

Policy Number: 1.5.001
Title: *Alcohol and Controlled Substances Policy*

PURPOSE

The Alcohol and Controlled Substances Policy (“Policy”) is intended to further the educational mission of Thaddeus Stevens College of Technology (“College”). The fundamental purpose of the College is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. That environment is damaged by illegal drug use and alcohol abuse. Therefore, all members of the academic community, students, faculty members, administrators and other College employees, share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

SCOPE

Students enrolled in safety sensitive programs may be required to participate in random drug and alcohol testing. In addition, drug and alcohol testing may be required “for cause” when a student appears to be unfit and/or under the influence, post-accident, or found in violation of this Policy (see Drug and Alcohol Testing Policy for more details).

POLICY DETAIL

I. ILLEGAL DRUGS AND OTHER CONTROLLED SUBSTANCES POLICY

A. Standards of Conduct

Students are responsible as citizens for knowing about and complying with the provisions of the Pennsylvania Consolidated Statutes which indicate that the manufacture, possession, sale, distribution, and use of illicit drugs is prohibited. The College will not tolerate the use, possession, sale, delivery and/or manufacture of illicit drugs on campus. Violations of this policy include, but are not limited to:

1. Manufacture/Sale/Distribution (Drugs) – Manufacturing, distributing, dispensing, and/or selling illegal drugs, or prescription drugs prescribed to another person.
2. Aiding/Abetting (Drugs) – Aiding and abetting in the sale/distribution/use/possession of illegal drugs or prescription drugs prescribed to another person.
3. Use/Possession (Illegal Drugs) – Using and/or possessing illegal drugs.

4. Improper Use/Abuse/Possession (Legal Drugs) – Improperly using or abusing over-the-counter or prescription drugs and/or possessing legal drugs prescribed to another individual.
5. Remaining in the Presence (Illegal Drugs) – Knowingly remaining in the presence of illegal drugs and/or drug paraphernalia/illegal drug use on campus or at a College-sponsored activity.
6. Drug Paraphernalia and/or Recent Use
 - a. Using/possessing drug paraphernalia on campus or at a College-sponsored activity. Examples of items that could be defined as drug paraphernalia include, but are not limited to: scales, rolling papers, bowls, pipes, bongs, grinders, spoofs, hookahs, or any other device that is fashioned for the purpose of drug use.
 - b. Evidence of recent illegal drug use (e.g. odor, smoke, residue, etc.) also constitutes a violation of this policy. Validity of the evidence will be determined by the investigating College official. Measures commonly known to hide illegal drug use (e.g. outward blowing fans, weather-stripping of internal room doors, towel under door, excessive air freshener, incense, etc.) can create reasonable belief of illegal drug use for purposes of investigation and will be documented if discovered in areas of suspected drug use. Such evidence will be considered by College officials during incident reviews when determining likelihood of policy violations.

B. College Sanctions for Students

A College conduct charge for drugs will be issued to students who violate any of the prohibitions listed in this policy. Charges are based on evidence suggesting a violation has occurred, including witness statements. Students found responsible for repeated drug violations may face more severe penalties, including automatic suspension and/or removal from College housing. For a complete listing of possible sanctions, refer to the "Sanctions" section of the Student Code of Conduct.

C. Legal Sanctions

In addition to sanctions imposed by the College, drug violations may be referred to the appropriate external authorities. Violations of law may result in penalties ranging from fines to imprisonment. If a student is convicted of offenses involving the trafficking or possession of illegal drugs, the student may be denied student aid.

D. Health Risks

The health risks caused by drug use vary depending on the drug involved, and the use of legal prescription and nonprescription drugs without a doctor's supervision, as well as the use of illegal drugs, may cause serious health difficulties. They include cardiovascular disease, stroke, cancer, HIV/AIDS, hepatitis B and C, lung disease, and mental disorders. In addition, abuse of any substance can adversely affect relationships, employment, academic and athletic performance, and self-esteem. The acute and long-term health effects of specific drugs can be view on the [National Institute on Drug Abuse](http://www.nida.nih.gov) website.

E. Legal Use of Over-the-Counter or Prescription Drugs

A student shall notify Health Services of prescription or over-the-counter medication use that might pose a direct threat to campus safety or significantly impair the student's fitness-for-duty prior to enrollment or participation in campus- or program-related activities.

When required to notify, students are not required or asked to report their medical condition, or the drugs used. Students should merely report that they are using medication that might pose a direct threat to campus safety. The student shall provide a copy of the physician's statement regarding their ability to perform the essential functions of the job or program of study and function safely on the College campus prior to participating in campus- or program-related activities.

