



**Provided for the Higher Education Act of 1965 HEOA Sec. 107 amended  
HEA Sec. 120 (20 U.S.C. 1011i): new HEA Sec. 120(a)(2)(B)-(C). HEOA  
amendment effective August 14, 2008 34 CFR 86**



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## MISSION STATEMENT

Trocaire College, a private, career-oriented Catholic college, in the spirit of the Sisters of Mercy, strives to empower students toward personal enrichment, dignity and self-worth through education in a variety of professions and in the liberal arts. Recognizing the individual needs of a diverse student body, Trocaire College provides life learning and development within a community-based environment. Trocaire College prepares students for service in the universal community.

## VISION STATEMENT

Trocaire is the college where lives are transformed. Our students will be graduates of choice in career-oriented professions.

## STUDENT DRUG & ALCOHOL POLICY

Trocaire College recognizes that substance abuse is a major health problem throughout the United States and thus, is committed to establishing a drug-free environment. Henceforth, and in accordance with the Drug-Free and Communities Act Amendments of 1989 (Public Law 101-226) & HEOA Sec. 120 (a) (2) (B)-(C). HEOA amendment effective 2008 34 CFR 86, the following standards will apply.

The possession, use, manufacturing or distribution of illicit drugs and alcohol by students on campus or at a college sponsored off-campus activity is expressly prohibited. The misuse of prescription drugs and other products being used other than intended is also prohibited. Students violating the drug and alcohol policy at clinical or internship locations are regulated by specific program policies. A federal or state drug conviction can disqualify a student for Federal Student Aid (FSA) funds.

This policy authorizes the academic use of various alcoholic beverages, products and related activities in accordance with New York State Alcohol Beverage Control Law Section 65-c, “a person who is a student in a curriculum licensed or registered by the state education department and the student is required to taste or imbibe alcoholic beverages in on-campus or off-campus courses which are a part of the required curriculum, provided such alcoholic beverages are used only for instructional purposes during class conducted pursuant to such curriculum”

In facing the challenge of creating a drug free society, Trocaire endeavors to educate by providing on-campus drug awareness programs, literature and resource/referral services to appropriate community based agencies for all members of the College Community. Good faith efforts will include strict enforcement as well as implementation of this policy.

The health and safety of every student at the Trocaire College is of utmost importance. Trocaire recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Trocaire strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any

incident of domestic violence, dating violence, stalking, or sexual assault to college officials or law enforcement will not be subject to code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

A student self-certifies a federal or state drug conviction in applying for aid that he/she is eligible. A conviction for any offense involving sale or possession of illegal drugs that occurred during a period of enrollment for which the student was receiving Title IV aid will result in loss of eligibility for any Title IV, HEA grant, loan or work-study assistance. A student regains eligibility the day after the period of ineligibility ends or when he successfully completes a qualified drug rehabilitation program. HEA Section 484(r), 34 CFR 668.40

The Wellness Center provides assessment and outside referral services to students, as well as serving as an alcohol and other drug information/education resource. For further information about these programs or individual assistance, contact the Wellness Center at 716.827.2579.

<https://my.trocaire.edu/student-services/counseling-services/>

#### **DEFINITIONS:**

Campus: The grounds and buildings of the college.

Off-Campus: Away from the college campus

#### **HEALTH RISKS:**

There are obvious risks associated with alcohol and drug abuse, but there are a number of less obvious risks as well:

- Brain damage, pancreas, kidneys and lungs problems
- Death
- Diminished immune system
- Hallucinations, tremors, and convulsions
- Headaches, nausea and/or vomiting
- Heart attacks and Strokes
- High blood pressure
- Hyperactivity or Sluggish behavior
- Liver, lung, and kidney problems
- Memory loss
- Physical and psychological dependence
- Poor academic performance
- Sexually transmitted diseases, unwanted pregnancy, unwanted sexual activity
- Violent behavior, aggressive acts, and angry feelings

For a complete list, go to the National Institute on Drug Abuse website at [www.nida.nih.gov](http://www.nida.nih.gov).

