

# Drugs & Alcohol

## Introduction

Saint Joseph's University is committed to establishing a comprehensive program in order to prevent the unlawful use, possession or distribution of illicit drugs and alcohol by University employees and students on its premises or as part of any University activity. The following information is provided in compliance with the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act. All members of the University community are expected to comply with this Policy.

## Standards of Conduct Drugs

Saint Joseph's University prohibits the unlawful sale, manufacture, distribution, dispensation, possession or use of any drug by University employees or students in the workplace, on University property, or as part of any University sponsored activity.

For the health and well-being of the community, drug paraphernalia of any kind is prohibited. Any employee or student found in possession of drug paraphernalia on University grounds will face disciplinary action.

As a condition of employment, all employees will abide by the terms of this Policy and must notify the Director of Human Resources (or Provost in the case of faculty members), no later than five (5) calendar days after any conviction for a violation of a criminal drug statute occurring in the workplace.

## Alcohol

In compliance with the laws of the Commonwealth of Pennsylvania, no person under twenty-one years of age shall attempt or carry out the purchase, possession, consumption or transport of alcoholic beverages on University property or at any event sponsored by the University. No student or employee of the University shall attempt or carry out the transfer of any form of identification for the purpose of falsifying age in order to secure alcohol. No student or employee of the University shall give permission or render assistance in the sale, furnishing, or providing of alcohol to any person under twenty-one years of age.

Only under the conditions clearly stipulated in the University guidelines is the possession or consumption of alcoholic beverages by students or employees twenty-one years of age and older permitted. This conditioned permission should not be interpreted to mean that the University encourages the use of alcoholic beverages. Furthermore, the University considers intoxication, disorderliness or offensive behavior deriving from the use of alcoholic beverages, regardless of a person's age, to be unacceptable and subject to disciplinary action.

Students must secure approval for alcohol-related events. The President has appointed the Vice-President for Student Life to approve requests of faculty, administration, staff, alumni and off campus groups for events where alcohol will be served. This arrangement is a systematic reminder to the whole community that the University is serious about promoting responsible alcohol awareness.

For more information with respect to Standards of Conduct, students should refer to the Student Handbook for the Policy and Sanctions on Alcohol, the Policy and Sanctions on Drugs, and Guidelines for Alcohol Beverage Distribution and Consumption.

## Legal Standards

University employees and students are expected to comply with applicable laws regarding the unlawful use, possession or sale of illicit drugs and alcohol. Appendix A contains a summary description of the legal sanctions under local, State and Federal law.

## Sanctions

Any University employee or student who violates this Policy, will be subject to disciplinary sanctions and/or referral for prosecution. For employees, disciplinary sanctions may be up to and including suspension, suspension without pay, and/or termination, and for students, up to and including suspension and/or expulsion. Any such disciplinary action

taken will be in accordance with the applicable terms of the Faculty Handbook, the Administrative and Professional and/or Staff Handbooks, the Student Handbook and/or the terms of any applicable Collective Bargaining Agreement.

### Health Risks

Alcohol consumption can result in serious health problems, and significant changes in behavior. Low to moderate consumption of alcohol impairs speech, coordination, decision making and judgment.

Moderate to high doses of alcohol significantly impair a person's judgment, coordination and abstract mental functioning, severely altering a person's ability to learn and remember information. It also increases the incidence of a variety of violent behaviors on college campuses, including acquaintance rape, vandalism, and fighting.

Prolonged heavy alcohol use may lead to abuse and dependence characterized by significant impairment in social functioning and failure to fulfill obligations at work, school or home. Continued abuse and dependence may cause permanent damage to vital organs. Very high doses of alcohol cause respiratory depression and death.

