

## Table of Contents

[Federal Drug-Free Schools and Communities Act Requirements](#)  
[Standards of Conduct](#)  
[Prohibited Conduct \(Students and Employees\)](#)  
[Potential Legal Sanctions- Pennsylvania State Law](#)  
[Albright College Compass- Student Code of Conduct](#)  
[Responsible Albrightian Policy](#)  
[Albright College Athletics Department- Drug Testing Policy](#)  
[Employees - Drug and Alcohol Policy Standards of Conduct \(HR\)](#)  
[Alcohol and Drug Intervention Programs](#)

## Drug-Free Workplace and Drug-Free Campus Report

In compliance with the Federal Drug-Free Schools and Communities Act, it is the responsibility of Albright College to provide an environment that is free from the use, sale, possession, or distribution of illegal drugs or the improper or abusive use of legal drugs or alcohol on the property of Albright College.

The values that guide the Albright College community mold both academic tradition and out of classroom experiences. It is an institutional priority to embrace the well-being of our students and the community by ensuring academic success, as well as physical, mental and emotional health and wellness. The College offers meaningful educational programs and has instituted policies that align with these values and mission in order to foster a safe campus environment for the entire Albright College community.

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Students who are concerned about their substance use may access a confidential self-survey on the Albright College Counseling Center site at [www.albright.edu/alcohol/](http://www.albright.edu/alcohol/) and [www.albright.edu/substance/](http://www.albright.edu/substance/) or contact the center directly at 610-921-7532 for confidential support. Counseling Center appointments can be made M – F, 10 a.m.-6 p.m. Gable Health Center appointments can be made M – F, 8:30 a.m. – 4:30 p.m. For the availability of hours during the summer, please call the center at 610-921-7532.

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The Drug-Free Schools and Communities Act requires every higher education institution that receives any form of Federal funding to implement a drug and alcohol prevention program (DAAPP). The purpose of this program is to prevent the unlawful possession of alcohol and drugs. Albright College is concerned about the well-being of its community members and values the expectations of the Drug-Free School and Communities Act. Below is the most updated version of Albright College’s drug and alcohol prevention program.

### **Standards of Conduct**

A complete copy of the Student Code of Conduct appears in the student handbook, *The Compass*, available online at [www.albright.edu/student-life/compass/](http://www.albright.edu/student-life/compass/).

## Prohibited Conduct

### Students

- Violation of any federal, state or local law is prohibited.
- Use, possession, transmission, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by Federal law. Conspiring, co-conspiring, or facilitating in drug selling, distribution, and manufacturing is prohibited. Use or possession of drug paraphernalia is also prohibited.
- Use, possession, manufacturing, or distribution of alcoholic beverages is prohibited (except as expressly permitted by College regulations). Alcoholic beverages may not, in any circumstances be used by, possessed or distributed or sold to any person under twenty-one (21) years of age. Please refer to the Albright College student handbook, *The Compass*, for details.

### Employees

- Employees may not possess, use, purchase, sell, or transfer illegal drugs or controlled substances in any amount on Albright College property (including parking lots), or in College owned vehicles (either owned by, leased to or used on behalf of the College), or while on College business or performing College-related duties on or off campus. Illegal drugs or substances are those which cannot be legally obtained, including controlled substances and controlled substance analogues, as well as those drugs which, although legal, have been illegally obtained (i.e., prescribed drugs not being used for prescribed purposes or not being used by the intended recipient of the prescription, including amphetamines and barbiturates). Examples of illegal drugs include marijuana, cocaine, “crack,” heroin, morphine, phencyclidine (PCP), hallucinogens, narcotics, etc.
- Employees may not possess, use or consume illegal drugs or substances on or off College property during working hours, lunch periods, or break or relief periods.
- Employees may not report to work “under the influence” of illegal drugs or substances. “Under the influence” is defined as a person being affected by alcoholic drink and/or drugs. It also is a term used to describe the state of intoxication which is criminal during certain activities.
- Employees are prohibited from bringing drug paraphernalia onto College property (including parking lots) at any time.
- Employees may not possess, use, purchase, sell, or transfer alcohol on College property (including parking lots), or in College vehicles (either owned by, leased to or used on behalf of the College), or while on College business or performing College related duties on or off campus. An exception to this general rule is the responsible and legal use of alcohol at College sponsored events. The College does not take responsibility for the improper or illegal use of alcohol at such events.