If a student is legally using a prescription or over-the-counter drug that poses a direct threat to campus safety, then the College shall determine whether the student may continue to remain on campus, attend class, or perform duties associated with employment during the course of treatment. The College may seek a second opinion from a medical professional of its choice and might require the student to undergo an examination by the College's chosen medical professional. The College might rely on the second opinion rather than that of the student's prescribing healthcare provider. All prescribed or over-the-counter medications must be kept in their original containers while on campus.

Students in safety sensitive programs are prohibited from being on campus under the influence of medical marijuana.

II. ALCOHOL POLICY

A. Standards of Conduct

The College is a dry campus. The use, possession, or distribution of alcohol is strictly prohibited on all College-owned, controlled, or affiliated property – regardless of a person's age. This includes residence halls, campus events, and as part of any College activity.

College policies concerning the possession and consumption of alcoholic beverages do not contravene federal, state or municipal law regarding their purchase, possession or consumption.

Violations of this policy include, but are not limited to:

1. Any person of any age purchasing, possessing or consuming, or anyone aiding or abetting a person under 21 in purchasing or consuming any alcoholic beverages.
2. Drinking alcoholic beverages or offering a drink to another person or persons, whether accepted or not, on any public road or street, parking lot, sidewalk or other publicly owned or leased College property or at any College activity.

3. Consuming and/or possessing alcoholic beverages in any public area. Public areas include but is not limited to any public road or street, parking lots, sidewalks or other publicly owned or leased College property, or public areas within the academic and residential facilities.
4. Brewing and/or distilling alcoholic beverages.
5. Possessing empty and/or filled kegs and all its paraphernalia (e.g. tapper) in any form or function; such items may be confiscated by College personnel and become the property of the College.
6. Possessing and using devices designed or intended to be used for the rapid consumption of alcohol (i.e., funnels, beer bongs, etc.) and/or engaging in behaviors intended to intoxicate (i.e., races, games, beer pong, etc.). Engaging in such activities will be considered aggravating circumstances when considering appropriate sanctions regardless of age.

B. College Housing

Alcohol possession, use, or distribution is not permitted in any College housing. Display or storage of empty alcohol beverage containers is not permitted within the residential space. Additional guidelines may be found in the Residence Life Handbook.

C. College Sanctions for Students

Students who violate any of the alcohol regulations found in this policy may be subject to sanctions. Subsequent offenses will result in more serious action. For a complete listing of possible sanctions, refer to the "Sanctions" section of the Student Code of Conduct.

D. Violations of Law

In addition to sanctions imposed by the College, alcohol violations may be referred to the appropriate external authorities. Under state and local laws, violations may result in penalties ranging from fines through suspension of a driver's license and possible imprisonment. See below for additional information regarding legal sanctions.

G. Health Risks

Use of alcohol may result in mood changes, impulsive action, loss of judgment, and loss of coordination. Excessive use of alcohol may cause heart damage, liver damage, damage to the digestive tract, cancer, brain damage, mental disorders, loss of sexual function, blood disorders, and birth defects. In addition, long-term alcohol use may affect relationships, employment, academic and athletic performance, and self-esteem. Consumption of alcohol while using over-the-counter or prescription medications, where such use is contraindicated, can lead to unintended health consequences. Acute alcohol poisoning, occurring when an individual consumes a large amount of alcohol in a short period of time, may result in changes in breathing and heart rate, the gag reflex, and can lead to coma and death. More information regarding the health risks associated with the consumption of alcohol in college can be found at www.collegedrinkingprevention.gov.

III. AMNESTY/GOOD SAMARITAN POLICY

The College encourages its students who are chemically dependent to voluntarily obtain assistance/treatment for substance abuse programs before they cause problems on campus. A student's decision to voluntarily seek assistance for such problems will not be used as the basis for disciplinary action. Students may not avoid imposition of discipline by requesting such treatment or a leave of absence after being selected for testing or by violating the College's Policy.

College students seeking immediate medical assistance for themselves or on behalf of other persons experiencing alcohol or drug-related emergencies may be granted amnesty from formal conduct action by the College for violating alcohol and/or drug policies.

IV. EDUCATION, TREATMENT, COUNSELING, AND RESOURCES

The College shall take actions necessary (consistent with state and federal law and applicable College policy) to eliminate illegal drugs and controlled substances and the use of alcohol from the College community. The Health Services and Counseling Services develop educational programs that provide accurate, current information on the health risks and the symptoms of drug and alcohol use and abuse. The College may also:

- Establish relationships between community groups and agencies and the institution for education, treatment and referral.
- Provide awareness programs for students to enable them to detect problems related to drug or alcohol use and abuse, and to refer persons with these problems to appropriate assistance.
- Include information about alcohol and drug abuse for students and family members in the student orientation programs.
- Support and encourage faculty to incorporate education about drugs and alcohol into the curriculum where appropriate.