**LEGAL SANCTIONS:**

New York State Alcoholic Beverage Control Law:

<http://ypdcrime.com/abc/>

New York State Controlled Substances Penal Law:

<http://ypdcrime.com/penal.law/index.htm>.

Refer to NYS Penal Law Section 220.00 – 221.55.

Operating a Vehicle While Under the Influence of Alcohol or Drugs in New York State:

<https://dmv.ny.gov/about-dmv/chapter-9- alcohol-and-other-drugs>

**FEDERAL PENALTIES AND SANCTIONS**

Drug Enforcement Administration of the U.S. Department of Justice website:

<https://www.dea.gov/factsheets>

Federal Trafficking Penalties can be found at:

<https://www.dea.gov/sites/default/files/2021-12/Trafficking%20Penalties.pdf>

**PROCEDURES:**

Trocaire College will make available, upon request, to the Department of Education and to the public, the information distributed to students and employees (in this policy) and the results of the biennial review of the institutions programs that:

- Determines the effectiveness of the program and implements needed changes;
- Determines the number of drug and alcohol-related violations and fatalities that occur in the institution's campus (as defined in HEA Sec. 485(f)(6) or as part of the institution's activities, and are reported to campus officials;
- Determines the number of type of sanctions that are imposed; and ensures that sanctions are consistently enforced.
- The biennial review will be made available on the Trocaire College website.
- The Annual Security Report will indicate drug and alcohol arrests and disciplinary referrals in accordance with the Clery Act.

Trocaire College has high regard for its students and for all members of the College Community. Trocaire expects its students to obey all applicable federal, state and local laws; to behave in ethical, professional and courteous ways and to observe the specific policies and standards which govern a student's behavior at the college.

The Code of Conduct reflects general principals of behavior accepted at the college.

Any type of dishonest, abusive or destructive behavior may be subject to disciplinary actions. Any member of the College Community may file a Discipline Incident Report of an alleged violation of the Student Code of Conduct. Discipline Incident reports are available in the Chief Student Affairs Officer's office. All Trocaire students are responsible for knowing the Code of Conduct which is included in the student handbook.

*Procedures:*

The following are considered to be specific violations of the Student Code of Conduct. Violations of the Student Code of Conduct shall include but are not limited to:

1. Use of, or threatened use of abusive, threatening or dangerous behavior, including, but not limited to, fighting, physical abuse, verbal abuse, threatening statements or behavior, coercion and/or conduct which threatens or endangers the mental or physical health, safety or well-being of any person, or any aspect of the college community. This includes, but is not limited to, fighting or deliberate behavior that could instigate violence or abuse, intimidation and harassment either in person or via electronic format of phone calls, email, texting, instant messaging or through web based or social media outlets.
2. Physical or verbal harassment of another person; to include harassment based on actual or perceived race, color, creed, religion, religious practice, national origin, ethnic group, sex, gender identity, sexual orientation, political affiliation, age, marital status, military status, veteran status, disability, domestic violence victim status, genetic or any other protected class as defined by Federal, NY State, Erie County or the City of Buffalo regulations or laws.
3. Sexual Misconduct. Violations of Trocaire's Policy against Sex Discrimination (Reg. No. 124) which includes but are not limited to sexual harassment, sexual violence, dating violence, domestic violence, and stalking.
4. Computer Abuse as defined in Trocaire's Technology Acceptable Use Policy, including not intentionally accessing transmitting, copying or creating material that violates the schools code of conduct (including but not limited to material that is offensive, obscene, harassing, insulting or otherwise abusive or discriminatory) whether in language or meaning.
5. The possession, use, manufacturing or distribution of illicit drugs and alcohol by students on campus or at a College sponsored off-campus activity is expressly prohibited. The misuse of prescription drugs and other products being used other than intended is also prohibited (See policy #604).
6. Possession or use of firearms, weapons, illegal fireworks, incendiary devices, explosives or any device known to be excessively harmful or resembles such items.
7. Tampering with fire alarms and/or other fire safety equipment. Refusing to leave the building during an alarm.

