



## **Pennsylvania Institute of Technology**

### **Alcohol and Drug Policy**

New: Nov. 1, 2010

William V. Larkin, Ed.D., President

Supersedes: N/A

**Applicable Department(s)**  
**Primary/Owner: EX**  
**Secondary: ALL**

### **Pennsylvania Institute of Technology Alcohol and Drug Policy**

#### **Section I: Persons subject to this Policy**

All students, faculty and staff employees of Pennsylvania Institute of Technology (“P.I.T.” or the “College”) are covered by this policy.

#### **Section II: Coverage of this Policy**

This Policy is issued in conformance with federal law and covers five (5) mandatory topics: Standards of Conduct for Students, Faculty and Staff Employees; College Sanctions for Violating the Policy; Legal Sanctions for Illicit Drug and Alcohol Violations; Available Drug and Alcohol Counseling Programs; and a description of the Health Risks associated with the use of illicit drugs and alcohol.

#### **Section III: Standards Of Conduct**

P.I.T. prohibits the unlawful, possession, use or distribution of illicit drugs or alcohol by any of its students, faculty or staff employees on the College’s Campus or its other locations or as part of any of the College’s activities.

#### **Section IV: College Sanctions for Violating this Policy**

Any student or employee who violates this Policy or applicable law may be subject to disciplinary sanctions and/or referral for prosecution. Disciplinary sanctions for students range from a disciplinary warning to expulsion as determined by the College. The severity of the sanctions will depend, in part, on whether there have been repeated violations and on the seriousness of the misconduct. Employees found to be in violation of this Policy or applicable law will be subject to College disciplinary procedures which may impose sanctions up to and including termination from employment and/or referral for prosecution. The College also supports enforcement, by applicable law enforcement agencies, of all local, state and federal laws.

#### **Section V: Legal Sanctions for Illicit Drug and Alcohol Violations**

The following is a brief review of the legal sanctions under local, state, and federal law for the unlawful possession or distribution of illicit drugs and alcohol:

**A. Drugs**

1. The Controlled Substance, Drug, Device and Cosmetic Act, 35 Pa. C.S.A. 780-101 et seq., sets up five schedules of controlled substances based on dangerousness and medical uses. It prohibits the manufacture, distribution, sale or acquisition by misrepresentation or forgery of controlled substances except in accordance with the Act as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the Act range from thirty days imprisonment, \$500 fine, or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to fifteen years or \$250,000 or both for the manufacture or delivery of a Schedule I or II narcotic. A person over eighteen 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 a college is located, the person shall be sentenced to an additional minimum sentence of at least two years total confinement.
2. The Pharmacy Act of 1961, 63 Pa. C.S.A. 390-8 makes it unlawful to procure or attempt to procure drugs by fraud, deceit, 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.
3. The Vehicle Code, 75 PA, C.S.A. 3101 et seq., which was amended effective July 1, 1977, prohibits driving under the influence of alcohol or a controlled substance, or both, if the driver thereby is rendered incapable of safe driving. A police officer is empowered to arrest without a warrant any person whom he or she has probable cause to believe has committed a violation, even though the officer may not have been present when the violation was committed. A person so arrested is deemed to have consented to a test of breath or blood for the purpose of determining alcoholic content, and if a violation is found it carries the penalties of a misdemeanor of the second degree, which includes imprisonment for a maximum of thirty days.
4. The Federal drug laws, The Controlled Substances Act, 21 U.S.C. 801 et seq., are similar to the Pennsylvania Controlled Substance, Drug, Device, and Cosmetic Act, but contain, for the most part, more severe penalties. Schedules of controlled substance are established, and it is made unlawful knowingly or intentionally to manufacture, distribute, dispense, or possess with intent to distribute or dispense a controlled substance. If the quantity of controlled substance is large (e.g. 1,000 kg of a mixture or substance containing marijuana), the maximum penalties are life imprisonment, a \$4,000,000 fine, or both. Lesser quantities of controlled substance (e.g. 100 kg of a mixture or substance containing marijuana) result in maximum penalties of life imprisonment, a \$2,000,000 fine, or

both. The distribution of small amounts of marijuana for no remuneration or simple possession of a controlled substance carries a maximum of one year's imprisonment, a \$5,000 fine, or both, with the penalties for the second offense doubling. Probation without conviction is possible for first offenders. Distribution to persons under the age of twenty-one by persons eighteen or older carries double or triple penalties. Double penalties also apply to the distribution or manufacture of a controlled substance in or on or within 1,000 feet of the property of a school or college.

5. Students who have been convicted under state or federal law involving the possession or sale of a controlled substance, are ineligible for federal student aid for specific periods (ranging from one year to an indefinite period depending on the nature of the offense and whether the student is a repeat offender.)

