

Dear Members of the University Community:

Below please find a compilation of information on The University of Scranton's Drug and Alcohol Abuse Prevention Program. Notice of this information is required by federal regulation and provides a useful resource regarding University efforts in this important area. A copy of this disclosure is available in the Offices of Human Resources (St. Thomas Center) and Student Life (DeNaples Campus Center, Suite 201) upon request.

The Pennsylvania law regarding use of marijuana does not impact this the University's Alcohol and Drug Policies and Drug Free Workplace Policy. Marijuana remains a controlled substance under Federal law to which the University is subject.

Sincerely,

Robert W. Davis, Jr., Ed.D.
Vice President for Student Life

Patricia L. Tetreault, SPHR, SH-SCP
Vice President for Human Resources

University Drug and Alcohol Abuse Prevention Program Information

As a caring community, The University of Scranton is committed to the implementation of a program that is designed to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by its students and employees on its premises and as part of any of its activities. In support of this commitment and in compliance with the Drug Free Schools and Communities Act of 1989 and the Drug Free Workplace Act of 1988, the information provided herein is designed to ensure that community members are aware of University alcohol and drug policies and applicable laws, health risks associated with substance abuse, and available resources.

1. Standards of Conduct. In accordance with federal, state, and local laws, the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and/or illegal use of alcohol by students on University property or at University sponsored functions is strictly prohibited. Students should familiarize themselves with the [University's Alcohol and Drug Policies](#) as set forth in the Student Handbook. Employees should familiarize themselves with [the University's Drug Free Workplace Policy](#). For additional information on University policies, see Appendix A
2. Health Risks. Prolonged use of alcohol or episodic use of alcohol in heavy quantities can result in serious health problems and even death. Similarly, use of illegal drugs can cause injury or death even with first-time use. The use of illegal drugs and the abuse of alcohol lead to impaired judgment and decision

The following University offices are resources for students who are concerned about their alcohol and drug use or that of their peers.

Center for Health Education and Wellness	(570) 9414253
Counseling Center	(570) 9417620
Dean of Students	(570) 9417680
University Police (emergency)	(570) 9417777
Student Health Services	(570) 9417667

Available Programs and Services for Erl aityeyete etey

I. University Alcohol Policy

A. Student Alcohol Policies

The University of Scranton prohibits students and guests from engaging in the following:

- x Use, possession or consumption of alcohol by individuals who are under twenty (21) years of age.
- x Excessive consumption of alcohol, intoxication, alcohol impairment, or alcohol abuse as evidenced by factors including, but not limited to, public drunkenness, disorderly or erratic behavior, slurring of speech, physical coordination difficulties, vomiting, or a preliminary breath test reading/blood alcohol content of .08% or greater. Excessive consumption of alcohol is not an excuse for behavior that violates the Student Code of Conduct.
- x Social hosting, which is defined as providing the site for a gathering where underage alcohol possession or use is documented.
- x Providing or serving alcohol to individuals who are under the age of twenty(21). Please note that under Pennsylvania state law, charging admission, selling mugs, glasses, chits, tickets, etc. constitute furnishing alcohol without a legal license and are illegal.
- x Possessing an open container containing alcohol in a public location (i.e. street, Commons)
- x Being in the presence of any other person on campus who is engaging in a violation of the University Alcohol Policy.
- x Operating a motor vehicle in an illegal or unsafe manner while under the influence of alcohol.
- x Use or possession of alcoholic beverages at University sponsored athletic events.
- x On-campus possession or use of kegs (quarter or half), beer balls, or other common containers of alcoholic beverage larger than one gallon without the written approval of the appropriate Vice President (or designee). Please note that the registration form for events where alcohol will be served is available in the Center for Student Engagement.
- x On-campus possession of "grain" alcohol except in a supervised laboratory setting.
- x Violating laws or ordinances pertaining to the possession or consumption of alcohol

x Possessing beer funnels, beer pong tables or other paraphernalia that can be used for fast, abusive consumption of alcohol.

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D. State and City Laws Concerning Alcohol

Laws of the Commonwealth of Pennsylvania and ordinances of the City of Scranton are applicable to all members and guests of The University of Scranton community. Below is a list of pertinent laws and ordinances. However, this list is not comprehensive. Community members are encouraged to ensure they are familiar with relevant laws and ordinances. Failure to abide by them may result in disciplinary action.

- x It is illegal for any person under twentyone (21) years of age to attempt to purchase, purchase, consume, possess or knowingly or ia ~~more (21) year 87 ((3) 2 (e) 10 2 (d) 6 ((file 8-1a (g) 2~~
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- x Use or possession of a controlled substance without a valid prescription; Use of a controlled substance in a manner other than as prescribed; Abuse of prescription or
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3. All employees are required to abide by the terms of these policies as a condition of continued employment. An employee who violates these policies will be subject to appropriate disciplinary action, up to and including termination.

