



Kutztown University of Pennsylvania

**Drug-Free Schools and Colleges [Edgar Part 86]
Annual Review: Academic Years 2017-2018
CHOICES PUBLICATION**

Federal Drug-Free Schools and Campuses Regulations [Edgar Part 86]

KUTZTOWN UNIVERSITY ANNUAL POLICY NOTIFICATION/DISTRIBUTION

As a requirement of these regulations, **KUTZTOWN UNIVERSITY** is to disseminate and ensure receipt of the below policy/information to all students, staff, and faculty on an annual basis. This process, formally conducted by Kutztown University, will disseminate the annual report with a publication titled Choices to all Kutztown University Students. Each student will receive an embedded document by email in the month of September for the period of the previous academic year. Mid-year dissemination will occur in January to a populated list of new students. Dissemination to all Kutztown University employees will be done by the university's Human Resource department. Questions concerning this policy and/or alcohol and other drug programs, interventions and policies may be directed to **The Office of the Dean of Students** (deanofstudents@kutztown.edu; 610-683-1396)

Polices - Alcohol, Other Drugs, and Weapons

As an academic community, **KUTZTOWN UNIVERSITY** is committed to providing an environment in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

- A. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
- B. Distribution, possession, or use of illegal drugs or controlled substances.
- C. Possession of firearms or other dangerous weapons.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Conduct Code. The University can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws. A separate policy addresses violations by University staff.

The University strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Conduct Code or staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. **Kutztown University**

Counseling and Psychological Services (610-683-4072), Kutztown – State Employees Assistance Program (1-800-692-7459), and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. **Health Promotion and Alcohol & Other Drug Services** provides educational and awareness programming, information, and assistance.

Student Sanctions - Alcohol, Other Drugs, and Weapons

Underage students confronted by the institution for the consumption of alcohol will face disciplinary sanctions as listed below in the table of Commonly Imposed Sanctions.

Students whose use of alcohol or drugs results in harm or the threat of harm to themselves or others, or to property, regardless of the location of the incident, may face disciplinary action by the University up to and including expulsion.

NCAA Policy and Protocols: Drugs - All Sports.

- a. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in a banned drug class, as set forth in Bylaw 31.2.3.1, shall be declared ineligible for further participation in postseason and regular season competition in accordance with the ineligibility provisions of Bylaw 18.4.1.4.
- b. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in a banned drug class other than "illicit drugs" (in accordance with the testing methods authorized by the NCAA Board of Governors), shall be charged with the loss of one season of competition in all sports, in addition to the use of a season, pursuant to Bylaw 14.2.4.1, if he or she has participated in intercollegiate competition during the same academic year. The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the collection of the student-athlete's positive drug test specimen and until he or she tests negative (in accordance with the testing methods authorized by the Board of Governors). [Bylaw 18.4.1.4.1]
- c. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in the banned drug class "illicit drugs" (in accordance with the testing methods authorized by the Board of Governors) shall be ineligible for competition during 50 percent of a season of competition in all sports (i.e., 50 percent of all contests or dates of competition in the season following the positive test). The student-athlete shall remain ineligible until the prescribed penalty is fulfilled and he or she tests negative (in accordance with the testing methods authorized by the Board of Governors). [Bylaw 18.4.1.4.2]
- d. A policy adopted by the Board of Governors establishes that the penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a banned drug other than an "illicit drug." You will remain ineligible until you retest negative. [Bylaws 18.4.1.4.3 and 18.4.1.4.3.1] NCAA Division II Summary of Regulations

Non-NCAA Athletics Organization Positive Drug Test - All Sports.