8. Theft, destruction, damage or defacement of college property or the property of others.
9. Intentional disruption or obstruction of college activities including administration, classes, campus services, or organized events, and of the use of college premises. In this regard, students are responsible for their conduct as well as that of any guests or family members they bring on campus.
10. Illegal gambling.
11. Games of chance (unless sanctioned by the college).
12. Any form of tobacco use, including e-cigarettes on-campus.
13. Hazing, which is any act that endangers the mental or physical health or safety of any student, or that destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in any group or organization.
14. Unauthorized solicitation of money in the form of any type of donation or as any charge for goods or services on any College premises.
15. Bullying of another student, employee, or visitor. Bullying is defined as the aggressive and hostile acts of an individual or group of individuals which are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals.
16. Failure to comply with a direction(s) of any College official acting in performance of his/her duty.
17. Violation of any other college policies, regulations or procedures or inciting other person(s) to do so.
18. Behavior that could harm the physical, emotional safety or well-being of any member of the campus community.

## DISCIPLINARY PROCEDURES REGARDING VIOLATIONS OF THE STUDENT CODE OF CONDUCT

Any student, college employee, or college official may file a Violation of Code of Student Conduct Report of an alleged violation, which includes time, place, and circumstances surrounding the situation. Violation of Code of Student Conduct Report must be submitted to either the Chief Student Affairs Officer, or designee, within five (5) business days of the point at which the alleged violation could have reasonably known to occur.

### *Procedures:*

1. Violation of Code of Student Conduct Report forms should be utilized to report violations of the Student Code of Conduct (please see Section V). Incident Report forms are available online at <https://my.trocaire.edu/report-a-violation-of-trocaires-code-of-student-conduct/>. The report is reviewed by the Chief Student Affairs Officer or designee, who will start the investigation and will

either dismiss the case, if the report does not warrant discipline proceedings or notify the respondent(s) of the alleged violation within five (5) business days.

2. A time and place for meeting with the student(s) is determined by the Chief Student Affairs Officer or designee, to try to resolve the charges brought against the student(s).
3. If violations involve more than one student, the disciplinary process may be conducted separately.
4. Student(s) in violation of the Student Code of Conduct can request copies of the Incident reports.
5. If the student(s) in violation fails to respond or attend the above mentioned meeting, a disciplinary decision will still be rendered.
6. Within five (5) business days following the investigation, follow-up written notification will be sent to inform the student of the decision and the proposed disciplinary action. .
7. The following possible sanctions may be imposed singularly or in any combination. The Chief Student Affairs Officer or designee is not limited to the following sanctions as they may impose other sanction(s) considered appropriate.

*Possible Sanctions:*

- a. Verbal Warning.
- b. Written Warning: Written notice to the student that his/her conduct is in violation of college regulations and that continuation of said conduct for a stated period of time may be cause for more serious disciplinary action.
- c. Restitution: Financial or other reimbursement for damages to property.
- d. Community Service: A stated number of hours of donated service.
- e. Disciplinary Probation: A stated trial period of time set in writing, during which the student is expected to demonstrate appropriate conduct as a member of the College Community.
- f. Disciplinary Suspension: A stated period of time which the student is excluded from classes (including clinicals and internships), activities, or campus.
- g. Disciplinary Dismissal: Termination of status as a student of the College.
- h. Transcription Notation (see Policy # 329, Transcription Notations and Appeals Policy).

If the student wishes to appeal the disciplinary action proposed by the Chief Student Affairs Officer or designee, the student must submit a written request within five (5) business days of receiving written notification for review of the decision by the Judicial Appeals Board (Reg. No. 605).



This letter of request is to be directed to the Chairperson of the Judicial Appeals Board in care of the Office of the President.

If the charge(s) of violation does not violate the Student Code of Conduct or the Chief Student Affairs Officer or designee, decides the student charged is not responsible of the violation, there shall be no subsequent proceedings under the Student Code of Conduct Policy and all privileges the student is eligible for shall be reinstated. If the charge violates other College policy, the student may be charged under this policy.