**B. Alcohol**

The Pennsylvania Liquor Code, 47 Pa., C.S.A., 1-101 et seq., controls the possession and sale of alcoholic beverages within the Commonwealth. The Code as well as portions of the Pennsylvania Statutes pertaining to crimes and offenses involving minors, 18 Pa., C.S.A. 6307 et seq., provide the following:

1. It is a summary offense for a person under the age of twenty-one to attempt to purchase, consume, possess or knowingly and intentionally transport any liquor or malt or brewed beverages. Penalty for a first offense is suspension of driving privileges for 90 days, a fine up to \$300 and imprisonment for up to 90 days; for a second offense, suspension of driving privileges for one year, a fine up to \$500, and imprisonment for up to one year; for subsequent offense, suspension of driving privileges for two years, a fine up to \$500 and imprisonment for up to one year. Multiple sentences involving suspension of driving privileges must be served consecutively.

2. It is a crime intentionally and knowingly to sell or intentionally and knowingly to furnish or to purchase with the intent to sell or furnish, any liquor or malt or brewed beverages to any minor (under the age of twenty-one). "Furnish" means to supply, give or provide to, or allow a minor to possess on premises or property owned or controlled by the person charged. Penalty for a first violation is \$1,000; \$2,500 for each subsequent violation; imprisonment for up to one year for any violation.

3. It is a crime for any person under twenty-one years of age to possess an identification card falsely identifying that person as being twenty-one years of age or older, or to obtain or attempt to obtain liquor or malt or brewed beverages by using a false identification card. Penalties are stated in (2) above.

4. It is a crime intentionally, knowingly or recklessly to manufacture, make, alter, sell or attempt to sell an identification card falsely

representing the identity, birth date, or age of another. Minimum fine is \$1,000 for first violation; \$2,500 for subsequent violations; imprisonment for up to one year for any violation.

5. It is a crime to misrepresent one's age knowingly and falsely to obtain liquor or malt or brewed beverages. Penalties are as stated in (1) above.

6. It is a crime knowingly, willfully and falsely to represent that another is of legal age to obtain liquor or malt or brewed beverages. Penalty is a minimum fine of \$300 and imprisonment for up to one year.

7. It is a crime to hire, request or induce any minor to purchase liquor or malt or beverages. Penalty is a minimum fine of \$300 and imprisonment for up to one year.

8. Sales without a license or purchases from an unlicensed source of liquor or malt or brewed beverages are prohibited.

9. It is unlawful to possess or transport liquor or alcohol within the Commonwealth unless it has been purchased from a State Store or in accordance with Liquor Control Board regulations. The College will cooperate with the appropriate law enforcement authorities for violations of any of the above-mentioned laws by an employee in the workplace or student.

10. The use in any advertisement of alcoholic beverages of any subject matter, language or slogan directed to minors to promote consumption of alcoholic beverages is prohibited.

11. No advertisement of alcoholic beverages shall be permitted, either directly or indirectly, in any booklet, program, book, yearbook, magazine, newspaper, periodical, brochure, circular, or other similar publication, published by, for, or on behalf of any educational institution.

## **Section VI: Health Risks Associated with the Use of illicit drugs and the abuse of alcohol**

**Alcohol.** Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgement, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

**Amphetamines.** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

**Cannabis (Marijuana, Hashish).** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Frequent users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

**Cocaine/Crack.** The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

**Hallucinogens.** Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

**Heroin.** Heroin is an opiate drug that causes the body to have diminished pain reactions. Heroin is physically addictive. This and other opiate drugs are respiratory depressants; their use can be associated with coma and death.

**Section VII: Description of drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to Students, Faculty and Staff Employees**

**Drug and Alcohol Treatment for Students.** The College recommends that students carefully review their personal insurance for available drug and alcohol programs and follow any requirements in their insurance so as not to lose coverage. For those students who do not have counseling services available through their personal insurance, P.I.T. recommends calling the Delaware County Office of Behavioral Health at 610-713-2365 for a referral to an appropriate counseling organization.

**Drug and Alcohol Treatment for Employees.** The College recommends that faculty and staff carefully review their personal insurance for available drug and alcohol programs and follow any requirements in their insurance so as not to lose coverage.

The College also provides assistance to full-time faculty and full-time staff through an Employee Assistance Program (EAP). The EAP may be contacted at: 1-800-854-1446 (English); 1-877-858-2147 (Spanish); 1-800-999-3004 TTY/TDD.

For those full-time faculty and full-time staff employees who elected to participate in and pay for the College's Health Insurance Programs, alcohol and drug counseling is available subject to the particular requirements of the health care option originally selected. Regardless of which option was selected, the phone contact is the same: 1-800-688-1911. For all other faculty and staff who do not maintain their own personal insurance coverage or those not eligible for the above services, P.I.T. recommends calling the Delaware County Office of Behavioral Health at 610-713-2365 for a referral to an appropriate counseling organization.