- a. If you test positive by a sport's governing body that has adopted the World AntiDoping Agency code, you must notify your director of athletics regarding the positive drug test. You also must permit the NCAA to test you for the banned drugs listed in Bylaw 31.2.3.1.
- b. If the result of the NCAA drug test is positive, you will lose all remaining eligibility during the season in which you tested positive and an additional season of competition.
- c. The director of athletics must notify the NCAA chief medical officer in writing regarding a student-athlete's disclosure of a previous positive drug test administered by any other athletics organization.
- d. If the student-athlete transfers to a non-NCAA institution while ineligible and competes in intercollegiate competition during the prescribed period of ineligibility at a non-NCAA institution, the student-athlete will be ineligible for all NCAA regular-season and postseason competition until the student-athlete does not compete in collegiate competition for the entirety of the prescribed penalty. Furthermore, the student-athlete must retest negative (in accordance with the testing methods authorized by the Board of Governors). [Bylaw 18.4.1.4.4]
- e. The list is subject to change and the institution and student-athlete shall be held accountable for all banned drug classes on the current list. The list is located on the NCAA website (www.ncaa.org) or may be obtained from the NCAA Sport Science Institute staff. Testing for illegal drugs shall be performed using a urine sample collected with a chain-of-custody and will include testing for the following substances: cocaine, marijuana, opiates, amphetamines, methamphetamines, and phencyclidines. All drug testing will include review by a qualified Medical Review Officer (MRO) and an "MRO Positive" result will be considered a positive result. Any student with a positive result, as described above, may face disciplinary action by the University up to and including expulsion.

Commonly Imposed Disciplinary Sanctions For On-Campus Policy Violations:

Alcohol & Other Drug (AOD) Sanctions

Alcohol and other drug (AOD) related violations are some of the most frequent. Due to the wide variance of circumstances related to AOD incidents and given that some violations **may** call for students to be placed on *disciplinary probation*, it is prudent to provide a framework for hearing authorities to assign AOD related sanctions. The situational nature of conduct violations necessitates the need for hearing authorities to weigh several factors prior to sanctioning in order to assign the most appropriate and educationally beneficial sanction possible.

The categorization of probationary levels outlined below attempts to give hearing officers both the *structure* and *flexibility* needed to assign a sanction to a student who has had an AOD related infraction. It is important for hearing authorities to use professional judgment when assigning probation lengths and to remain as consistent as possible in the implementation of sanctions.

Disciplinary Probation Level	Duration
Level 1	2-4 academic weeks
Level 2	4-8 academic weeks
Level 3	8-16 academic weeks
Level 4	16-32 academic weeks
Level 5	1 calendar year

Alcohol Relatedness Index

Violations of the Student Code of Conduct can be the direct or indirect result of alcohol. However, not all alcohol and other drug related incidents are reported as violations falling under the Alcohol or Drug standards. For example, a fight may occur between two inebriated students who end up being charged with assault. The reality is that alcohol was a contributing factor to a major violation but statistically will not be captured in reports on alcohol incidents. As a result, a categorization index is being incorporated into the student conduct database that will allow for tracking of all alcohol violations for accurate reporting, case management and sanctioning.

Alcohol Relatedness Index for Reporting Conduct Violations

Rating	Severity Level	BAC	Description
0	Not Related	.00	Violation did not involve alcohol.
1	Low	.00	Violation included possession of alcohol with no consumption; complicity to an AOD violation.
2	Minor	.01 - .07	Violation included lower levels of impairment, prohibited on campus consumption; minor disruptive behavior, non-violent incidents or other minor conduct violations.
3	Moderate	.08 - .15	Violation included moderate levels of intoxication; disruptive, aggressive or disorderly behavior; DUI.
4	Severe	.16 - .20	Violation included high levels of intoxication, disruptive, aggressive or disorderly behavior; DUI; sexual assault; physical assault; vandalism; theft; medical intervention; weapons violation; hazing.
5	Very Severe	.20 +	Violation included severely high levels and/or life threatening intoxication; sexual assault; physical assault; DUI; emergency medical transport; weapons violation; hazing.

