

DRUGS and ALCOHOL

Striving for a Drug-Free Environment for Students and Employees at Lehigh University

The Drug-Free Workplace Act of 1988 (P.L. 100-690) and the Drug-Free Schools and Communities Act Amendments of 1989 (P.L. 101-206) require that each college and university receiving federal financial assistance provide annually the following information in writing to all students and employees:

A. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on its property or as part of its activities.

B. A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol.

C. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

D. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.

E. A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, state and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

In accordance with these laws the information below is presented for your knowledge.

A. Standards of Conduct

1. Students: The unauthorized use, distribution, or possession of any controlled substance or illegal drug or alcohol in violation of Pennsylvania State Law on Lehigh premises or at activities sponsored by or affiliated with the University is in violation of the University Code of Conduct.

2. Employees: The sale, purchase, transfer, use or possession of illegal drugs by employees on University premises or while on University business is prohibited. Further, the use of any legally obtained drug, including alcohol, to the point where such use adversely affects the employee's job performance, is prohibited.

B. Criminal Sanctions Under Local, Pennsylvania, and Federal Law

The following description is a summary only and is not a substitute for legal advice. Anyone wishing legal advice should consult an attorney.

1. City of Bethlehem

Public consumption of alcoholic beverages and possession of open containers of alcoholic beverages in a public place or in an automobile is illegal and punishable by law. Punishment includes a \$100 fine or 30 days imprisonment (or both) for the first offense; a \$300 fine or 60 days imprisonment (or both) for the second offense; and a \$600 fine or 90 days imprisonment (or both) for the third and each subsequent offense.

¹ *This Report is distributed annually to Lehigh faculty, staff and students in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989.*

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2. Commonwealth of Pennsylvania

Alcohol: A person less than 21 years of age commits a summary offense if he or she attempts to purchase, consume, possess, or knowingly and intentionally transport any liquor or malt or brewed beverage. Violation of this law is punishable by fines up to \$500, imprisonment up to 90 days, and mandatory loss of driving privileges in the Commonwealth of Pennsylvania. Misrepresentation of age to purchase alcohol is also punishable by fines up to \$500, imprisonment up to one year and loss of driving privileges. Altering, selling, or manufacturing false identification is punishable by a fine of up to \$2,500 (first offense) and up to \$5,000 (second and subsequent offense) plus loss of driving privileges. Selling or furnishing alcoholic beverages to those under 21 is punishable by a mandatory fine of up to \$2,500 (first offense) and \$2,500 (second and each subsequent offense). All persons, while in the Commonwealth of Pennsylvania, are subject to the Pennsylvania Liquor Code and Crimes Code.

Pennsylvania law provides that a person with a blood alcohol content (BAC) of .08% or greater who operates a motor vehicle is considered driving under the influence and is subject to prosecution under Pennsylvania law.

A more complete summary of Pennsylvania laws and penalties related to alcohol may be found on the *Pennsylvania Liquor Control Board's* website at:
<http://www.lcb.state.pa.us/edu/cwp/view.asp?a=1346&q=555019>.

Drugs: *The Controlled Substance, Drug, Device and Cosmetic Act*, 35 Pa. C.S.A. 780-101 et seq., establishes five schedules of controlled substances based on dangerousness and medical uses. It prohibits the manufacture, distribution, sale or acquisition of controlled substances except in accordance with the Act as well as acquisition by misrepresentation or forgery or the knowing possession of controlled substances unlawfully acquired.

Penalties for first-time violators of the Act range from 30 days imprisonment, \$500 fine, or both for possession or distribution of a small

amount of marijuana or hashish, not for sale, to 15 years or \$250,000 or both for the manufacture or delivery of a Schedule I or II narcotic. A person over eighteen years of age who is convicted for violating the Act, shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1,000 feet of the real property on which a university is located, the person shall be sentenced to an additional minimum sentence of at least two years total confinement.

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.

The Vehicle Code, 75 Pa. C.S.A. 3101 et seq., which was amended effective July 1, 1977, prohibits driving 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 30 days.

