2018-2019 Lackawanna College Alcohol and/or Drugs Policy

ALCOHOLIC BEVERAGE POLICY

Lackawanna College does not condone the use of alcohol and prohibits the use or possession of alcohol on campus or at off-campus sponsored functions, including athletic events. Possession, use, or consumption of alcohol or public drunkenness on any College property is strictly prohibited and can lead to disciplinary action, including separation from the College. Being present where an alcohol violation is occurring is treated as possession. Open containers apply, as well, and will be treated as alcohol violations. If a student is found to be in violation of the Alcoholic Beverage Policy, the minimum sanctions may include:

First Offense
- Meeting with a member of the Dean of Students Office and Student Wellness program within three (3) days of notification. Failure to meet within this time frame will result in a second offense level status.
- $50 fine or 5 hours of community service.
- Probation status.
- Suspension from all collegiate activity (including a minimum one game athletic suspension) until the active participation of the sanctions outlined below as determined by the Dean of Students and the Student Wellness Program.
- 7 a.m. community service or service learning may be assigned/required by the Dean of Students and/or the Student Wellness Program.
- Participation in the Substance Abuse Assessment Procedure through the Student Wellness Program. The student must sign consent forms allowing the Dean of Students to have access to the necessary information from the Student Wellness Program, Student Health Services, or other treatment provider, including a record of attendance, prognosis, and expected completion date. Failure to sign these consents will result in dismissal from the College without appeal.
- Referral to Academic Success Coach may be assigned/required by the Dean of Students.
- Student must follow through with all recommendations to meet the satisfactory completion of these sanctions.

Second Offense
- Meeting with a member of the Dean of Students Office within three (3) days of notification. Failure to meet within this time frame will result in a third offense level status.
- $100 fine or 10 hours of community service.
- Probation status.
- Suspension from all collegiate activity (including a minimum one game athletic suspension) until the active participation or the sanctions outlined below as determined by the Dean of Students and the Student Wellness Program.
- 7 a.m. community service or service learning may be assigned /required by the Dean of Students and/or the Student Wellness Program.
- Participation in a re-evaluation process to include a substance abuse assessment through the Student Wellness Program.
- Academic Success Coach and/or FIT mentoring may be assigned/required by the Dean of Students and/or the Student Wellness Program.
- Student must follow through with all recommendations to meet the satisfactory completion of these sanctions.
- If a student was recommended for treatment services following their first drug offense the Dean of Students will review treatment progress and determine if extenuating circumstances exist. If the
student is not actively participating in treatment they may be dismissed from the College without appeal. If the student is actively pursuing treatment they may be dismissed from any extracurricular activities and forfeit all scholarship monies.

Third Offense
A third offense is seen by the College administration as cause for dismissal without appeal. Please refer to the “Missed Sanction Meetings” policy on Page 62 for information on additional penalties.

CONTROLLED SUBSTANCES AND PARAPHERNALIA POLICY
Lackawanna College does not condone the use, possession, or distribution of any type of illegal drugs. The behavior and attitudes associated with the use of illegal drugs are detrimental to the individual student and the student body, and contrary to the mission and philosophy of the College. If a student is found, charged, or arrested for possession of any illegal substance, or drug paraphernalia, use, or intent to distribute illegal drugs, the student is subject to College disciplinary action, including dismissal from the College, independent of any external legal actions. If the amount of controlled substance in the possession of the student evidences intent to sell and/or deliver to third parties, that student shall be immediately dismissed from the residence hall and the College.

In addition, eligibility for federal financial aid may be subject to suspension or termination. Loss of Title IV eligibility will result if a student is convicted of a state or federal offense involving the possession or sale of an illegal drug that occurred while the student was enrolled in school and receiving Title IV aid. It must be understood that the College cannot protect an offender against any penalties of law. Law enforcement officers, when armed with proper documents, have a legal right to search any and all buildings and personal space on campus without prior notice.

Marijuana (cannabis) is a controlled substance under federal law, and its possession and use, even for medical reasons, is prohibited on property owned or operated by the College. This also applies to College-sponsored or affiliated programs and events.

While in the Commonwealth of Pennsylvania, all students are subject to Commonwealth law regarding possession and/or use of illegal drugs:
- Possession of any amount of marijuana is a misdemeanor subject to a fine, possible imprisonment, and a permanent arrest record.
- Possession of any other illegal substance including crack, LSD, cocaine, heroin, hashish, etc. are subject to one (1) year imprisonment, and/or a $5,000 fine, and a permanent arrest record.
- Possession with intent to sell is subject to three (3) to five (5) years’ imprisonment, a $10,000 to $1,000,000 fine, and a permanent arrest record.

Students who experience drug and/or alcohol-related problems, or who are concerned about another who may be having such difficulties are encouraged to seek assistance from any of the following:

Student Wellness Program (570) 955-1478 or (570) 955-1466
Dean of Students (570) 504-1579
LACKAWANNA COLLEGE DRUG TESTING POLICY

Lackawanna College is dedicated to the health, welfare, and safety of each student it serves. To this end, the College is committed to providing each of its resident students and student-athletes with a drug-free environment in which to live, study, and socialize. From a safety perspective, the use of drugs and/or alcohol may impair the wellbeing of these students and interfere with the resident’s living condition.

Therefore, since the College is responsible for the welfare of each student and specifically responsible to provide a residence environment free of hazards that would impede the resident student’s academic progress, the Lackawanna College Drug Testing Program has been implemented to provide a safe and healthful environment for all our students who live on campus.

For the purposes of this Drug Testing Policy, Controlled Substance shall be those substances prohibited by Pennsylvania’s Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S.§780-101,etseq.and particular Section 4 of the Act (35 P.S. §780-104) and Drug Paraphernalia shall be those products, materials, and equipment as defined in Section 2 of the Act (35 P.S. §780-102).