Guide to ALCOHOL Related Sanctions

Incident/Situation	Sanctions
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ First Offense, ARI Rating 1-3 	<ul style="list-style-type: none"> ▪ Disciplinary Reprimand ▪ UNDER THE INFLUENCE ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ First Offense, ARI rating 4 	<ul style="list-style-type: none"> ▪ Disciplinary Reprimand to Level 2 ▪ Disciplinary Probation ▪ UNDER THE INFLUENCE and/or BASICS ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ First Offense, ARI rating 5 	<ul style="list-style-type: none"> ▪ Level 1 to Level 2 Disciplinary Probation ▪ UNDER THE INFLUENCE and/or BASICS ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Large/excessive quantities of alcohol, on campus ▪ First Offense, ARI rating 1-5 	<ul style="list-style-type: none"> ▪ Level 2 Disciplinary Probation ▪ UNDER THE INFLUENCE, BASICS and/or AOD ASSESSMENT ▪ Deferred Loss of Housing - Housing Suspension ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Second Offense, ARI rating 1-3 	<ul style="list-style-type: none"> ▪ Level 1 to Level 3 Disciplinary Probation ▪ BASICS ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Second Offense, ARI rating 4-5 	<ul style="list-style-type: none"> ▪ Level 3 Disciplinary Probation ▪ BASICS ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Second Offense, On Probation, ARI rating 1-5 	<ul style="list-style-type: none"> ▪ Deferred Suspension to 1 Semester Suspension ▪ BASICS ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy (Hosting a Party) ▪ Any Offense, ARI Rating 1-5 	<ul style="list-style-type: none"> ▪ Level 3 Disciplinary Probation ▪ Deferred Housing Suspension to Housing Suspension - 1 Semester to Permanent ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Selling/furnishing to minors 	<ul style="list-style-type: none"> ▪ Level 4 - 5 Disciplinary Probation ▪ Deferred Suspension - Suspension

<ul style="list-style-type: none"> ▪ First Offense, ARI Rating 1-5 	<ul style="list-style-type: none"> ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Selling/furnishing to minors ▪ Second Offense, ARI Rating 1-5 	<ul style="list-style-type: none"> ▪ Suspension - Dismissal
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Driving Under the Influence (DUI) ▪ First Offense, ARI Rating 2-5 	<ul style="list-style-type: none"> ▪ Level 3 to 4 Disciplinary Probation ▪ Loss of Campus Parking Privileges (on campus violations) ▪ BASICS or AOD Assessment ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Alcohol Policy and/or Violation of Law ▪ Driving Under the Influence (DUI) ▪ Second Offense, ARI Rating 2-5 	<ul style="list-style-type: none"> ▪ Suspension ▪ Other educational sanctions including but not limited to AOD treatment

*Sanction guidelines will be revised in Summer/Fall 2019

Guide to DRUG Related Sanctions

Incident/Situation	Range of Sanctions
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Marijuana Related ▪ First Offense 	<ul style="list-style-type: none"> ▪ Level 2 Disciplinary Probation ▪ MARIJUANA 101 ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Marijuana Related ▪ Second Offense 	<ul style="list-style-type: none"> ▪ Level 3-5 Disciplinary Probation ▪ Deferred Loss of Housing to Immediate Loss of Housing ▪ AOD Assessment ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Marijuana Related ▪ Second Offense, On Probation 	<ul style="list-style-type: none"> ▪ Loss of Housing, Temporary to Permanent ▪ Deferred Suspension ▪ Suspension
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Controlled Substance ▪ First Offense 	<ul style="list-style-type: none"> ▪ Loss of Housing, Temporary to Permanent ▪ Level 3-5 Disciplinary Probation ▪ AOD Assessment ▪ Other educational sanctions as warranted
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Controlled Substance ▪ Second Offense 	<ul style="list-style-type: none"> ▪ Level 4-5 Disciplinary Probation ▪ Suspension to Dismissal ▪ Loss of Housing ▪ AOD Assessment ▪ Other educational sanctions as warranted

<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Third or Multiple Offenses 	<ul style="list-style-type: none"> ▪ Suspension to Dismissal ▪ Loss of Housing ▪ Treatment as recommended by a professional ▪ Other educational sanctions/conditions as warranted
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Moderate to large quantity ▪ First Offense 	<ul style="list-style-type: none"> ▪ Suspension to Dismissal ▪ Other educational sanctions/conditions as warranted
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Moderate to large quantity ▪ Second Offense 	<ul style="list-style-type: none"> ▪ Suspension to Dismissal ▪ Other educational sanctions/conditions as warranted
<ul style="list-style-type: none"> ▪ Drug Policy and/or Violation of Law ▪ Selling, delivering, distributing or manufacturing ▪ Any Offense 	<ul style="list-style-type: none"> ▪ Suspension to Dismissal

*Sanction guidelines will be revised in Summer/Fall 2019

Employee Sanctions

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by employees on University premises, or while conducting University business off University premises, is absolutely prohibited.

