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Albert Einstein College of Medicine

Drug and Alcohol Policy

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I. Purpose

Federal law requires that institutions of higher education promulgate and annually distribute standards of conduct prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol at any of their facilities or in connection with any of their activities by their students and by their faculty, staff, and others on their payroll (collectively, "employees"). The law also requires that each institution provide various related information more fully described below as part of its program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Albert Einstein College of Medicine's ("Einstein") Standards of Conduct on Illicit Drugs and Alcohol are outlined below in Section III.B. Information on Einstein sanctions for violation of these standards is also outlined in Section III.B. Information on criminal sanctions for the illegal possession, use or distribution of illicit drugs and alcohol is outlined in Section III.C. Information on the health risks associated with the use of illicit drugs and the abuse of alcohol is outlined in Section III.D. Information on available counseling is outlined in Section III.E. We urge your careful attention to this important information.

II. Scope

Every student must abide by this Policy and the Standards of Conduct included herein, and every employee must abide by these Standards of Conduct as a condition of employment. Additionally, every employee must notify, in writing, Einstein's Senior Counsel and Human Resources department of his or her conviction for violation of a criminal drug statute within five (5) calendar days after such conviction. As required by law, within ten (10) calendar days after receiving such notification, Einstein will report such conviction in writing to the appropriate governmental agencies. Further, as required by law, within thirty (30) calendar days after receiving such notification, Einstein will take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended, or require the employee to participate satisfactorily in an approved drug abuse assistance or rehabilitation program.

To the extent they are not otherwise covered as students or employees, the conduct restrictions applicable to Einstein property and Einstein activities under this Policy also apply, as appropriate, to postdoctoral fellows and trainees, contractors, vendors, renters, licensees, visitors, and other persons on Einstein property or participating in Einstein activities.

III. Policy

III.A. Executive Summary

The following is a brief summary of this Drug and Alcohol Policy. Please read this Policy in its entirety for more details.

- The unlawful possession, manufacture, dispersing, use, or distribution of illicit drugs, or the unauthorized use, possession, or distribution of prescription medication, at any Einstein facility or in connection with any Einstein activity is prohibited.
- Being under the influence of illicit drugs during working hours, or when classes are in session, or while engaged in any Einstein activity, is prohibited.
- Persons under the age of 21 years are prohibited from possessing or consuming any

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alcoholic beverage at any Einstein facility or in connection with any Einstein activity.

- All students are prohibited from being under the influence of alcohol while engaged in any Einstein activity.
- Employees are prohibited from being under the influence of alcohol during working hours or while engaged in any Einstein activity.
- Except as otherwise permitted by this Policy, employees are prohibited from bringing alcoholic beverages into, or consuming alcoholic beverages in, any Einstein facility or bringing/consuming alcoholic beverages in connection with any Einstein activity.

Except for student-run events approved and conducted in accordance with Einstein's Student Activities Alcohol Policy, alcoholic beverages may be supplied and served at an Einstein-sponsored event only by an appropriately licensed and permitted vendor. Any other exception must be approved in advance by the Senior Associate Dean for Finance and Operations, in consultation with the Office of General Counsel. Einstein will impose appropriate disciplinary or other action for violations of this Policy, up to and including expulsion or termination for students and employees and removal or restriction of access for other covered persons, as applicable.

III.B. Standards of Conduct

The following are Einstein's Standards of Conduct on Illicit Drugs and Alcohol for students and employees. Any action Einstein may take under this Drug and Alcohol Policy will be consistent with The Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973. In addition, please also see the Appendix B, Student Alcohol and Drug Use Amnesty Policy, to Einstein's Title IX Policy, which provides for amnesty under certain circumstances when an individual reports domestic violence, dating violence, stalking, or sexual assault.

