

TEMPLE UNIVERSITY
BOARD OF TRUSTEES
POLICIES AND PROCEDURES MANUAL

Title: Student Drug and Alcohol Policy
Policy Number: 03.70.01
Effective Date: September 27, 1990
Issuing Authority: Board of Trustees

Scope of Policy

This Policy applies to all Temple University students.

Statement of Purpose

Temple University seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety and welfare of all members of its community. Members of the University community are expected to conduct themselves in a manner in which they do not cause harm to themselves or others, and that they neither break laws nor contribute to the delinquency of others. In keeping with these objectives, the University has established the following policy governing the unlawful use, consumption, possession, distribution and manufacture of illicit drugs and alcohol on University property or as part of University activities.

The unlawful use of controlled substances (drugs) and alcohol misuse and abuse represent a danger to the health of a student which may result in serious injury or death, and also poses risks to the health and safety of others in the University community. Health risks associated with the use of illicit drugs and abuse of alcohol are varied. Among the many risks to the individual are brain damage, cirrhosis of the liver, cancer, ulcers, heart ailments, impotence, fetal alcohol syndrome, depression, paranoia, memory loss, blackouts, psychological and emotional problems, hypertension, eating disorders, loss of coordination, poor vision, and gastrointestinal problems.

Federal law requires the University to notify annually all students of the University's policy concerning drug and alcohol use, possible sanctions that may be imposed by the University and law enforcement agencies, the health risks associated with drug and alcohol use, and available counseling and treatment. Further information is available in Appendix 1 to this policy.

Policy

General Policy Statement on Drug and Alcohol Use

Temple University strictly prohibits the unlawful possession, use, consumption, distribution or manufacture of drugs and alcohol on University property, or as part of any University activity. A violation of this policy will subject the student to the range of sanctions, including, but not limited to, expulsion, as outlined in the Student Conduct Code.

Additional Prohibitions

The University's Student Conduct Code and policies approved by the President after consultation with the cognizant Vice President and relevant administrative departments (e.g., Recreation Services, Intercollegiate Athletics) and affiliated groups (e.g., Greek Letter organizations) contain additional requirements and prohibitions regarding the use of drugs and alcohol. A violation of any of these policies will subject the student to discipline, including, but not limited to, expulsion.

Legal Sanctions

Any student who violates this policy also may be subject to criminal prosecution under applicable local, state, and federal laws.

Penalties for Violations of Relevant Drug and Alcohol Statutes

A description of the applicable legal sanctions under local, state, and federal law for the unlawful possession or distribution of illicit drugs and alcohol is set forth in Appendix 1.

Counseling and Treatment

Students in need of confidential drug or alcohol counseling may access the following resources through the University's Tuttleman Counseling Services (215-204-7276):

1700 North Broad Street – 2nd Floor
Campus Alcohol and Substance Awareness (CASA)
Psychiatric Services
Psychological Services

For additional information, see Appendix 1.

Parental Notification

The Dean of Students will notify parents/guardians of students under the age of 21 of alcohol/drug violations involving the student. Campus Safety Services will notify parents/guardians of students under the age of 21 upon issuing a citation for an alcohol violation.

Regular Review

Appropriate offices and departments will review this policy on a regular basis to determine its effectiveness and recommend any necessary changes.

Amendments

The President or his/her designee is authorized to amend this policy in response to changes in legal requirements or otherwise to effectuate its purpose.

Effect on Prior Policies

This policy supercedes and replaces all prior student drug and alcohol policies.

Notes

1. Dates of official enactment and amendments:

Adopted by the Board of Trustees (in Special Executive Session) on September 27, 1990.

Supplemented by the President on August 13, 2003.

Appendix 1 added in October 2013.

Updated August 2017.

2. History:

This policy supercedes and replaces all prior student drug and alcohol policies.

3. Cross References:

Student Conduct Code policy #03.70.12

APPENDIX 1

University Violations and Sanctions:

Consistent with the Student Conduct Code, it is a violation of the alcohol policy for any student to engage in the following:

- Unlawful use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by university regulations), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age. It is also a violation to possess and/or use false forms of identification to obtain alcoholic beverages. Students 21 years of age and older may be in violation of the University's alcohol policy for, among other things, the public possession of an open container, public intoxication, and the distribution of alcohol to anyone under the age of 21.
- The illegal or unauthorized use, possession, cultivation, distribution, manufacture or sale of any drug(s), including prescribed medication.
- Becoming intoxicated through the abuse of solvents, aerosols or propellants.
- Causing another person to become impaired without his/her knowledge by administering or employing drugs or other intoxicants.

Sanctions for alcohol and drug violations of the Student Conduct Code are set forth in the code, but include mandatory educational programming, fines greater than \$250, disciplinary probation, loss of housing privileges, and other sanctions up to and including expulsion from the university.