Violations of this prohibition by employees may result in the application of sanctions, including possible required participation in an approved drug abuse assistance or rehabilitation program, and disciplinary action up to and including termination of employment under applicable regulations, University policies, statues, employment contracts, or collective bargaining agreements.

As academic communities, Pennsylvania State System universities are committed to providing environments in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. PA State System universities enforce state laws and related University policies.

STATE SYSTEM OF HIGHER EDUCATION DRUG-FREE WORKPLACE POLICY STATEMENT AND EMPLOYEE SANCTIONS

As required by the federal Drug-Free Workplace Act of 1988, the State System of Higher Education, Commonwealth of Pennsylvania, hereby declares as its policy that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited at any workplace under the authority of the Board of Governors. Any employee violating the policy will be referred to the commonwealth's employee assistance program (The State Employee Assistance Program) and/or disciplined, in an appropriate manner, up to and including termination. Discipline, when appropriate, shall be taken under relevant provisions of collective bargaining agreements, Civil Service Policy, or other personnel policies adopted by the Board of Governors.

Each university strongly encourages staff members to voluntarily obtain assistance for dependency or abuse problem before such behavior results in an arrest and/or disciplinary referral which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

STATE OF PENNSYLVANIA CODE SUMMARY OF ALCOHOL RELATED STATUTES

The following represents a summary of relevant statutes from the Pennsylvania Crimes Code (Title 18) and the Pennsylvania Liquor Code (Title 47) for alcohol related offenses:

1. A person, under the age of 21, commits a summary offense if he/she attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages. Maximum fine \$300 plus court costs and mandatory loss of your driver's license for 90 days for a first offense, one year for a second offense and two years subsequent offenses. Police officers making an arrest for this offense are obligated to notify the parents or guardians of the minor charged (Pa C.S.A. 6308).
2. 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 is under the age of 21 and knowingly and falsely represents him/herself to be 21 years of age or older, for the purpose of obtaining any liquor or malt or brewed beverages. Maximum fine is \$500 plus court costs and loss of driver's license (Pa C.S.A. 6307).
3. A person is guilty of a misdemeanor of the third degree if he/she knowingly, willfully, and falsely represents to any licensed dealer, or other person, that a minor is of legal age for the purpose of inducing a person to sell or furnish any liquor, malt or brewed beverages. The minimum penalty is a fine of not less than \$300 (Pa C.S.A. 6309).

4. A person commits a misdemeanor of the third degree if he/she intentionally and knowingly sells or intentionally and knowingly furnishes, or purchases with the intent to sell or furnish, any liquor or malt or brewed beverages to a person who is less than 21 years of age. Minimum penalty for violating this subsection is a fine not less than \$1000 for the first violation and a fine of \$2500 for each subsequent violation plus court costs (Pa C.S.A. 6310.1A).

5. A person commits a misdemeanor of the second degree if he/she 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. Minimum penalty is a fine of not less than \$1000 for the first violation and a fine of not less than \$2500 for each subsequent violation (Pa C.S.A. 6310.2).

6. A person commits a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation if he/she is under 21 years of age and possesses an identification card that falsely identifies the person as being 21. It is also a violation to use the identification card of another individual. Minimum penalty is a fine not more than \$500 plus court costs (Pa C.S.A. 6310.3).

7. It is unlawful for any person who is an operator or any occupant in a motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic beverages or controlled substances. This is a summary offense with a maximum penalty of \$300 (Pa C.S.A. 7513).