III.B.1. Standard of Conduct on Illicit Drugs

The unlawful possession, manufacture, dispersing, use, or distribution of illicit drugs at any facility of Einstein (including housing provided by or on behalf of Einstein) or in connection with any activity sponsored by, or under the control or supervision of, Einstein (or an Einstein organization) (whether the event is held at Einstein or not) is prohibited and shall subject the student or employee to appropriate disciplinary action by Einstein. In addition, being under the influence of illicit drugs during working hours or when classes are in session or while engaged in activities sponsored by, or under the control or supervision of, Einstein (or an Einstein organization) (whether the event is held at Einstein or not) is also prohibited and shall subject the student or employee to appropriate disciplinary action by Einstein.

Except as expressly authorized under applicable law and Einstein policy, including for approved research under Einstein's Policy on Cannabis (Marijuana) Research, the use or possession of cannabis on Einstein property or in connection with any Einstein activity is prohibited.

The unauthorized use, possession, or distribution of prescription medication, including use of medication prescribed to another person or otherwise than as prescribed, is also prohibited. Employees taking any prescription medication that may affect their ability to perform their job duties safely and effectively

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should notify Einstein's Human Resources office, without disclosing the specific medication or condition for which it has been prescribed. Einstein will address the situation confidentially and on a case-by-case basis.

Any disciplinary action shall be taken in accordance with applicable disciplinary procedures. In the case of students, any such disciplinary action may include suspension, dismissal or expulsion from Einstein housing and/or Einstein and also may include satisfactory participation in a drug abuse assistance or rehabilitation program. In the case of employees, disciplinary action, up to and including termination of employment from Einstein, shall be taken. Any such disciplinary action may also include satisfactory participation in a drug abuse assistance or rehabilitation program. Seeking assistance does not excuse a violation of this Policy or relieve an employee of applicable conduct, performance, or safety requirements. Einstein may also refer suspected unlawful conduct to appropriate law enforcement or other governmental authorities. Criminal sanctions for the unlawful possession, use, or distribution of illicit drugs are discussed in Section III C. Any disciplinary action imposed by Einstein is independent of, and in addition to, any penalty imposed in connection with a criminal conviction.

III.B.2. Standard of Conduct on Alcohol

1. Persons under the age of 21 years are prohibited from possessing or consuming any alcoholic beverage at any facility of Einstein (including housing provided by or on behalf of Einstein) or in connection with any activity sponsored by, or under the control or supervision of, Einstein (or an Einstein organization) (whether the event is held at Einstein or not). It is the policy of Einstein to prohibit the serving of alcoholic beverages to persons who cannot establish that they are 21 years of age or older.
2. All students are prohibited from being under the influence of alcohol while engaged in academic, professional or other activities sponsored by, or under the control or supervision of, Einstein (or an Einstein organization) (whether the event is held at Einstein or not). All students, regardless of age, are also subject to any further applicable restrictions of their academic programs concerning alcoholic beverages.
3. Employees are prohibited from being under the influence of alcohol when reporting to work, during working hours or while engaged in activities sponsored by, or under the control or supervision of, Einstein (or an Einstein organization) (whether the event is held at Einstein or not). Except as otherwise permitted by this Policy, employees are also prohibited from bringing alcoholic beverages into, or consuming alcoholic beverages in, any facility of Einstein (including housing provided by or on behalf of Einstein) or bringing/consuming alcoholic beverages in connection with any activity sponsored by, or under the control or supervision of, Einstein (or an Einstein organization) (whether the event is held at Einstein or not). A limited exception exists only in regard to the reasonable consumption of alcoholic beverages by an employee who is 21 years of age or older at any activity sponsored by, or under the control or supervision of, Einstein (or an Einstein organization) where alcoholic beverages are being served in accordance with this Policy and to which the employee is expressly invited (but in no event shall the employee consume to the point of intoxication).
4. Except for student-run events approved and conducted in accordance with Einstein's Student Activities Alcohol Policy, alcoholic beverages may be supplied and served at an Einstein-sponsored event only by a vendor that is appropriately licensed and permitted to supply and serve alcoholic beverages at the event in accordance with applicable law. Any other exception must be approved in

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advance by the Senior Associate Dean for Finance and Operations, in consultation with the Office of General Counsel.