3. Federal

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 the law prohibits the knowing or intentional manufacture, distribution, dispensing, or possession with intent to distribute or dispense a controlled substance. If the quantity of controlled substance is large (e.g.

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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. Double or triple penalties are imposed against persons 18 or older who distribute to persons under the age of 21. 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.

Please see the *U.S. Drug Enforcement Administration* website at: www.dea.gov/agency/penalties.htm for the most recent and complete information about Federal drug trafficking penalties.

Students who have been convicted under a state or federal law prohibiting 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.)

C. Health Risks

ALCOHOL

The following information pertaining to alcohol is from *What Works: Schools Without Drugs*, U.S. Department of Education (1992):

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol can also lead to permanent damage to vital organs, such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants may have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than others of becoming alcoholics.

MARIJUANA

Short-term effects: Substantial increase in heart rate; bloodshot eyes; dry mouth and throat; and increased appetite.

Long-term effects: Respiratory problems; decreased vital capacity; increased risk of lung cancer; and in men: lower levels of sex hormone testosterone and an increase in abnormal sperm count.

STIMULANTS

Short-term effects: Dilated pupils; elevated blood pressure, heart rate, respiratory rate, and body temperature; stuffy or runny nose.

Long-term effects: Painful nosebleeds and nasal erosion; injecting cocaine with contaminated equipment can cause AIDS, hepatitis, and other diseases; intense "downs" that result in physical and/or emotional discomfort; tolerance and physical dependence; and death by cardiac arrest or respiratory failure.

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Examples: Cocaine, over the counter cold remedies, prescriptions such as Ritalin and diet drugs, crystal meth, speed, tobacco and caffeine.

AMPHETAMINES

Short-term effects: Increased heart and respiratory rates; elevated blood pressure; dilated pupils; and decreased appetite. Users may experience sweating; headache; blurred vision; dizziness; sleeplessness; and anxiety.

Long-term effects: Malnutrition; hallucinations; tolerance, psychological and sometimes physical dependence. These symptoms usually disappear when drug use ceases.

Examples: Speed, uppers.

DEPRESSANTS

Short-term effects: Small amounts can produce calmness and relaxed muscles, while larger doses can cause slurred speech, staggering gait, and altered perception.

Long-term effects: Confusion; depression; loss of coordination; tolerance (physical and psychological); overdose may cause coma or death; can be lethal when combined with alcohol.

Examples: Alcohol, prescription drugs like Valium and Xanax, sleeping pills.

HALLUCINOGENS

Short-term effects: Unpredictable, depending upon dosage and user's personality, mood and expectations. Hallucinations; panic; irrational behaviors since drug blocks pain receptors (which can lead to increased risk of accidents and injuries); muscular condition worsens; senses dulled; speech blocked and incoherent.

Long-term effects: Flashbacks (certain aspects of LSD experience recur even though user is not taking drug); tolerance; overdose can lead to convulsions, coma and death; possible birth defects in children of LSD users.

Examples: LSD, PCP, DMT, STP, mescaline.

NARCOTICS

Short-term effects: Initial feeling of euphoria followed by drowsiness, nausea, and vomiting; constricted pupils; watery eyes and itching.

Long-term effects: Malnutrition; collapsed veins; liver disease; use of contaminated syringes may result in diseases such as AIDS, endocarditis, and hepatitis; addiction; tolerance; overdose leading to convulsions, coma and death.

Examples: Heroin, opium, morphine, codeine and prescription pain pills like Percocet.

INHALANTS

Short-term effects: Act directly on central nervous system to produce mind-altering effect; slows down body functions; alcohol-like effects such as slurred speech, loss of coordination; euphoria, dizziness; hallucinations and delusions.

Long-term effects: Kidney abnormalities; liver damage; memory impairment; attention deficits; diminished non-verbal intelligence; death resulting from heart failure, asphyxiation, or aspiration; addiction.

Examples: Glue, lighter fluid, cleaning fluids, and paint products.

CLUB DRUGS

Short-term effects: May interfere with body's ability to regulate temperature; many of same risks as users of stimulants and amphetamines, such as increases in heart rate and blood pressure; muscle tension, involuntary teeth clenching; nausea; blurred vision; faintness and chills or sweating.