### Other Drugs

Hallucinogens such as LSD (d-lysergic acid diethylamide), disrupt the brain chemicals that enable us to make sense out of our environment. LSD and other hallucinogens are potent and extremely unpredictable drugs that produce fast-acting and unexpected effects. The most common acute reactions are panic revolving around severe anxiety and intense fear of losing control and psychotic reactions involving severe breaks with reality and persistent hallucinations and delusions. Psychotic reactions have been known to last weeks or months and often require hospitalization. Delayed effects, or flashbacks, can occur even when use has ceased.

Marijuana interferes with speech, memory and learning and makes tasks that require a clear mind difficult, meaningless, or unsafe. It also slows reactions and interferes with coordination. Marijuana's dangers increase in combination with alcohol. Marijuana smoking also poses a serious threat to the user's lungs and heart and to the immune and reproductive systems.

Inhalants such as cleaning fluids, solvents, aerosols and airplane glue, act on the central nervous system much like such volatile anesthetics as ether and chloroform and they produce bizarre perceptual and hallucinatory actions. Short-term physical effects include sneezing, lack of coordination, loss of appetite, rapid heartbeat and seizures. Psychological effects include euphoria, exhilaration, confusion, disorientation, loss of inhibitions, and impulsive behavior that may lead to injuries and accidents. Long-term health risks include nosebleeds, loss of consciousness, hepatitis, liver failure, kidney failure, respiratory depression, blood abnormalities, irregular heartbeat, and possible suffocation.

Depressants including barbiturates, sedatives, and anti-anxiety drugs, depress not only the activity of the brain, causing an effect on the heart and respiration, but also muscle tissues. Short-term physical effects include drowsiness, slurred speech, irritability, stupor, and impaired judgment, memory, and attention. Long-term effects include disrupted sleep, psychosis, respiratory depression, and coma, and neuropsychological and structural brain damage. Withdrawal can produce extreme anxiety, insomnia, convulsions, and death.

Opioids including heroin, codeine, oxycodone and fentanyl, cause the body to have diminished pain reactions, and are physically addictive. Opioids are respiratory depressants and their use can be associated with coma and death.

Cocaine/crack use includes among its immediate effects 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 death.

Amphetamines and amphetamine-like stimulants such as diet pills, methamphetamine or speed, and some ADHD medications (ritalin, adderol, concerta) can cause increased heart rate, blood pressure and metabolism, feelings of exhilaration, increased energy and mental alertness, nervousness and insomnia. High dose usage is associated with

rapid breathing, loss of coordination, aggressive or violent behavior, panic, paranoia, psychosis, addiction and heart failure. Resources for Information and Counseling

The University makes available to all students the office of Counseling and Psychological Services; a counseling center staffed principally by licensed mental health professionals. A staff psychologist with particular experience in substance abuse issues is included. For students engaged in counseling at the center, the services of a qualified psychiatrist are also available. The University strongly urges its students to take advantage of these services.

The Prevention and Intervention of Substance Abuse (PISA) program of Saint Joseph's University offers alcohol and other drug education, assessment, counseling, consultation, referral, and prevention programming to students. The primary goals of PISA are to minimize harm to the community through prevention efforts and to provide appropriate intervention for substance abuse through assessment, counseling and referral.

The following programs are available through PISA:

- On-line alcohol education and assessment
- On-line drug and alcohol screening
- Individual assessment
- Individual counseling and referral
- Consultation for students, faculty, staff and parents
- On-campus recovery groups
- Adult Children of Alcoholics support group
- Awareness Workshops
- Resident Assistant training and support
- Small group interventions to high risk populations
- Classroom intervention in collaboration with faculty
- Alcohol Skills Training Program educational workshop
- Residence hall programs
- Peer education and peer-led awareness initiatives

The University provides employees with an Employee Assistance Program through UnumProvident, its life and disability insurance provider. The Work-Life Balance Assistance Program assists employees in finding solutions to the everyday challenges of work and home, such as issues involving emotional and physical well-being; childcare and/or eldercare referrals; personal relationship information and counseling; stress management, and more. To learn more visit [www.unumprovident.com/worklifebalance](http://www.unumprovident.com/worklifebalance).