## Potential Legal Sanctions - Pennsylvania State Law

### 6307. Misrepresentation of age to secure liquor or malt or brewed beverages.

**(a) Offense defined.** 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, being under the age of 21 years, knowingly and falsely represents himself to be 21 years of age or older to any licensed dealer, distributor or other person, for the purpose of procuring or having furnished to him, any liquor or malt or brewed beverages.

**(b) Minimum penalty.** In addition to any other penalty imposed pursuant to section 6310.4 (relating to restriction of operating privileges) or this title or other statute, a person who is convicted of violating subsection (a) may be sentenced to pay a fine of not more than \$500 for subsequent violations. No court shall have the authority to suspend any sentence as defined in this section.

**6308. Purchase, consumption, possession or transportation of liquor or malt or brewed beverages.**

- (a) Offense defined.** A person commits a summary offense if he, being less than 21 years of age, attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages, as defined in section 6310.6 (relating to definitions). For the purposes of this section, it shall not be a defense that the liquor or malt or brewed beverage was consumed in a jurisdiction other than the jurisdiction where the citation for underage drinking was issued.
- (b) Penalty.** In addition to the penalty imposed pursuant to section 6310.4 (relating to restriction of operating privileges), a person convicted of violating subsection (a) may be sentenced to pay a fine of not more than \$500 for the first violation and not more than \$1,000 for the second and each subsequent violation.

**6309. Representing that minor is of age.**

- (a) Offense defined.** A person is guilty of a misdemeanor of the third degree if he knowingly, willfully, and falsely represents to any licensed dealer, or other person, any minor to be of full age, for the purpose of inducing any such licensed dealer or other person, to sell or furnish any liquor or malt or brewed beverages, as defined in section 6310.6 (relating to definitions), to the minor.
- (b) Minimum penalty.** In addition to any other penalty imposed pursuant to this title or other statute, a person committing an offense under this section shall be sentenced to pay a fine of not less than \$300. There shall be no authority in any court to impose on an offender any lesser sentence than the minimum sentence mandated by this subsection. In no case shall the sentence exceed the maximum sentence prescribed by law. No court shall have the authority to suspend any sentence as defined in this section.

**6310. Inducement of minors to buy liquor or malt or brewed beverages.**

**6310. Inducement of minors to buy liquor or malt or brewed beverages.**

- (a) Offense defined.** A person is guilty of a misdemeanor of the third degree if he hires or requests or induces any minor to purchase, or offer to purchase, liquor or malt or brewed beverages, as defined in section 6310.6 (relating to definitions), from a duly licensed dealer for any purpose.
- (b) Minimum penalty.** In addition to any other penalty imposed pursuant to this title or other statute, a person convicted of an offense under this section shall be sentenced to pay a fine of not less than \$300. There shall be no authority in any court to impose on an offender any lesser sentence than the minimum sentence mandated by this subsection. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than the minimum sentence mandated in this subsection. In no case shall the sentence exceed the maximum sentence prescribed by law. No court shall have the authority to suspend any sentence as defined in this section.
- (c) Exception for compliance checks.**
- (1) An individual who is under 21 years of age may purchase, attempt to purchase, possess or transport liquor or malt or brewed beverages if all of the following apply:
    - i. The individual is at least 18 years of age.