Drug-Free Workplace Policy

The University of Scranton is committed to the maintenance of a drug free environment in accordance with the Drug-Free Workplace Act of 1988, 34 CFR Part 85, and will not tolerate the unlawful possession and use of controlled substances on its premises. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited. (m)4 (ns)6usJ -0 (o)2 ((e)13 (s)6 (o)2 U (s)n (o)2 (e)3)4 (nr)4essre SJ T* [(a)r13 (uni)4 n(d)

J. Workplace means the physical boundaries of the University and all University owned

Penalties for Violation of the Policy

The University policy prohibiting illegal drugs in the workplace is a protection of, and support for, the employees and students of The University of Scranton. Therefore, any employee convicted of a drug offense occurring in the workplace will be subject to disciplinary action (up to and including suspension, suspension without pay and termination) and may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as agreed upon between the employee and the Office of Human Resources. Further information concerning disciplinary action and appropriate procedures are available from the Office of Human Resources.

Minimum penalty is a fine of not less than \$1000 for the first violation and a fine of not less than \$2500 for each subsequent violation

§ 6310.3. Carrying a False Identification Card

- x A person commits a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation if he/she is under 21 years of age and possesses an identification card falsely identifying that person by name, age, date of birth or photograph as being 21 years of age or older or obtains or attempts to obtain liquor or malt or brewed beverages by using the identification card of another or by using an identification card that has not been lawfully issued to or in the name of that person who possesses the card. The police department making an arrest for a suspected violation shall so notify the parents or guardian of the minor charged. Minimum penalty is a fine not more than \$500 plus court costs for the second and subsequent violations.

§ 5505. Public Drunkenness and Similar Misconduct

- x A person is guilty of a summary offense if he/she appears in any public place under the influence of alcohol or a controlled substance. Penalty is a maximum fine of \$500 p

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15 years imprisonment or a \$250,000 fine or both for the manufacture or delivery of a Schedule I or II narcotic. Fines and terms of imprisonment may be doubled under certain circumstances, including the distribution of a controlled substance to a person under 18 years of age or a conviction for a second or subsequent offense. Immunity from prosecution under Pennsylvania law may be available for certain related offenses for the person who calls 911, campus police, emergency services to report that another person is in need of immediate medical attention to prevent death or serious injury, provides their own name, and remains with the person needing medical assistance until emergency services arrive, if the only way law enforcement officers become aware of the violation is due to the call.

Drug Free Schools Pa. C.S. §§ 6314, 6317

- x A person over 18 years of age who is convicted for violating the Controlled Substance, Drug, Device and Cosmetic Act shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1,000 feet of the real property on which is located a public, private or parochial school or a college or university or within 250 feet of the real property on which is located a recreation center or playground or on a school bus ("drug free school zones"), the person shall be sentenced to an additional minimum sentence of at least 2 years total confinement. Such offenses not involving minors in drug free school zones are subject to a mandatory minimum of two years of total confinement.

Pennsylvania Medical Marijuana Act (Apr. 17, 2016, P.L. 84, No. 16)

- x The growth, processing, manufacture, acquisition, transportation, sale, dispensing, distribution, possession and consumption of medical marijuana that is permitted under the Medical Marijuana Act will not be deemed to be a violation of Pennsylvania's Controlled Substance, Drug, Device and Cosmetic Act. These activities, however, continue to be subject to penalties and sanctions under U.S. federal law.

The Pharmacy Act of 1961, 63 P.S. §§ 890

- x prohibits procuring or attempting to procure drugs by fraud, misrepresentation or subterfuge or by forgery or alteration of a prescription. The first offense is a misdemeanor, with a maximum penalty of one year's imprisonment, a \$5,000 fine, or both. For each subsequent offense, the maximum penalty is three years imprisonment, a \$15,000 fine, or both.

Federal Controlled Substances Act

21 U.S.C.S. §§ 841, 844 and 844(a)

- x The penalty for simple possession of a controlled substance is up to one year imprisonment and a minimum fine of at least \$1,000 or both. A second conviction carries a penalty of a minimum 15 days imprisonment, not to exceed 2 years, and fine of at least \$2,500. Two or more prior drug convictions will result in at least 90 days imprisonment, not to exceed 3 years, and fine of at least \$5,000. In addition, there are

specific sentencing guidelines for possession of flunitrazepam (the “date rape drug”). Conviction for possession of this drug will result in imprisonment of not more than 3 years, a fine of at least \$1,000 plus court costs and fees. Additional penalties, including imprisonment and fines, apply for manufacture or distribution of a controlled substance or possession with intent to manufacture, distribute, or dispense, a controlled substance. Notwithstanding the enactment Pennsylvania’s Medical Marijuana Act, marijuana remains an illegal drug under the U.S. Controlled Substances Act.

20 U.S.C S 1091 Denial of Federal Aid

- x Under the Higher Education Act of 1998, a student is ineligible to receive Title IV, HEA program funds, for the proscribed period, if the student has been convicted of an offense under any Federal or State law involving possession or sale of illegal drugs for conduct that occurred during a period of enrollment for which the student was receiving Title IV, HEA program funds. A minimum period of ineligibility for a first conviction of possession of an illegal drug is one year after date of conviction and a minimum of 2 years after conviction for sale of an illegal drug. An illegal drug is a controlled substance as defined by section 102(6) of the Controlled Substances Act.

Drug	Quantity	First Offense	Second Offense
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Drug	Quantity	First Offense	Second Offense
Heroin Schedule	100-999 grams mixture	x Not less than 5 years and not more than 40 years. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual \$25 million if not an individual	x Not less than 10 years and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual

Drug	Quantity	First Offense	Second Offense
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