than five days after such a conviction. The College must notify any federal contracting agency within ten days of having received notice that an employee engaged in the performance of such contract has had a criminal drug statute conviction for a violation occurring in the workplace or at college sponsored activities. The College will impose sanctions on or require satisfactory participation in a drug/alcohol abuse assistance or rehabilitation program by any employee who is so convicted. Violations of these rules by an employee will be

reason for evaluation/treatment for a substance use disorder or for disciplinary action up to and including dismissal. This policy applies to all employees.

VI. Additional Information on Applicable College Regulations

The College has two Board of Trustee Regulations addressing the sale, possession and consumption of alcohol (specifically beer and wine) on campus and at College-related events. Any alcohol sold, possessed and/or consumed outside of the below regulations is in violation of College policy and may be subject to legal action under federal, state and/or local laws.

2.0022R – Beer and Wine on Campus at Events Sponsored by College Organizations

A recognized College organization will be allowed to request approval to serve beer and wine for on-campus events. A recognized College organization is defined as one which has a continuing relationship with the College approved by the Board of Trustees and/or the President.

The following is the procedure to obtain approval:

- A. The chairman of the recognized organization will make a request 30 days in advance of the event by submitting a facilities request form, a food service request form, a beer and wine request form, and an application for a one-day permit to the Dean, Continuing Professional Studies.
- B. The Dean, Continuing Professional Studies will sign the forms indicating his approval.
- C. These forms will then be forwarded to the Vice President of Learning and to the President for final approval.
- D. The President will make his/her decision, and the Dean, Continuing Professional Studies will be notified.
- E. The Dean, Continuing Professional Studies will notify the sponsoring organization or group that their request has been approved.
- F. The Dean, Continuing Professional Studies will then give the beer and wine use form and the completed one-day permit application to the Executive Director, Operations, Auxiliary Services.
- G. The sales and consumption of beer and/or wine shall be limited to specific events in the College Commons unless special approval is given by the President.
- H. At all events food of some kind and nonalcoholic beverages must be available.
- I. No one will be allowed to leave the building with any unconsumed beer or wine in his/her possession.
- J. The Division of Alcoholic Beverage Control prohibits anyone from bringing his/her own alcoholic beverage to any event for which a permit has been issued.

- K. The Executive Director, Operations, Auxiliary Services shall be responsible for all matters related to the sales and service of all beer and/or wine as well as obtaining the one-day permit from the Division of Alcoholic Beverage Control.

6.8000R – Beer and Wine on Campus at Student-Sponsored Events

The Student Life Board will be allowed to request approval to serve beer and wine for on-campus and off-campus student-sponsored events.

The following is the procedure to obtain approval:

- A. The chairman of the Student Life Board will make a request 30 days in advance of the event by submitting a facilities request form and an application for one-day permit to the Director of Student Life and Activities.
- B. The Director of Student Life and Activities will sign the forms indicating his/her approval. These forms will then be forwarded to the Associate VP of Student Affairs, VP of Learning, and to the President for final approval.
- C. The President will make his decision, and the Director of Student Life and Activities will be so notified.
- D. The Director of Student Life and Activities will notify the sponsoring organization that their request has been approved.
- E. The Director of Student Life and Activities will then give the beer and wine use form and the completed one-day permit application to the Executive Director, Operations, Auxiliary Services.
- F. The Director of Student Life and Activities will be responsible for arranging a meeting between the Executive Director, Operations, Auxiliary Services and the sponsoring organization at least 10 days prior to the event.
- G. Supervision
 - a. The members of the sponsoring organization and the staff of Student Life and Activities will be responsible for the supervision of events where beer and wine are to be dispensed excluding the bar area which will be maintained by the Executive Director, Operations, Auxiliary Services or designee.
 - b. At least one College police officer shall be present during the event where beer and wine are being sold. Where beer and wine are free of charge, the Director of Student Life and Activities will determine if a Brookdale Community College police officer is needed.
- H. Sales and Consumption
 - a. The sales and consumption of beer and wine shall be limited to specific events in the Student Life Center unless special approval is given by the President.
 - b. At all events food of some kind and non-alcoholic beverages must be available.
 - c. No one will be allowed to leave the building with any unconsumed beer or wine in his/her possession.

- d. The State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control prohibits anyone from bringing their own alcoholic beverage to any event for which a permit has been issued.
- e. The Executive Director, Operations, Auxiliary Services or designee shall be responsible for all matters related to the sales and service of beer and wine as well as obtaining a one-day permit from the Division of Alcoholic Beverage Control.
- f. Where the Student Life Board wishes to sponsor an event at which beer and wine are free of charge, all beer and wine will be purchased through the College's contracted Food Services Company at cost.

Smoke-Free Campus

Smoking and/or the use of other tobacco forms pose a significant health risk to individual members of the campus community. All members of the campus community are responsible for abiding by the smoking policy outlined in Policy 2.6000 and Regulation 2.6000R.

Program Review

To determine the effectiveness of and implement any changes to the College's AOD program and this Regulation, Brookdale will conduct a biennial review of this program, starting in 2020 which will be coordinated by the Executive Associate Legal Services.

V. Responsibility for Implementation

President
Officers of the College
AVP, HR & Organizational Safety
Manager, Student Conduct & Compliance

Approved: President 8/12/2019

Approved: President 8/29/2019