5. Alcoholic beverages may not be possessed, consumed, or served in the housing courtyard.
6. At events conducted by external organizations or individuals using Einstein facilities for non-Einstein activities, including students or employees using Einstein facilities in a personal capacity, alcoholic beverages may not be brought into, supplied, or served at the event except by an appropriately licensed and permitted vendor and in accordance with the applicable facility-use or rental agreement.

Upon finding evidence of a violation of the "Standard of Conduct on Alcohol," Einstein will take appropriate disciplinary action in accordance with applicable disciplinary procedures. In the case of students, such disciplinary action may include suspension, dismissal or expulsion from Einstein housing and/or Einstein and also may include satisfactory participation in an alcohol assistance or rehabilitation program. In the case of employees, disciplinary action, up to and including termination of employment from Einstein, shall be taken. Any such disciplinary action also may include satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program. Seeking assistance does not excuse a violation of this Policy or relieve an employee of applicable conduct, performance, or safety requirements. Einstein may also refer suspected unlawful conduct to appropriate law enforcement or other governmental authorities. Criminal penalties and sanctions for the unlawful possession, use, or distribution of alcoholic beverages are discussed in Section III C. Any disciplinary action imposed by Einstein is independent of, and in addition to, any penalty imposed in connection with a criminal conviction.

III.C. Information on Legal Sanctions

The information contained herein on legal sanctions is a general summary and is not an exhaustive description of all laws regarding illicit drugs and alcohol. Students and employees traveling abroad as part of an Einstein program should also familiarize themselves with the laws and policies of the location to which they are traveling.

III.C.1. Legal Sanctions for Illicit Drugs

The possession, use, or distribution of illicit drugs, depending on the nature of the crime, may result in severe penalties, including fines and imprisonment.

Certain federal penalties and sanctions for the illegal possession of a controlled substance and a description of federal trafficking (i.e., distribution) penalties for substances covered by the Federal Controlled Substances Act are described in Appendix A. More information can be found on the U.S. Department of Justice Drug Enforcement Administration website at www.dea.gov/drug-information/csa**Error! Hyperlink reference not valid.**.

The laws of New York City and New York State also provide sanctions for the unlawful possession or distribution of illicit drugs. For more information, see:

- New York Penal Law Article 220 (Controlled Substances Offenses) https://www.nysenate.gov/legislation/laws/PEN/P3TMA220
- New York Penal Law Article 222 (Cannabis)

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https://www.nysenate.gov/legislation/laws/PEN/P3TMA222

- New York Penal Law Article 120, Sections 120.03 – 120.04-A (Vehicular assault) https://www.nysenate.gov/legislation/laws/PEN/120.03
- New York Vehicle and Traffic Law Article 31, Section 1192 (Operating a motor vehicle while under the influence of alcohol or drugs) https://www.nysenate.gov/legislation/laws/VAT/1192
- New York State Department of Motor Vehicles — Penalties for Alcohol- or Drug-Related Violations https://dmv.ny.gov/points-and-penalties/penalties-for-alcohol-or-drug-related-violations

Cannabis (Marijuana)

New York law permits adults age 21 and older to possess and use cannabis within specified limits. New York law continues to restrict, among other conduct, possession and use by persons under age 21, possession above lawful limits, unlicensed sale or distribution, smoking or vaping where prohibited, and driving while impaired by cannabis. Federal law continues to regulate marijuana and marijuana products under the Controlled Substances Act. Federal requirements vary depending on the product and authorization, and the federal treatment of marijuana continues to evolve. Current information is available from the U.S. Drug Enforcement Administration. https://www.dea.gov/factsheets/marijuana

Except as expressly authorized under applicable law and Einstein policy, including for approved research under Einstein's Policy on Cannabis (Marijuana) Research, the use or possession of cannabis on Einstein property or in connection with any Einstein activity is prohibited.