Summarily suspension shall be imposed by the Chief Student Affairs Officer or designee, if a situation indicates that there is possible danger involved pending investigation, in order to protect the campus community or a student's physical or emotional safety and well-being.

### STUDENT DISCIPLINE APPEALS BOARD

The Student Discipline Appeals Board is assembled if a student wishes to challenge disciplinary sanctions imposed due to a Student Code of Conduct violation (Policy 600 & 601) or if either the Reporting Individual or Respondent is dissatisfied with the final determinations made under the Policy Against Sexual Misconduct, Dating Violence, Domestic Violence & Stalking (Policy #124). That person may file an appeal with the Appeals Boards due to the results of either the investigation, sanctions or the interim accommodations and safety measures outlined in Policy #124.

A student who wishes to challenge the disciplinary sanctions proposed by the Chief Student Affairs Officer or designee due to a Code of Conduct violation of Policy 600 or the Reporting Individual or Respondent dissatisfied with either the investigation, sanctions or the interim accommodations and safety measures outlined in Policy #124 may request a review by the Student Discipline Appeals Board. The grounds for the appeal will be limited to the following:

- There is new and compelling evidence that was not available at the time of the initial investigation that could significantly impact the outcome of the case.
- There were procedural irregularities that substantially affected the outcome of the case to the detriment of the Reporting Individual or the Respondent.
- The sanction is substantially disproportionate to the factual findings.

The decision of the Student Discipline Appeals Board is final.

## PROCEDURES

1. If a student wishes to challenge the disciplinary sanctions issued by the Chief Student Affairs Officer or designee, he/she must submit a written request for review to the Student Discipline Appeals Board within five (5) business days of receiving written notification of said sanctions. This request should be directed to the Student Discipline Appeals Board in care of the Office of the President.
  2. The written request must show evidence of meeting one of the aforementioned grounds of the appeal process.
  3. The Chief Student Affairs Officer or designee will inform the other party that the appeals process has been initiated.
  4. The Student Discipline Appeals Board could consist of the following:
    - Faculty members appointed by the Faculty Senate.
    - Staff members appointed by the Staff Advisory Council.
    - Student members appointed by the Student Association.
    - One Administrator, appointed by the President to act as chairperson, excluding the Chief Student Affairs Officer or designee.
- A quorum of the Student Discipline Appeals Board shall consist of three members, an odd total number and a majority vote will be necessary in deciding all cases.
5. The Student Discipline Appeals Board will determine if the appeal meets the grounds of the appeal process. The Chairperson will send a letter within five (5) business days of receiving the written appeal outlining if the submission met the grounds for the appeal process. This decision is final.
  6. If the Student Discipline Appeals Board determines that the written appeal did meet the grounds of the appeal process, the student must be notified of the date, time, and place of the review at least five (5) business days in advance of the date. The review will be within at least (10) ten business days after the submission of the appeal.
  7. Students may have a silent advocate of his/her choice present during the appeal process. The advocate may not participate directly in the hearing, but may only render advice to the student.
  8. The student must submit the name of his/her silent advocate to the Chairperson of the Student Discipline Appeals Board within twenty-four (24) hours in advance of the review to be allowed into the appeal meeting.

9. If the student appealing the disciplinary sanction does not appear for the Student Discipline Appeals Meeting, then the original sanction will stand.
10. The chairperson will read the Student Discipline Appeals Board procedures at the onset of the proceedings.
11. The Student Discipline Appeals Board Chairperson will lead introductions of every person in the meeting and the purpose of his/her presence will be identified.
12. All presenters should address the Student Discipline Appeals Board only.
13. The Chief Student Affairs Officer or designee will present his/her findings to the Student Discipline Appeals Board. The student appealing the disciplinary decision will present their case, specifically providing a foundation for contesting the sanctions imposed by the Chief Student Affairs Officer, or designee.
14. Both the Chief Student Affairs Officer or designee and the student appealing the disciplinary decision may bring in witnesses to speak on their behalf. The Chairperson will bring in one witness at a time to speak.
15. Following each presentation, the Student Discipline Appeals Board may ask questions of all parties, including witnesses for clarification.
16. Both sides may respond to any statements made in an orderly fashion directed by the chairperson of the Student Discipline Appeals Board.
17. The Student Discipline Appeals Board reserves the rights to call for an executive session at any time if so warranted.
18. Following the presentations and questions, the Student Discipline Judicial Board shall go into executive session to render a decision. .
19. The Chairperson of the Student Discipline Judicial Appeals Board will provide the decision, in writing to the student and Chief Student Affairs Officer, or designee within two (2) business days of the conclusion of the appeal process.
20. The decision of the Student Discipline Appeals Board is final.