The University will notify the parent of any student under 21 when the university determines that the student's alcohol and/or drug use or possession violates federal, state, or local law, or any rule or policy of the University governing the use or possession of alcohol or a controlled substance, and the University determines the student committed a disciplinary violation with respect to that use or possession.

***Medical Amnesty:** The University strongly encourages students to call Campus Safety Services for medical assistance for themselves or for other individuals who are dangerously under the influence of drugs or alcohol. No student seeking medical treatment for the effects of drug or alcohol use will be subject to university discipline for violations pertaining to drug or alcohol use that are outlined in the Student Code. Medical amnesty will be granted to both the intoxicated student and to the student seeking medical assistance for the intoxicated student; however, the intoxicated student will be required to participate in the university's Drug and Alcohol Education Program in order to receive medical amnesty.*

Relevant Laws and Related Criminal Sanctions

In addition to University sanctions, any student who violates this policy may be subject to criminal prosecution and penalties under applicable local, state, and federal laws. Where appropriate or necessary, the University will cooperate fully with law enforcement agencies.

Alcohol

The [Pennsylvania Liquor Control Board website](#) explains alcohol and the law in the Commonwealth of Pennsylvania, [programs](#) and [resources](#) available, and provides information for [parents](#). Below are the applicable restrictions on alcohol in the state of Pennsylvania. 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:

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 \$500 and imprisonment for up to 90 days; for a second offense, suspension of driving privileges for one year, a fine up to \$1000, and imprisonment for up to one year; for subsequent offense, suspension of driving privileges for two years, a fine up to \$1000 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 (1) 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 University 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.

Drugs and Controlled Substances

The [United States Department of Education in Section 484\(r\) of the Higher Education Reconciliation Act](#) explains the circumstances related to convictions of controlled substances that may affect or suspend a student's eligibility for financial aid and assistance. The suspension of eligibility for federal student aid ranges from as much as one year to an indefinite period of time, depending upon the number and type of convictions. Below are applicable laws relating to drugs and controlled substances.

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 who is at least 21 years of age who is convicted for violating The Controlled Substance, Drug, Device and Cosmetic Act, shall be sentenced to a term of

imprisonment up to thirty years if the delivery or possession with intent to deliver the controlled substance is to a minor who is at least four years their junior. 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 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. Each subsequent offense has a maximum penalty of three years' imprisonment, a \$15,000 fine, or both.

3. The Vehicle Code, 75 PA, C.S.A. 3101 et seq., which was amended effective July 1, 1977, prohibits driving, operating, or being in actual physical control of the movement of a vehicle when 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.

Risks and Consequences

Health Risks. Following are health risks associated with substances commonly abused by college students.

Alcohol. Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, 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 (including PCP, LSD, Mescaline, Peyote, Psilocybin). 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.

Narcotics (including Heroin, Codeine, Morphine, Opium, Percodan) 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.

Binge Drinking

According to the [National Institute on Alcohol Abuse and Alcoholism](#) binge drinking is defined as a pattern of alcohol consumption that brings the blood alcohol concentration (BAC) level to 0.08% or more. This pattern of drinking usually corresponds to 5 or more drinks on a single occasion for men or 4 or more drinks on a single occasion for women, generally within about 2 hours. National Institute of Alcohol Abuse and Alcoholism. NIAAA council approves definition of binge drinking *NIAAA Newsletter* 2004;3:3.

Campus Resources

Students in need of confidential drug or alcohol information or counseling may access the following resources:

- **Wellness Resource Center**

The Wellness Resource Center is responsible for alcohol and drug use prevention education. The office is staffed by health professionals and peer educators who provide comprehensive wellness education, resources and prevention education to University students.

Location: Mitten Hall – Lower Level

Telephone: (215) 204-8436

- **Tuttleman Counseling Services (confidential)**

Any University student needing substance abuse counseling can access the Campus Alcohol and Substance Awareness (CASA) program, as well as psychological and psychiatric counseling services, through Tuttleman Counseling Services. The CASA program is staffed by trained professionals and offers individual and group counseling. Online screenings, as well as educational literature, are also available. Counselors will also refer students to mental health resources on campus and in the city that are specific to their needs. There are no fees for any assistance provided by Tuttleman Counseling Services.

Location: 1700 North Broad Street – 2nd Floor

Telephone: (215) 204-7276

- **Student Health Services (confidential)**

Student Health Services provides students with affordable, accessible and high quality primary health care.

Location: 1810 Liacouras Walk, 4th Floor

Telephone: (215) 204-7500
<http://www.temple.edu/studenthealth/>

- **The Psychological Services Center (PSC) (confidential)**

The PSC is a nonprofit community mental health center that provides counseling and psychological services on a sliding fee scale. PSC is located in Temple University's Entertainment and Community Education Center (ECEC).

Location: 1509 Cecil B Moore Ave, Suite 420, Philadelphia, PA 19121.

Telephone: (215) 204-7100

E-mail: psc@temple.edu to request an appointment.