8. A person is guilty of a summary offense if he/she appears in any public place under the influence of alcohol or a controlled substance. Penalty is a maximum fine of \$300 plus court costs (Pa C.S.A. 5505).

9. A minor (under 21 years of age) shall not drive, operate or be in physical control of a motor vehicle while having alcohol in his/her system. This is a summary offense with a fine of \$100 (Pa C.S.A. 3718).

10. A person shall not drive, operate or be in physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance to a degree that renders the person incapable of safe driving. For an individual who is 21 years of age or older, the Blood Alcohol Content is .08, for a minor under 21, the Blood Alcohol Content is .02. It is a misdemeanor of the second degree for a first offense.

SUMMARY OF ALCOHOL RELATED STATUTES

Commonwealth of Pennsylvania Law - State law prohibits, among other things, the unauthorized manufacture, sale, delivery and possession of controlled substances. Consistent with federal law, Pennsylvania classifies controlled substances according to Schedules I through V. Penalties vary according to the type of controlled substance involved. For a simple possession of a small amount of marijuana (misdemeanor), persons may be subject to 30 days imprisonment and a \$500 fine. A person may be subject to a maximum of 15 years imprisonment and a \$25,000 fine for the manufacture, delivery or possession of a Schedule I or II controlled drug such as cocaine,

PCP or LSD (felony). Sentences can be doubled for second and subsequent offenses. Sentences can also be doubled for distribution of controlled offenses to persons under the age of eighteen. Penalties range from a mandatory minimum sentence of seven years and a \$50,000 fine for subsequent convictions for the manufacture, delivery or possession of 100 grams or more of a Schedule I or II controlled narcotic drug.

Pennsylvania Marijuana Possession Penalties Possession of Marijuana (pot) Penalties in PA are as follows:

- For 30 grams or less, you are facing misdemeanor charges of up to 30 days in jail, and a fine of \$500.
- For possession of more than 30 grams, the penalties go up to 1 year in jail and \$5000 in fines. Automatic six month loss of license.
- If you are a first time marijuana offender, it is possible to get probation without a verdict. For second (2nd) offense possession charges, or multiple subsequent offenses, the penalties may double.
- If you have more than 30 grams of marijuana, you run the risk of being charged with possession with intent to deliver or distribute in many cases.

Pennsylvania Drug Possession Penalties Possession of other Controlled Substances Penalties (Heroin, Cocaine, LSD/Acid, Ecstasy/MMDA, Meth, and prescription drugs including Vicodin and Oxycontin or illegal steroids)

- Up to one year in prison, and/or a \$5,000 fine first (1st) offense.
- Up to two years in prison for a second (2nd) offense.
- Up to three years in prison for a third (3rd) offense. Possession of more than five grams of crack (cocaine) may be subject to a minimum penalty of 5 years in prison.

Possession of Drug Paraphernalia, or Selling/distributing Marijuana

- Up to 1 year in jail and/or a fine of up to \$2500.
- For selling to a minor, under Pennsylvania Drug Laws, it can be a felony charge of up to 2 years in jail and a \$5000 fine.

Federal Drug Laws

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

Denial of Federal Aid (20 USC 1091)

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This

includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

Forfeiture of Personal Property and Real Estate (21 USC 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, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 USC 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) 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 1 year.

Drug/Substance	Amount	Penalty - 1st Conviction
Barbiturates	Any amount	Up to 5 years prison. Fine up to \$250,000
Cocaine	5 kgs. or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	Less than 100 grams	10-63 months prison. Fine up to \$1 million
Crack Cocaine	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	5-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	5 grams or less	10-63 months prison. Fine up to \$1 million

Ecstasy	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
GHB	Any amount	Up to 20 years imprisonment. Fine up to \$1 million. 3 years of supervised releases (following prison)
Hashish	10-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	10 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Hash Oil	1-100 kg	Up to 20 years imprisonment. Fine up to \$1 million.
	1 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Heroin	1 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	100 grams or less	10-63 months prison. Fine up to \$1 million
Ketamine	Any amount	Up to 5 years imprisonment. Fine up to \$250,000. 2 years supervised release
LSD	10 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	1-10 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
Marijuana	1000 kg or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	100-999 kg	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	50-99 kg	Up to 20 years imprisonment. Fine up to \$1 million
	50 kg or less	Up to 5 years imprisonment. Fine up to \$250,000
Methamphetamine	50 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million
	10-49 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months prison. Fine up to \$1 million
PCP	100 grams or more	Not less than 10 years prison, not more than life. Fine up to \$4 million