III.C.2. Legal Sanctions for Alcohol

Criminal penalties and sanctions also may result from the misuse of alcoholic beverages. For example, under New York State law:

1. No person under the age of 21 may possess an alcoholic beverage with the intent to consume it. The penalties for possession of an alcoholic beverage with the intent to consume it may include a fine not exceeding $50, completion of an alcohol awareness program, and/or community service not to exceed 30 hours. N.Y. Alcoholic Beverage Control Law § 65-c. https://www.nysenate.gov/legislation/laws/ABC/65-C
2. It is a violation of New York law for a person under 21 years of age to present written evidence of age, which is false, fraudulent or not his or her own, for the purpose of purchasing or attempting to purchase any alcoholic beverage. A first violation may result in a fine of up to $100 and/or up to 30 hours of community service; a second violation may result in a fine of $50 to $350 and/or up to 60 hours of community service; and a third or subsequent violation may result in a fine of $50 to $750 and/or up to 90 hours of community service. The court may also require completion of an alcohol awareness program or a substance-use evaluation, as applicable. If a driver's license was used, the court may also suspend the person's driving privileges. N.Y. Alcoholic Beverage Control Law § 65-b https://www.nysenate.gov/legislation/laws/ABC/65-B Possessing or using a forged government-issued identification document, such as a driver's license, knowing that it is forged and with intent to defraud or deceive, may constitute criminal possession of a forged instrument in the second degree, a class D felony. The penalties include imprisonment of up to 7 years, and a monetary fine of up to the greater of $5,000 or twice the

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defendant's gain from the offense, or both. N.Y. Penal Law §§ 170.10(3), 170.25, 70.00(2)(d), and 80.00(1). https://www.nysenate.gov/legislation/laws/PEN/170.10

3. It is unlawful to drive while intoxicated (i.e., blood alcohol content of .08 and higher) or while one's ability to operate the vehicle is impaired by alcohol or other drugs. The penalties for driving while intoxicated or impaired may be found on the New York State Department of Motor Vehicles website at https://dmv.ny.gov/points-and-penalties/penalties-for-alcohol-or-drug-related-violations

In addition, New York City law prohibits consumption of an alcoholic beverage or possession with intent to drink an open container containing an alcoholic beverage in any public place except where a permit has been obtained. The possible penalty is a $25 fine or imprisonment of up to one day, or both.

These are only examples of the penalties that can be assessed against an individual for the unlawful possession, use, and distribution of alcoholic beverages and illicit drugs. It is Einstein's policy to discourage violations of Federal, State, and local laws by its students and employees, and Einstein may report suspected unlawful conduct to, and cooperate with, appropriate governmental authorities as permitted or required by law.

III.D. Health Risks Associated with Illicit Drug and Alcohol Use

III.D.1. Health Risks of Illicit Drugs

In general, most illicit drugs can produce one or more of the following reactions: headache, nausea, dizziness, anxiety, damage to organs, addiction and, in extreme cases, death. Interactions between drugs and alcohol can be especially extreme. The use of illicit drugs also can negatively impact one's personal development, schoolwork and/or performance.

More information can be found on the U.S. Department of Justice – Drug Enforcement Administration website at https://www.dea.gov/factsheets.

III.D.2. Health Risks of Alcohol Abuse

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

More information can be found on the National Council on Alcoholism and Drug Dependence's website at https://ncadd.us/about-addiction/alcohol.

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III.E. Counseling and Other Resources

Detoxification, outpatient and inpatient rehabilitation, and reentry programs are available in New York City and elsewhere.

Persons concerned about substance abuse or alcohol problems are invited to call these numbers listed below for information, confidential referrals and assistance. These are just a sampling of assistance available throughout New York City.