To reflect its commitment to alcohol awareness, the University calls upon key individuals and departments to educate the University community on the dangers of alcohol abuse and to enforce policies on alcohol use: 1) Substance Abuse Counselors coordinate alcohol education and programming and provide individual and small group assessment, counseling and referral; 2) The Office of Public Safety and Security assists in implementing and enforcing the alcohol policy, and monitors, using lobby attendants, individuals entering residence halls; 3) The SJU Advisory Council on Alcohol and Student Health assists the Vice President for Student Life by making recommendations concerning the policy.

For more information about counseling resources, students should contact the Counseling Center at 610-660-1090. Employees should contact Human Resources at 610-660-1290.

## Appendix A: Legal Standards

### 1. Drugs-State Penalties

#### a. The Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-101 et seq.

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 30 days imprisonment, a \$500 fine or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to 15 years imprisonment or a \$250,000 fine or both for the manufacture or delivery of a Schedule I or II narcotic.

#### b. 18 Pa. C.S.A. §§ 6314, 6317

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 a 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 university is located, the person shall be sentenced to an additional minimum sentence of at least 2 years total confinement.

#### c. The Pharmacy Act of 1961, 63 P.S. § 390-8

It is 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. For each subsequent offense, the maximum penalty is three years imprisonment, a \$15,000 fine, or both.

#### d. The Vehicle Code, 75 Pa. C.S.A. § 3802 et seq.

A person is prohibited from driving, operating, or being in actual physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance, or both, if the driver is thereby rendered incapable of safely driving, operating or being in actual physical control of the movement of the vehicle or if the alcohol concentration in the individual's blood or breath exceeds the stated limits. Penalties for first-time violators of the Act range from probation and a \$300 fine or both to a maximum of six months imprisonment, a \$5,000 fine or both. Penalties for subsequent violations increase to a maximum of five years imprisonment, a \$10,000 fine, or both. In addition to the above penalties, the court has discretion to order any or all of the following: highway safety training, drug or alcohol treatment, community service, use of an ignition interlock device and/or suspension of operating privileges.

### 2. Drugs-Federal Penalties and Sanctions for Illegal Possession or Trafficking of a Controlled Substance

#### A. 21 U.S.C.A. §844 (a)

For a first conviction, any person who violates this subsection may be sentenced to a term of imprisonment of not more than one year and a fine of \$1,000, or both.

After one prior conviction for any drug, narcotic or chemical offense, a term of imprisonment of at least 15 days, not to exceed 2 years and a fine of at least \$2,500.

After two or more prior convictions under this subchapter, a term of imprisonment of at least 90 days, not to exceed 3 years, and a fine of at least \$5,000.

A person convicted for the possession of a mixture or substance which contains cocaine base shall be imprisoned for at least 5 years and not more than 20 years, and a fine of a minimum of \$1,000, if:

(i) the conviction is a first conviction and the amount of the mixture or substance exceeds 5 grams.

(ii) after a second conviction and the amount of mixture or substance exceeds 3 grams, and;

(iii) after a third or subsequent conviction and the amount of mixture or substance exceeds 1 gram.

Any person convicted under this subsection for the possession of flunitrazepam (Rohypnol) shall be imprisoned for not more than 3 years, and a fine of at least \$5,000.

B. 21 U.S.C.A. §§ 853 (a)(2)

Property subject to criminal forfeiture

Any person convicted of a violation of this subchapter punishable by imprisonment for more than one year shall forfeit any personal property used, or intended to be used to facilitate the commission of a controlled substance.

C. 21 U.S.C.A. § 881 (a) (4) (7)

Subject Property

Forfeiture of all conveyances, including vehicles, boats, aircraft which are used, or are intended for use, to transport, or to aid in the transportation, sale, receipt, possession, or concealment of all controlled substances or raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance or listed chemical.