Every student making application for resident housing must sign a drug consent form prior to taking up residence on campus. A copy of the drug testing policy and procedure, as well as a Drug Testing Consent form, is included in the packet of materials sent to prospective resident students. This form will stand for the student’s entire time of enrollment at the College. Drug testing is performed randomly on a year-round basis. Students will be tested at random intervals and for cause which may either be announced or unannounced. The testing will be required at the sole discretion of the College. There are no exceptions to this policy. All resident students will be required to comply. The student will be required to provide breath, blood, and saliva and/or urine specimens for the purpose of analysis. If the student is less than 18 years of age, the parent or legal guardian must sign the Drug Testing Consent form in addition to the student. The signed consent form must be returned to the College prior to the student’s arrival.

Each prospective resident student will be provided with a copy of the Drug Testing Policy and Procedure and a consent form. These materials are included in the packet of materials sent to prospective resident students, and completion of the consent form is part of the required admission procedure. Applications for admission to the dormitory space cannot be processed without the signed consent form.

Students who refuse to submit to drug testing when requested by appropriate College administrators will be expelled from the residence hall and the College, without benefit of appeal. Failure to produce a specimen within the standard collection time, as established by the collection agent, will be considered a refusal, as will leaving the facility at any time before providing the specimen. Further, if the student supplies a specimen that does not meet the requirements of the vendor, it shall be deemed a refusal, resulting in dismissal with appeal.

A program of education on drug use and abuse will be provided to the students residing in each residence hall and will include, but is not limited to, discussion of the Drug Testing Policy and distribution of educational materials concerning the abuse of illegal drugs and alcohol.
The College will include the policy and procedure for Drug Testing in the Student Handbook, residence life handbooks, and other pertinent College publications to ensure adequate notice and distribution. As stated previously, a copy of the policy and procedure will be mailed to each applicant at the time of application. It must be understood that the College cannot protect an offender against any penalties of law. Non-College law enforcement officers, when armed with proper documents, have a legal right to search any and all buildings and personal space on campus without prior notice.

**PENALTIES FOR DRUG VIOLATIONS**

**First Offense**
- Meeting with a member of the Dean of Students Office and Student Wellness program within three (3) days of notification. Failure to meet within this time frame will result in a second offense level status.
- $75 fine or 7.5 hours of community service.
- Probation status.
- Suspension from all collegiate activity (including a minimum one game athletic suspension) until the active participation of the sanctions outlined below as determined by the Dean of Students and the Student Wellness Program.
- 7 a.m. community service or service learning may be assigned/required by the Dean of Students and/or the Student Wellness Program.
- Academic Success Coach and/or FIT mentoring may be assigned/required by the Dean of Students and/or the Student Wellness Program.
- Participation in the Substance Abuse Assessment Procedure through the Student Wellness Program.
- Student must follow through with all recommendations to meet the satisfactory completion of these sanctions.

**Second Offense**
- Meeting with a member of the Dean of Students Office within three (3) days of notification. Failure to meet within this time frame will result in a third offense level status.
- $150 fine or 15 hours of community service.
- Probation status.
- Suspension from all collegiate activity (including a minimum one game athletic suspension) until the active participation of the sanctions outlined below as determined by the Dean of Students and the Student Wellness Program.
- Academic Success Coach and/or FIT mentoring may be assigned/required by the Dean of Students and/or the Student Wellness Program.
- 7 a.m. community service or service learning may be assigned/required by the Dean of Students and/or the Student Wellness Program.
- Participation in a re-evaluation process to include a substance abuse assessment through the Student Wellness Program. Student must follow through with all recommendations to meet the satisfactory completion of these sanctions.
- Mandatory retest within four (4) weeks of the second positive test as recommended by the Student Wellness Program, Student Health Services, substance abuse treatment provider, or Dean of Students. If student was recommended for treatment services following their first drug offense, the Dean of Students will review treatment progress and determine if extenuating circumstances exist. If the
student is not actively participating in treatment, they will be dismissed from the College without appeal. If the student is actively pursuing treatment they will be dismissed from any extracurricular activities and forfeit all scholarship monies.

- Students must follow through with all recommendations to meet the satisfactory completion of these sanctions.

Third Offense
A third offense is seen by the College administration as cause for dismissal without appeal. Please refer to the “Missed Sanction Meetings” policy on Page 62 for information on additional penalties.

EXCEPTION TO THIS POLICY
Any student testing positive for Phencyclidine (PCP), or any substance that can contribute to violent behavior and threaten the safety of others, will be subject to dismissal from the College without appeal, regardless of the stage of testing. Any student testing positive for a controlled substance that has the potential to produce violent behavior will be referred to the Dean of Students for review. As part of this review, the Dean will consult with the Student Wellness Program to determine a course of action, which may include a recommendation of dismissal to the President of the College.

GOOD SAMARITAN POLICY
In the event of a situation that is life threatening or a danger to the community, students can report the incident without the fear of reprisal for the situation in which the student gives assistance in good faith effort. This refers to isolated incidents only and does not excuse or protect those who flagrantly or repeatedly violate College policy.

TOBACCO POLICY
Smoking and the use of any smokeless tobacco products are prohibited inside all facilities/College buildings or vehicles owned, leased, or operated by Lackawanna College. Smoking is defined as the burning, lighting, or use of a tobacco product and any other smoking device or equipment that includes, but is not limited to, cigarettes, cigars, electronic cigarettes (e-cigarettes), hookahs, marijuana, and pipes. Smoking shall be permitted outside of buildings in designated areas only. Violators will be fined $50 for each offense. Sanctions for violations of this policy will be in addition to any other related violation(s) of College policy, including athletic and resident life requirements.