Hotline Numbers	
Alcoholic Anonymous	212-647-1680
Al-Anon	212-941-0094
Narcotics Anonymous	212-929-6262
Nar-Anon	800-477-6291
Substance Abuse and Mental Health Services Administration	800-662-HELP

All One Health (EAP) https://allonehealth.com/portal **(800) 451-1834**

NYS HOPEline at 1-877-8-HOPENY (467369) or text HOPENY (467369).

988 (call or text) is New York City's free, confidential support, crisis intervention, and information and referral service for anyone seeking help for mental health and/or substance misuse concerns.

Montefiore Einstein provides substance use disorder treatment services. Current program information is available through Montefiore Einstein's Substance Abuse Treatment program [https://montefioreeinstein.org/patient-care/services/psychiatry/programs/substance-use-disorders/substance-abuse-treatment].

Employees in need of assistance or support pertaining to drug or alcohol abuse may also contact the Human Resources Department at 718-430-2551 or All One Health , our employee assistance program provider at 1-800-451-1834 or https://allonehealth.com/portal. If applicable, employees may also contact the 1199SEIU Member Assistance Program at 646-473-6900.

Students in need of assistance regarding drug and alcohol problems may be able to obtain confidential counseling, a referral for counseling or a referral to appropriate outside agencies through the Office of Academic Support & Counseling (OSAC) 718-430-3154 or 718-430-2589. Students may also contact the Student Mental Health Center at 718-920-7460.

Einstein strongly encourages students and employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem. The health and safety of every student and employee is of utmost importance to Einstein, and seeking help for a drug and/or alcohol problem will not automatically result in Einstein taking action under this Drug and Alcohol Policy.

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III.F. Conclusion

Albert Einstein of Medicine is committed to the prevention of the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. In that regard, every two years, Einstein will conduct a biennial review of its program to:

1. Determine its effectiveness and implement changes to the program if needed;
2. Ensure that the disciplinary sanctions described in this Drug and Alcohol Policy are consistently enforced.

Einstein shall, upon request, make available to the U.S. Department of Education and to the public the results of the biennial review. Einstein will retain the items required by 34 C.F.R. § 86.100(a), the results of each biennial review, and other records reasonably related to compliance for at least three years after the fiscal year in which the record was created, and longer when required by an applicable litigation hold, claim, audit, review, or other proceeding.

If you have any questions regarding this Drug and Alcohol Policy or require assistance related to the provisions of this Drug and Alcohol Policy, please contact Einstein's Employee Relations Office (718) 430-3771 or 718-430-2551.

IV. Definitions

None.

V. Effective Date

Effective as of: 4 October 2026

History:

4 Oct 2026:	Complete re-write.
16 Jul 2024:	Reviewed, no changes.
21 Feb 2018:	Initial publication.

VI. Policy Management and Responsibilities

Einstein's Human Resources department is the Responsible Office under this Policy. Einstein's vice president for human resources and Title IX coordinator is the responsible officer for the management of this Policy, and Einstein's Senior associate dean for finance and operations is the responsible executive.

VII. Approved (or Revised)

DocuSigned by:
Jennifer Garner
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Responsible Executive

10/26/2026
Date

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Appendix A: Federal Penalties and Sanctions for Controlled Substance Offenses

Federal law imposes criminal and civil penalties for the unlawful possession, manufacture, dispensing, and distribution of controlled substances. Depending on the offense, the substance and quantity involved, prior convictions, and whether death or serious bodily injury results, penalties may include substantial fines; imprisonment, including mandatory minimum sentences and life imprisonment for certain offenses; forfeiture of real and personal property and vehicles; denial of certain federal benefits; and other collateral consequences. Enhanced penalties may apply to certain offenses occurring in or near schools and Einsteins.

Current federal penalty information is available from the U.S. Drug Enforcement Administration (link: https://www.getsmartaboutdrugs.gov/sites/default/files/2025-03/Drugs-Abuse-2024.pdf) and in Title 21 of the United States Code (https://uscode.house.gov/view.xhtml?path=/prelim@title21/chapter13&edition=prelim)

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