D. 21 U.S.C.A. § 862

Drug Possession

Any person who is convicted under State or Federal law involving the possession of a controlled substance shall be ineligible for any or all Federal benefits, such as student loans, grants, contracts and professional and commercial licenses, for up to 1 year. Upon a second or subsequent conviction for such an offense, a person shall be ineligible for all Federal benefits for up to 5 years.

Drug Trafficking

Any person who is convicted under State or Federal law involving the distribution of controlled substances shall be ineligible for any and all Federal benefits, such as student loans, grants, contracts and professional and commercial licenses, for up to 5 years. Upon a second or subsequent conviction for such an offense, a person shall be ineligible for all Federal benefits for up to 10 years; and upon a third or subsequent conviction, be permanently ineligible for all Federal benefits.

E. 18 U.S.C.A. § 922 (g)

It is unlawful for any person who is an unlawful user or addicted to any controlled substance to possess, receive or transport any firearm or ammunition.

3. Alcohol-State Penalties and Sanctions

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., provides the following:

a. Title 18 – Pennsylvania Crimes Code Section 5505 Public drunkenness

A person is guilty of a summary offense if he appears in any public place manifestly under the influence of alcohol...to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity.

<b>Penalty</b>	<b>1st Offense</b>
Fine	0-\$300
Jail	0-90 days

b. Section 6307 Misrepresentation of age to purchase liquor or malt or brewed beverages

A person is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violations if he/she being under the age of 21 years, knowingly and falsely represents himself to be 21 years of age or older to any licensed dealer, distributor or other person, for the purpose of procuring or having furnished to him, any liquor or malt or brewed beverages.

<b>Penalty</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>Subsequent Offense</b>
Fine	0-\$300	0-\$500	0-\$500
Jail	0-90 days	1 year	1 year
License Suspension	90 days	1 year	2 years

c. Section 6308 Purchase, consumption, possession or transportation of liquor or malt or brewed beverages by a minor

A person commits a summary offense if he/she, being less than 21 years of age, attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages.

<b>Penalty</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>Subsequent Offense</b>
Fine	0-\$300	0-\$500	0-\$500
Jail	0-90 days	0-90 days	0-90 days
License Suspension	90 days	1 year	2 years

d. Section 6310.1 Selling or furnishing liquor or malt or brewed beverages to minors

A person commits a misdemeanor of the third degree if he/she intentionally and knowingly sells or...furnishes or purchases with the intent to sell or furnish any liquor or malt or brewed beverages to persons less than 21 years of age.

<b>Penalty</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>Subsequent Offense</b>
Fine	\$1000	\$2500	\$2500
Jail	0-1 year	0-1 year	0-1 year

e. Section 6310.7 Selling or furnishing nonalcoholic beverages to persons under 21

A person commits a summary offense if he intentionally and knowingly sells or furnishes nonalcoholic beverages to any person under 21 years of age. As used in this section, the term "nonalcoholic beverage" means any beverage

intended to be marketed or sold as nonalcoholic beer, wine or liquor having some alcohol content but not containing more than 0.5% alcohol by volume.

**Penalty**

Fine	0-\$300
Jail	0-90 days

f. Section 6310.2 Manufacture or sale of false identification card

A person commits a misdemeanor of the second degree if he intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date or age of another.

<b>Penalty</b>	<b>1st Offense</b>	<b>2nd Offense and Subsequent Offense</b>
Fine	\$1000-\$5000	\$2500-\$5000
Jail	0-2 years	0-2 years

g. Section 6310.3 Carrying a false ID

A person commits a summary offense for a first violation and a misdemeanor of the third degree for subsequent violations if he/she, being under 21, 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.

<b>Penalty</b>	<b>1st Offense</b>	<b>2nd Offense</b>	<b>Subsequent Offense</b>
Fine	0-\$300	0-\$500	0-\$500
Jail	0-90 days	0-1 year	0-1 year
License Suspension	90 days	1 year	2 years

h. Sales without a license or purchase from an unlicensed source of liquor or malt beverages are prohibited.

i. 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 regulations.