- ii. The individual is an officer, employee or intern of the Bureau of Liquor Control Enforcement of the Pennsylvania State Police.
  - iii. The individual has completed training specified by the bureau.
  - iv. The individual is acting within the scope of prescribed duties.
  - v. The individual is acting under the direct control or supervision of a bureau officer who is an adult.
- (2) Under no circumstances may individuals under 21 years of age consume liquor or malt or brewed beverages.
- (3) The Pennsylvania State Police shall promulgate regulations prescribing the manner in which compliance checks are to be performed. Compliance checks under this subsection shall be conducted in a manner consistent with the regulations. Regulations shall require, at a minimum, all of the following:
- i. Prior to participation in the compliance check, the officer, employee or intern shall undergo training approved by the Bureau of Liquor Control Enforcement.
  - ii. A person licensed to sell liquor or malt or brewed beverages that is found to be in compliance with this section during a compliance check shall be notified in writing of the compliance check and the determination of compliance.
  - iii. A person licensed to sell liquor or malt or brewed beverages that is found to be noncompliant with this section during a compliance check shall be immediately verbally advised by the supervising bureau officer and shall be notified in writing of the failure to comply within ten working days of the date of the compliance check.

#### **6310.1. Selling or furnishing liquor or malt or brewed beverages to minors.**

- (a) Offense defined.** Except as provided in subsection (b), a person commits a misdemeanor of the third degree if he 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.
- (b) Exceptions.** The provisions of this section shall not apply to any religious service or ceremony which may be conducted in a private home or a place of worship where the amount of wine served does not exceed the amount reasonably, customarily and traditionally required as an integral part of the service or ceremony.
- (c) Minimum penalty.** In addition to any other penalty imposed pursuant to this title or other statute, a person who is convicted of violating subsection (a) shall be sentenced to pay a fine of not less than \$1,000 for the first violation and a fine of \$2,500 for each subsequent violation. There shall be no authority in any court to impose on an offender any lesser sentence than the minimum sentence mandated by this subsection. No court shall have the authority to suspend any sentence as defined in this section. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than the minimum sentence mandated in this subsection. In no case shall the sentence exceed the maximum sentence prescribed by law.

#### **6310.2. Manufacture or sale of false identification card.**

- (a) Offense defined.** A person commits a misdemeanor of the second degree if he 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.
- (b) Minimum penalty.** In addition to any other penalty imposed pursuant to this title or any other statute, a person who is convicted of violating subsection (a) shall be sentenced to pay a fine of not less than \$1,000 for the first violation and a fine of not less than \$2,500 for each subsequent violation. There shall be no authority in any court to impose on an offender any lesser sentence than the minimum sentence mandated by this subsection. In no case shall the sentence exceed the maximum sentence prescribed by law. No court shall have the authority to suspend any sentence as defined in this section.

**(c) Adjudication of delinquency.** In addition to any other disposition authorized by law, a person adjudicated delinquent under subsection (a) shall be ordered to pay a fine of \$500 for the first adjudication of delinquency and a fine of \$1,000 for each subsequent adjudication of delinquency.

### **6310.3. Carrying a false identification card.**

**(a) Offense defined.** A person commits a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation if he, being under 21 years of age, possesses an identification card falsely identifying that person by name, age, date of birth or photograph as being 21 years of age or older or obtains or attempts to obtain liquor or malt or brewed beverages by using the identification card of another or by using an identification card that has not been lawfully issued to or in the name of that person who possesses the card.

**(b) Minimum penalty.** In addition to any other penalty imposed pursuant to section 6310.4 (relating to restriction of operating privileges) or any other statute, a person who is convicted of violating subsection (a) shall be sentenced to pay a fine of not more than \$500 for the second and subsequent violations. No court shall have the authority to suspend any sentence as defined in this section.

**(c) Adjudication of delinquency.** In addition to any other disposition authorized by law, a person adjudicated delinquent under subsection (a) may be ordered to pay a fine not exceeding \$500 for an adjudication of delinquency.

**(d) Preadjudication disposition.**

1. When a person is charged with violating subsection (a), the court may admit the offender to the adjudication alternative as authorized in 42 Pa.C.S. § 1520 (relating to adjudication alternative program) or any other preadjudication disposition if the offender has not previously received a preadjudication disposition for violating subsection (a).