	10-99 grams	Not less than 5 years prison, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months prison. Fine up to \$1 million
Rohypnol	1 gram or more	Up to 20 years imprisonment. Fine up to \$1 million
	less than 30 mgs	Up to 5 years imprisonment. Fine up to \$250,000

Federal Drug Possession Penalties (21 USC 844)

Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750.

Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to \$250,000, or both if:

- A. It is a first conviction and the amount of crack possessed exceeds 5 grams;
- B. It is a second conviction and the amount of crack possessed exceeds 3 grams;
- C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

Civil penalties of up to \$10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

Short term alcohol and other drug counseling is available on campus to students through **Kutztown Counseling and Psychological Services (610-683-4072)** Students may be referred through the Counseling Center to other treatment programs for more intensive treatment.

Through **Kutztown University's** Human Resources department, **Kutztown University – State Employee Assistance Program**, offers employees additional education and counseling, as well as appropriate referrals.

Kutztown is located in Berks County and the Single County Authority is the Council on Chemical Abuse who provides referral information and lists of agencies that specialize in substance abuse issues. Council on Chemical Abuse Berks County, PA's resource for drug and alcohol prevention information and addiction treatment, 601 Penn Street, Suite 600, Reading, PA 19601, Phone 610-376-8669 | Fax 610-376-8423. Interested individuals are encouraged to contact the Council on Chemical Abuse for additional information regarding specific services and costs.

Prevention and Education

Through the [Health Promotion and Alcohol & Other Drug Services](#) (610-683-4240) and other departments and offices, a variety of individual, group, and community programs and interventions are administered on campus, and are listed below.

AlcoholEdu for College and Haven is a requirement for first-year undergraduate and first-year transfer undergraduate students. Kutztown University feels strongly that all students transitioning to take these courses so they have a foundation of knowledge about alcohol and sexual assault prevention. The incoming students for the 2017/2018 academic year received information on how access the account on August 1, 2017, prior to the start of their academic year. For more information contact the Director of HPAOD (Health Promotions & Alcohol and other Drugs) Services at cortez@kutztown.edu or 610-683-4082. In the 2018-2019 academic year the university will move to Campus Clarity as the course for first-year and transfer undergraduate students.

BASICS (Brief Alcohol Screening and Intervention of College Students) is a preventive alcohol abuse intervention program for college students 18 to 24 years old.

BASICS is designed to help students make better alcohol-use decisions. The program's style is not confrontational or judgmental, and it:

- Reduces the adverse effects of alcohol consumption
- Promotes reduced drinking
- Promotes healthier choices among young adults
- Provides important information and coping skills for risk reduction.

If you are interested in learning more about BASICS and/or would like to set up an appointment please contact Kutztown University's AOD Team at AODteam@kutztown.edu.

CASICS (Cannabis Abuse Screening and Intervention for College Students) is a preventive marijuana intervention program offered by HPAOD Services. Participants meet 1-on-1 with a trained specialist who will help them to evaluate their own marijuana use, to identify personal risks and to plan ways to reduce consequences associated with their marijuana use. CASICS sessions are non-judgmental and are personalized to the interests and needs of the student.

If you are interested in learning more about CASICS and/or would like to set up an appointment please contact HPAOD Services, Director of HPAOD Services at cortez@kutztown.edu or 610-683-4082.