No student whose case is pending review by Student Discipline the Judicial Appeals Board shall be barred from classes or campus functions, except if a situation indicates that there is a possible danger, in order to protect the campus community or a student's physical or emotional safety and well-being.

## OPIOID HEALTH RISKS

### Erie County, NY Department of Health: Opioids – Important Information

#### 2021 New York State Opioid Annual Report

[https://www.health.ny.gov/statistics/opioid/data/pdf/nys\\_opioid\\_annual\\_report\\_2021.pdf](https://www.health.ny.gov/statistics/opioid/data/pdf/nys_opioid_annual_report_2021.pdf)

## WITHDRAWAL SYMPTOMS & HEALTH RISKS

National Institute on Drug Abuse list of commonly used drugs and possible health effects:

<https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>

## HOTLINE INFORMATION

### **Addiction Open Access Hotline 716-831-7007**

The Addiction Open Access 24/7Hotline, helps residents of Erie, Niagara, Allegany, Chautauqua and Cattaraugus counties who are struggling with a substance use disorder.

### **Substance Abuse and Mental Health Services Administration (SAMHSA's) National Helpline [1-800-662-HELP \(4357\)](tel:1-800-662-HELP)**

SAMHSA's National Helpline is a free, confidential, 24/7, 365-day-a-year treatment referral and information service (in English and Spanish) for individuals and families facing mental and/or substance use disorders.

The Counseling Office is located in The Wellness Center in Room 118 at the Choate Campus. The goal of the Counseling office is to provide short-term counseling to help students manage current stressors and identify more effective strategies improve their ability to function socially and/or academically to achieve their goals. Students are able to schedule up to 5 counseling sessions per calendar year, with additional support, referral information, and resources available as needed. For students that require longer-term counseling or more intensive treatment, our counselor will work with students individually to make the best plan for them, and refer to an appropriate community provider.

Counseling records are confidential and release of information about a student will be made only with written consent of the student.

Students can schedule appointments by emailing WellnessCenter@Trocaire.edu, or calling the Wellness Center at 716-827-2579.

## COMMUNITY RESOURCES

### **Outpatient Services**

- Al - Anon Family Groups <https://al-anon.org/>
- Buffalo and WNY Al-Anon Information Service 24hr/7day 716-856-2520  
<http://www.aiswny.org/>
- Alcoholics Anonymous (716) 853-0388 <http://www.buffaloaany.org/>
- Best Self Behavioral Health Various Locations (716) 884-0888 <http://bestselfwny.org/>
- Catholic Charities Various Locations (716) 856-4494  
<https://www.cwny.org/services/outpatient-clinic>
- ECMC Chemical Dependency Outpatient Treatment 1280 Main Street Buffalo, NY 14209 (716) 883-4517 <https://www.ecmc.edu/health-services-and-doctors/behavioral-health/outpatient-substance-use-treatment-services/>
- Endeavor Health Various Locations (716) 895-6700  
<https://www.ehsny.org/services/substance-use-services/>
- Horizon Health Services Various Locations (716) 831-1800  
<https://www.horizon-health.org/services/detox-and-stabilization/>
- Narcotics Anonymous (WNY Region of NA) 716-878-2316 (Buffalo) <https://www.nawny.org/>
- Spectrum Human Services Various Locations (716) 828-0560 <https://shswny.org/services/>