The College provides alcohol and other drug abuse counseling and/or referral to members of the College community. Persons who voluntarily avail themselves of College services can be assured that applicable professional standards of confidentiality will be observed. Students needing assistance should contact Heath Services or Counseling Service.

V. COMPLIANCE AND ASSESSMENT

In compliance with the provisions of the Drug-Free Schools and Communities Act Amendments of 1989, the College has a drug and alcohol abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. The College also sends an annual notification to all students that contains this Alcohol and Controlled Substances Policy. In an effort to continually assess the campus environment, the College has the following Committees that provide oversight Health and Safety

Committee, Security Committee, and Residence Life Director and Vice President of Student Services.

VII. LEGAL SANCTIONS

Federal Law

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. § 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf.

State Law

Category	Summary (Pennsylvania Consolidated Statutes)
Possession of Marijuana	<p>In Pennsylvania, marijuana is a Schedule I drug and is unlawful to use or consume except as allowed for medical purposes. 35 P.S. §§ 10231.304, 780-104. Any person who possesses a small amount of marijuana (30 grams or less) is guilty of a misdemeanor and, upon conviction, will be sentenced to imprisonment for a term not exceeding 30 days and/or a fine not exceeding \$500. 35 P.S. § 780-113. As the amount of the marijuana increases, the crime classification becomes more severe and related penalties increase.</p> <p>In Pennsylvania, adults with serious medical conditions may purchase and use up to a 90-day supply of medical marijuana, and possess an additional 90-day supply. Patients must obtain a medical marijuana</p>

Category	Summary (Pennsylvania Consolidated Statutes)
	identification card to lawfully participate. 35 P.S. §§ 10231.301, 10231.303, 10231.405.
Controlled Substances	<p>The Controlled Substance, Drug, Device and Cosmetic Act of Pennsylvania covers a wide range of offenses related to controlled substances. 35 P.S. §§ 780-101 – 780-144. Specific prohibited acts and associated penalties, which include prison sentences and monetary fines, are enumerated in 35 P.S. § 780-113. These vary widely by the type of drug, amount confiscated, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug.</p> <p>Distribution to persons under age 18 may result in a term of imprisonment up to twice that otherwise authorized by other related statutes. 35 P.S. § 780-114. Any person convicted of a second or subsequent offense (or of a similar offense) may be imprisoned for a term up to twice the term otherwise authorized, fined an amount up to twice that otherwise authorized, or both. 35 P.S. § 780-115.</p>
Alcohol and Minors	<p>A minor who attempts to purchase, or purchases, consumes, possesses, or transports alcohol may be sentenced to pay a fine of up to \$500 for the first violation and up to \$1,000 for each subsequent violation. 18 P.S. § 6308.</p> <p>Selling or furnishing alcohol to a minor is a misdemeanor in the third degree punishable by at least \$1,000 for the first violation and \$2,500 for each subsequent violation. 18 P.S. § 6310.1.</p> <p>Possession or use of an identification card falsely identifying a minor as being 21 years of age or older is not punishable for an initial offense but carries a minimum penalty of \$500 for the second and subsequent offense. 18 P.S. § 6307.</p> <p>A minor possessing a false identification card and/or attempting to obtain alcoholic beverages by using the false identification card is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation. 18 P.S. § 6310.3. Second and subsequent violations carry a maximum fine of \$500. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>Driving Under the Influence requires having a blood alcohol concentration of 0.08 percent or more while driving or within 2 hours of having driven. 75 P.S. § 3802. A person may also not drive while under the influence of a Schedule I controlled substance (i.e., marijuana), or an unprescribed Schedule II or III controlled substance. <i>Id.</i> This is a misdemeanor for which an individual may be sentenced to a term of imprisonment of not more than 6 months. 75 P.S. § 3803. Other penalties can include a fine of \$300 and educational programs, with fines increasing for subsequent offenses. 75 P.S. § 3804.</p>

References

[Drug and Alcohol Testing Policy](#)

<i>Audience</i>	<i>Students</i>
<i>Effective Date</i>	<i>7/18/2025</i>
<i>Date Revised</i>	
<i>Date Reviewed</i>	
<i>Owner</i>	<i>Vice President of Student Services</i>