Alcohol & Other Drugs (AOD) Awareness

- "AOD Challenge" students test their knowledge on AOD and current trivia
- "Boozed and Confused" interactive activities where students navigate through an obstacle course of life and challenges
- "Pill Popping Culture" it's in your medicine cabinet
- "Opioids" candid discussions on a topic and its impact on individuals and communities
- "SOBER choices" an interactive informational display table
- "WEED" an interactive informational display table
- "Alcohol Use Disorders Identification Test (AUDIT) screenings" where students have an opportunity to examine their individual choices
- "Party Tips" making smart choices, responsibility, safety, and decision making skills in a social situation

Tobacco Awareness and Cessation

- "Exhale" modern smoking
- "Thinking of Quitting" considering breaking-up with tobacco and exploring your readiness
- "Tobacco Cessation" resources available to assist students in living a tobacco-free lifestyle, individual appointments can be booked by contacting the Director of HPAOD Services at cortez@kutztown.edu or 610-683-4082.

Individual, group and community educational programs and interventions designed to prevent and reduce alcohol and other drug use/abuse are offered to the Kutztown University Community, as well as the coalition, known as Communities Mobilizing for Change on Alcohol (CMCA). CMCA is an evidence prevention program designated to reduce alcohol use among adolescents up to 20 years of age. The program employs community organizing techniques and environmental strategies in reducing use. We identified a void of student voices, and addressed the void with the formation of the Think Tank. The Think Tank is a coalition of students formed to address alcohol use at KU.

The President's Roundtable on Alcohol & Other Drug Services is a community and university coalition where stakeholders meet regularly to discuss creating a safe and thriving community in Kutztown. Their goals include the reduction of underage drinking for more information contact the technical assistance coordinator, Director of HPAOD Service, 610-683-4082.

As mandated by the Drug-Free Schools and Campuses Act, this policy is distributed to all students, staff and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. For more information concerning current programs, interventions and policies, contact **The Office of the Dean of Students** (deanofstudents@kutztown.edu; 610-683-1396).

Health Risks of Commonly Abused Substances

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing , vomiting, breathing difficulties, unconsciousness, coma, blackouts,	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep,	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage

Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, “heavy” arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity , increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, confusion, blurred vision, teeth clenching, depression,	same as LSD, sleeplessness, nausea, confusion, increased blood pressure,

		anxiety, paranoia, sleep problems, muscle tension	sweating , depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions death, physical dependence, psychological dependence
Marijuana/Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety	bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some
Mescaline	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature,	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, “heavy” feeling in arms and legs	constipation, loss of appetite collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision,	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts,

		delusions, paranoia, disordered thinking	psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,
Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence

Kutztown -- Campus Resources/Information

Kutztown University -- Counseling and Psychological Services	610-683-4072, Click here for more information about Counseling and Psychological Services
Kutztown University -- Health Promotion and Alcohol & Other Drug Services	610-683-4082; Option 3, Click here for more information about Health Promotion and AOD Services
Kutztown University – Health Administrative Services, Health & Wellness Center’s Director	610-683-4082; Option 2, Click here for more information about Health and Wellness
Kutztown University – Office of Student Conduct	610-683-1320, Click here for more information about Student Conduct
Kutztown University -- Public Safety	610-683-4001, Click here for more information about Public Safety
Kutztown University – Office of Social Equity	610-683-4700, Click here for more information about Social Equity
Kutztown University – Vice-President of Student Affairs	610-683-4328, Click here for information about Student Affairs
Kutztown University -- Employee Assistance Program	1-800-692-7459 Click here for more information about Employee Assistance Program

Kutztown – Off-Campus Resources/Information

Family Guidance Center	Phone: 610-374-4963, Click here for more information about Family Guidance Center
Family Marriage and Life Counseling Inc.	Phone: 610-683-3044
Kutztown Borough Police Department – Emergency	911
Kutztown Borough Police Department – Non - Emergency	Phone: 610-655-4911, Click here for more information about Kutztown Borough Police Department
County Sheriff’s Office – Emergency	911
County Sheriff’s Office – Non-Emergency	Phone: 610-478-6240, Click here for more information about County Sheriff Office
Your County State’s Attorney’s Office	Phone: 610-478-6000, Click here for more information about State Attorney Office

In accordance with Americans with Disabilities Act of 1990, no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the University. Further, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the University or be subjected to discrimination by the University.