2. The use of a preadjudication disposition shall be considered a first or subsequent offense, whichever is applicable, for the purpose of further adjudication under this section or under section 6310.4.

**(e) Notification.** The police department making an arrest for a suspected violation of subsection (a) shall so notify the parents or guardian of the minor charged.

### **Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance**

21 U.S.C. 844(a)

- First conviction - Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2,500 but not more than \$250,000, or both.
- After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000, or both.
- Special sentencing provision for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000, or both if:
  - First conviction and the amount of crack possessed five grams.
  - Second crack conviction and the amount of crack possessed exceeds 1 gram.
  - Third or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack)

21 U.S.C. 881(a)(4)

- Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844

- A civil fine up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 853

- A denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 U.S.C. 922(g)

- Ineligible to receive or purchase a firearm.

Federal Penalties and Sanctions for Illegal Trafficking and Possession of a Controlled Substance: Federal Trafficking Penalties can also be found at: [www.dea.gov/druginfo/ftp3.html](http://www.dea.gov/druginfo/ftp3.html)

### **Albright College Compass - Student Code of Conduct**

#### **Alcohol**

- a. Distribution/providing to a minor: Students 21 years of age are not to provide alcohol to minors.  
**Note:** If a 21-year-old student is found in a room with underage consumption occurring, he/she may be subject to disciplinary action.
- b. Drinking in public areas, or public intoxication. This includes, but is not limited to: **(i)** public drunkenness; **(ii)** alcohol-induced disorderly conduct; **(iii)** property destruction; **(iv)** intimidation, or otherwise; **(v)** infringing upon the rights or privacy of others; **(vi)** open, unconcealed alcohol containers in public areas, such as residence hall hallways or outdoors, are not permitted; **(vii)** use and/or possession of alcohol in any common area is prohibited - Note: Possession is defined as being in the presence of alcohol; **(viii)** empty alcohol bottles or cans are not permitted in rooms where occupants are under 21 - Note: Empty alcohol bottles used for decorative purposes are prohibited. This includes empty alcohol bottles refilled with colored liquids, sand, or any other substances.
- c. Underage consumption/possession: Students who are underage must not consume or possess either closed or open alcohol. Note: Possession is defined as being in the presence of alcohol.

- d. **Illegal Purchase/Transport:** It is unlawful to purchase alcohol illegally or transport liquor or alcohol within the Commonwealth unless it has been purchased from a Pennsylvania wine and spirits store or in accordance with Liquor Control Board regulations. Persons who violate these laws subject themselves to College disciplinary action and prosecution from the Commonwealth.
- e. **Irresponsible alcohol:** This includes, but is not limited to: **(i)** introducing a substance into someone's drink that would have adverse effects on them; **(ii)** driving under the influence; **(iii)** serving alcohol to intoxicated individuals; **(iv)** any student who uses alcoholic beverages is expected to do so in a manner that does not discredit himself or herself or the College, nor interfere with the rights and freedoms of others; **(v)** behavior that disturbs, causes embarrassment, health risk or property damage; **(vi)** any effort to induce a student to drink against an expressed desire shall be considered an offense. (Impairment, attributable to the consumption of alcohol, that substantially interferes with student judgment and decision making); **(vii)** possessing or participating in drinking games; **(viii)** behavior that requires the intervention of College personnel (i.e., any student who appears at a College function or on campus in an intoxicated condition, or who creates a disturbance by reason of excessive drinking on or off campus); **(ix)** individuals who attempt to force or induce another person to drink against his or her expressed desire, or breaches, attempts, or induces a breach of the laws of the Commonwealth of Pennsylvania in regard to alcoholic beverages, will be subject to disciplinary action; **(x)** possession of excessive quantities of alcohol; use or possession of kegs, beer balls, beer bongs, funnels and similar products.