### **Inpatient Services:**

- ECMC Substance Use Treatment Services (716) 883-4517  
<https://www.ecmc.edu/health-services-and-doctors/behavioral-health/outpatient-substance-use-treatment-services/>
- Horizon Health Services Horizon Village: Terrace House 291 Elm Street Buffalo, NY 14203 (716) 854-2444 <https://www.horizon-health.org/services/detox/inpatient-rehab/>
- Margaret A. Stutzman Addiction Treatment Center 360 Forest Avenue Buffalo, NY 14213 (716) 882-4900 <https://oasas.ny.gov/location/margaret-stutzman-addiction-treatment-center>
- Eastern Niagara Health System – Chemical Dependency Treatment (716) 514-5561  
<https://www.enhs.org/programs-and-services/chemical-dependency-treatment/>

**You are NOT alone**

You do NOT have to fight your addiction alone  
Do NOT be ashamed to ask for help

**Addiction is a DISEASE**

**THERE IS HELP**

**ERIE COUNTY OPIATE EPIDEMIC TASK FORCE**  
**CRISIS SERVICES HOTLINE 24/7**  
to find support, direction, information and referrals  
to treatment options

**716-831-7007**



**WALK INTO THESE LOCATIONS:**

*Monday-Friday* between *7am-2pm* & ask for help

**NO QUESTIONS ASKED. NO HASSLES.**

The REAP Program provides connection to treatment and support, usually same-day



AMHERST POLICE

BUFFALO POLICE

CHESTOWAGA POLICE

DEPUE POLICE

EAST AURORA POLICE

ERIE COUNTY  
SHERIFF'S OFFICE

EVANS POLICE

TOWN OF HAMBURG  
POLICE

KENMORE POLICE

LANCASTER POLICE

NIAGARA FALLS  
POLICE

NIAGARA FRONTIER  
TRANSPORTATION  
AUTHORITY (NFTA) POLICE

ORCHARD PARK  
POLICE

TOWN OF  
TONAWANDA POLICE

**COMMUNITY REAP Site:**  
**GROUP MINISTRIES INC. RECOVERY CENTER**  
**1333 JEFFERSON AVE, BUFFALO 14208**

BU1806 6/13/2017



**BIENNIAL REVIEW**

The 2018-2020 biennial review of the Trocaire College Drug and Alcohol policies and programs was conducted by the Dean for Student Success, Human Resource Generalist/Title IX Coordinator/Civil Rights Compliance Officer, Director of Financial Aid and the Director of the Wellness Center.

The group met to determine the effectiveness of, and to implement any needed changes to the AOD prevention program and to ensure that campuses enforce the disciplinary sanctions for violating standards of conduct consistently.

During the 2018-2020 time period, there were **zero** alcohol and drug violations reported to Student Affairs.

The data indicates that all related programming is currently meeting the needs to the college community. The strength of the programs is that the online programming is conveniently available to all students on their timeframe. Any program weaknesses are not visible in the violation data.

### **Programming Goals:**

1. Awareness of College Drug and Alcohol policies and procedures.
2. Awareness of Drug and Alcohol Legal Sanctions
3. Awareness of the Health Risks associated with Drug and or Alcohol.
4. Awareness of alcohol and drug community programs.

### **2018-2020 Programming:**

- The College's Drug and Alcohol Policy was reviewed during New Student Orientation.
- The Student Drug and Alcohol Policy was distributed electronically to all students during the first week of classes each semester.
- A Separate Drug and Alcohol Awareness Online Voluntary Training was made available to students each semester
- Campus programming that incorporates opportunities for students to learn about safe consumption and prevention is prevalent during Welcome Week, Halloween, Winter Holidays, Stress Less Week, St. Patrick's Day, Mardi Gras, and Finals Stress Less Week.

### **Distribution:**

The Biennial Drug and Alcohol Information and Prevention report can be found on [www.trocaire.edu](http://www.trocaire.edu). Bi-Annually, all students and employees will have access to this report via the college's website.