Examples: MDMA (Ecstasy), GHB, GBL.

Much of the above information is drawn from the *U.S. Department of Justice's* website. For

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more detailed information about the street names, short-term effects, long-term effects, trafficking trends, treatment resources and other information pertaining to these and other illicit drugs, please refer to the website at:

<http://www.usdoj.gov/dea/concern/concern.htm>.

D. Drug and Alcohol Counseling Opportunities

1. Students: University Counseling and Psychological Services (UCPS) is located on the fourth floor of Johnson Hall at 36 University Drive. Services are offered free of charge for a wide range of issues revolving around substance abuse, misuse, abuse, and dependency. The staff provides services that span prevention, intervention, treatment and aftercare. Help can be offered through individual, family, and group sessions and can be in the form of therapy and/or education. Additional information about the services provided by UCPS can be found at <http://www.lehigh.edu/~incso/cso.htm>.

Any contact with the staff of the UCPS is held in the strictest confidence. No information is reported to anyone except with written permission or in an emergency. The services that the office provides may be from one session to ongoing sessions throughout the year. Appointments are easy to make by calling (610) 758-3880 or stopping by during office hours, Monday through Friday from 8am to 5pm.

2. Employees: Employees who have a substance abuse problem are strongly encouraged to use the Employee Assistance Program (EAP) available to all Lehigh faculty and staff. The EAP is a confidential assessment, brief counseling, and referral service managed by Integrated Behavioral Health (IBH). Employees may contact IBH by telephone at 1-800-395-1616 or by email at info@ibhcorp.com. There are also valuable resources available to employees at www.ibhcorp.com.

Supervisors or managers who are faced with an employee substance abuse problem may consult with the Office of Human Resources to determine an appropriate course of action.

3. Other Resources:

Lehigh University Health & Wellness Center
36 University Drive
Bethlehem, PA 18015
Phone: 610-758-3870
inluhc@lehigh.edu
<http://www.lehigh.edu/health/>

Alcoholics Anonymous (AA)
<http://www.aalv.org/>

AlcoholEdu for College, an online alcohol-abuse prevention program, is accessed through the Campus Portal and is available to first year students.

Northampton County Drug & Alcohol
520 E. Broad Street, Second Floor
Bethlehem, PA 18018-6395
Phone: 610-997-5800
<http://www.northamptoncounty.org/northampton/cwp/view.asp?A=1528&Q=620637>

American Psychiatric Association:
<http://healthyminds.org>

SMART Recovery: www.smartrecovery.org

E. University Sanctions

The University will impose appropriate sanctions on students or employees who violate the standards of conduct as set forth in Sections A.1 and A.2 above.

1. Students: Violations of the standards of conduct in Section A.1 above will result in (a) disciplinary action as outlined in the University Student Conduct System section of the Lehigh University Student Handbook, and (b) legal action consistent with local, state and federal laws. Possible disciplinary actions include warning, probation, suspension or expulsion, and other sanctions as deemed appropriate, including referral for prosecution. Please refer to the current version of the Code of Conduct, located on the University's website at: <http://www.lehigh.edu/~indost/conduct/handbook/sect6.shtml> for a description of applicable sanctions.

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As permitted by the Family Educational Rights and Privacy Act (FERPA), the Office of Student Conduct will notify parents/guardians of a student who is under the age of 21 any time he or she is found responsible for violating the University's Code of Conduct relating to alcohol or drug offenses.

In addition, in all disciplinary cases involving drugs or alcohol in which the student is not suspended or expelled, the Student Judicial Officer will impose a mandatory interaction with the University Counseling and Psychological Services (UCPS).

2. Employees: Violations of the Standards of Conduct in Section A.2 above will result in (a) disciplinary action as set forth in Rules and Procedures of the Faculty and the Lehigh University Staff Guides, and (b) legal action consistent with local, state, and federal laws. Violations are subject to disciplinary action up to and including suspension from work without pay during an investigation, a period of provisional employment, which may result in termination, termination of employment or tenure, and referral for prosecution.