Albright College allows students who are 21 years of age to use alcoholic beverages in the privacy of their assigned room, apartment or house. Note: All roommates must be 21 years of age otherwise the room, apartment or house is considered dry. Alcohol is not permitted in any common area of residence halls, including lounges. Kegs or any other common-source containers of alcohol are prohibited in or around residence halls and apartments. Appropriate charges will be filed for everyone involved. Rooms/apartments/houses in which all assigned residents are not of legal drinking age are considered dry rooms (no alcohol permitted in that room/apartment). Please refer to *The Compass* for specific information about the use of alcohol on the Albright College campus. Note: empty alcohol bottles or cans are not permitted in rooms where occupants are under 21. This includes alcohol containers or items used for decorative purposes. Students in violation of the Alcohol Policy will be referred to Residential Life and/or Community Standards. Additionally, guests are not permitted to bring alcohol into a room, or residence hall, where residents are under the age of 21.

### **Drugs**

- a. Usage (including salvia divinorium, medical marijuana, and synthetic forms of banned substances, including but not limited to, K2, Spice, Black Magic, bath salts, etc.), possession, distribution, knowledge of, or in the presence of drugs or drug paraphernalia, or other items intended for drug use.
- b. The use of, or possession, or possession for the purpose of planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packing, repacking, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance is a violation of this act.
- c. **Unauthorized Administration of Intoxicant:** A person who substantially impairs a student's power to assess or control his or her conduct by administering, without the knowledge of the student, drugs or other intoxicants.

**1<sup>st</sup> Offender – Sanctions**

- \$100.00 Fine – Community Standards
- Parent Notification
- Level I Substance Use Education Group (1 session) referral to Caron Foundation - \$50.00 Fee will apply
- Disciplinary Probation (1 semester)

**2<sup>nd</sup> Offender – Sanctions**

- \$200.00 Fine – Community Standards
- Parent Notification
- Level II Substance Use Intervention (2 individual sessions) referral to Caron Foundation - \$125.00 Fee will apply
- Disciplinary Probation (2 semesters)

**3<sup>rd</sup> Offender – Sanctions**

- \$300.00 Fine – Community Standards
- Parent Notification
- Level III Substance Use Intervention (3 individual sessions) referral to Caron Foundation - \$175.00 Fee will apply
- Disciplinary Probation (2 semesters)
- Restrictive Probation (1 – 2 semesters): This includes some type of athletic or student club/organization suspension; and or removal from housing

**Notes:**

- It is possible that students may be referred to the Gable Counseling Center, Caron Foundation, or other off-campus site for evaluation, assessment and/or treatment at any time, depending on the nature of a student's situation.
- All referrals / sanctions are cumulative – whether alcohol or drugs. Furthermore, a progressive discipline model is followed, along with an educational approach!
- It is also possible that students may be subject to removal from housing and/or suspension for a first or second offense, depending on the seriousness of the situation.
- Students are responsible for all costs!

**Responsible Albrightian Policy**

Albright College's primary concern is the health and safety of its students. The College is aware that students are sometimes reluctant to seek medical attention in alcohol and other drug related emergencies out of fear that they may face sanctions related to possessing or consuming alcohol or other drugs. Because these emergencies are potentially life-threatening, Albright College seeks to create a culture of trust and care paired with safety and responsibility while reducing any barriers that would prevent students from seeking assistance by implementing the Responsible Albrightian Policy. The Responsible Albrightian Policy provides consideration for alternative consequences for a student who, while under the influence of alcohol or other drugs, responsibly reports alcohol and/or other drug-related emergencies to the proper authorities for the intention of seeking medical or safety assistance for anyone in need of emergency care. Alternative consequences should not be confused with amnesty.



