

Dear Members of the University Community:

Below please find a compilation of information on The University of Scranton's Drug and Alcohol Abuse Prevention Programs. 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 Hall - 100) 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,

Lauren S. Rivera, J.D, M.Ed.
Vice President for Student Life & Dean of Students

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

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. 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. 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

The University of Scranton provides an Employee Assistance Program, NexGen EAP, through Employee Network Inc. (ENI). This third-party confidential resource offers the services of Licensed Mental Health Professionals to (1) provide short-term counseling focused on coping skills or, (2) make appropriate referral to long-term counseling or specialized care. To contact call 1-800-EAP-CALL (1-800-327-2255) or log on at www.nexgeneap.com and enter the Company ID 1549 along with the employee's first and last name, email address, last 4 digits of the social security number, zip code and date of birth.

3. Students who are alleged to have violated the University's Alcohol and Drug Policies will be referred to the Office of Student Conduct for disciplinary action. Students who are found responsible for violating the University's Alcohol and Drug Policies will face educational and administrative sanctions including, but not limited to, alcohol education workshops, individual counseling, fines, disciplinary probation, suspension, and expulsion. Employees who violate the University's Drug Free Workplace Policy will be subject to the University's disciplinary procedures which impose sanctions up to and including termination from employment and/or referral for prosecution.
4. Federal, state, and local laws make illegal use and/or possession of drugs and alcohol serious crimes. Such crimes carry a wide range of legal sanctions, including but not limited to, fines and imprisonment. For additional information, see Appendix B.

www.scranton.edu/studenthandbook

These policies express The University of Scranton's educational concern for creating an environment that fosters growth by and among its members and its commitment to the physical and emotional health and well-being of all those who work, study or congregate at the University.

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.

- Social hosting, which is defined as providing the site for a gathering where underage alcohol possession or use is documented.
- Providing or serving alcohol to individuals who are under the age of twenty-one (21). Please note that under Pennsylvania state law, charging admission, selling mugs, glasses, chits, tickets, etc. constitute furnishing alcoholic without a legal license and are illegal.
- Possessing an open container containing alcohol in a public location (i.e. street, Commons)
- Being in the presence of any other person on-campus who is engaging in a violation of the University Alcohol Policy.
- Operating a motor vehicle in an illegal or unsafe manner while under the influence of alcohol.
- Use or possession of alcoholic beverages at University-sponsored athletic events.
- 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

Student Engagement) at least five (5) class days prior to the event. Registration includes agreement to assume responsibility for monitoring and controlling the event. In addition, the following regulations apply to University social events where alcohol is served:

- Persons under twenty-one (21) years of age may attend functions where alcohol is served only with the written approval of the Vice President for Student Life & Dean of Students or other appropriate Vice President (or his/her designee) The approval is based on the nature of the event and the ability of the organizing group, department or division to provide suitable and effective control. No one under the age of twenty-one will be permitted to consume alcohol at these functions.
- Non-alcoholic beverages and food items must be provided and must be as accessible as alcoholic beverages. ARAMARK must cater all events where alcohol is served on campus.
- Alcohol must be served by bartenders provided by ARAMARK or trained through the ARAMARK TIPS program. Hiring and training costs are the responsibility of the sponsoring division, department, club or organization, which must also provide individuals from its own membership to serve as checkers of identification and control agents to monitor behavior.
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- A. Use of alcohol by those under the age of 21 and/or the possession, use or the distribution of illicit drugs by University employees will not be tolerated. Employees of the University who violate these regulations will be dealt with by the appropriate supervisor or office responsible for that individual or group in accordance with the

The following represents a summary of relevant articles from the Pennsylvania Crimes Code, United States Code and City of Scranton ordinances. Pennsylvania Statutes for alcohol and drug violations come from the Pennsylvania Crimes Code Title 18, Pennsylvania Liquor Code Title 47, Pennsylvania Vehicle Code Title 75 and City of Scranton Ordinances. Federal Statutes governing controlled substance violations are found in the United States Code 21 U.S.C.S. §§ 841, 844 and 844(a).

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- A person, under the age of 21, commits a summary offense if he/she attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages. Maximum fine \$500 plus court costs for a first offense and not more than \$1,000 fine for the second and each subsequent violation

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

- 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

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 drug-related offenses for the person who calls 911, campus police, or 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.

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.

- 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 the 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 (21 U.S.C. 801(6)). However, the student may regain eligibility before that time period expires if a student successfully completes a drug rehabilitation program after the student's most recent drug conviction under the conditions described in the HEA.

The penalties for federal drug trafficking convictions differ based on the amount of the controlled substance involved. The following table describes the range and severity of some federal penalties imposed for first convictions based on quantity. Trafficking of larger quantities results in more severe penalties. A complete list of controlled substances and penalties for trafficking may be found at www.dea.gov

	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none">• Not less than 10 years, or more than life•	

More than 10
kgs hashish; 50
to 99 kg
marijuana
mixture
more than 1 kg
of hashish oil;
50 to 99 plants

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	100-999 grams mixture	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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
	1-9 gram mixture	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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
	5-49 grams pure or 50-499 grams mixture	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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
	10-99 grams pure or 100-999 grams mixture	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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

		individual, \$25 million if not an individual	million if not an individual
	1 gram	<ul style="list-style-type: none"> Not more than 20 years. If death or serious injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual. 	<ul style="list-style-type: none"> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.

*Source-Drugs of Abuse-A DEA Resource Guide: 2020 Edition