## **Albright College Athletics Department- Drug Testing Policy**

### ***Purpose***

The Albright College Athletics Department created a drug education and testing program out of concern for the health, safety and welfare of student-athletes who participate in its programs and represent the College in competitive athletics. Drug testing is necessary to ensure the health and safety of the College's student-athletes, to promote fair competition in intercollegiate athletics, to affirm compliance with NCAA rules, and to avoid physiological dependence on an illegal substance. Further, the Albright College Athletics Department recognizes its responsibility to provide educational programming to inform student-athletes of the dangers inherent in the misuse of illegal drugs. Programming is embedded to explain local, state and federal laws concerning the use and possession of drugs and to reinforce alternative activities while supporting a drug-free lifestyle for student-athletes. The Albright College Athletics Department believes a program that embraces education and screening will facilitate positive decision-making by the College's student-athletes.

### ***Goals***

1. To educate student-athletes and coaches concerning the problems associated with the use of drugs.
2. To discourage illicit drug use by Albright College student-athletes.
3. To encourage an atmosphere of open discussion in reference to any questions student-athletes may have with regard to use and abuse of illegal drugs.
4. To promote informed, intelligent decision-making on the part of the College's student-athletes with regard to the use of illegal drugs.

### ***Conditions of Eligibility***

All varsity student-athletes of Albright College must sign an NCAA form annually in which they consent to drug testing during NCAA postseason championships for the use of drugs prohibited by the NCAA. In addition, all Albright College varsity student-athletes must sign a College consent form to allow for drug screening and limited release of screening results. Procedures and eligibility are designated and set forth by the Albright College Athletics Department.

### ***Prohibited Drugs/Banned Substances***

During the time when a student-athlete is a member of or affiliated with an Albright College intercollegiate athletics team, he/she may not use the drugs/banned substances specified by the NCAA (see Appendix A). Any use of the banned substances is expressly prohibited, whether such use occurs before, during or after the student-athlete's competitive season. Any student-athlete who has a medical condition for which the use of a prescribed drug containing a banned substance is authorized must submit a statement of authorization by the prescribing health-care provider to the head athletic trainer of Albright College prior to testing. Banned substances for which Albright College tests may be of the same or different content than those of the NCAA. Note that the drug panel used for testing at Albright College includes but is not limited to the following: amphetamines, cocaine, opiates, methamphetamine, THC, benzodiazepines and barbiturates.

### ***Dietary Supplements***

The Albright College Athletics Department will neither distribute nor encourage the use of any dietary supplements or ergogenic aids that have not been cleared by the Dietary Supplement Resource Exchange Center.

This list can be found at [www.drugfreesport.com](http://www.drugfreesport.com). Many dietary supplements or ergogenic aids contain banned substances. Often, the labeling of dietary supplements is not accurate and/or is misleading. Using unregulated dietary supplements may cause a positive drug test. Any student-athlete who has intentions of taking or is currently taking dietary supplements is encouraged to review the product with the Athletics training staff.

### ***Educational Programming***

The head athletic trainer, or a representative, will meet with each team prior to the start of its season to review the Drug Testing and Education Program and to answer any questions or concerns of the student-athletes. Yearly, a drug and alcohol speaker is provided to the student-athletes by the Athletics Department. Student-athletes are also urged to attend all programs offered by Albright College on drug use and abuse. Student-athletes are educated on an individual team basis by the Athletic training staff on dietary supplements and ergogenic aids, and as requested by individual team head coaches. This education is limited to those supplements that are of interest to the athletes of each team.

### ***Responsibility of the Student Athlete***

It is the responsibility of each student-athlete to read the Albright College Athletics Department's Drug Testing Policy prior to participation in athletics. If the student-athlete tests positive under the guidelines set forth in the Athletic Department's Drug Testing and Education Program, it will be the student-athlete's responsibility to pay for any services which are involved in the ensuing sanctions.

### ***Selection and Notification Process***

All student-athletes will be subject to periodic, unannounced, random testing. The selection of individuals to be tested will be made through a random drawing of names from the team roster by the head athletic trainer or designee. Student-athlete notification of selection shall come from the head athletic trainer or designee. This notification procedure shall occur immediately prior to the scheduled testing. Such notification shall be delivered to the student-athlete verbally, and the student-athlete will be presented with the Drug Testing Custody and Request Form (see Appendix B) to complete prior to testing. The student-athlete is required to complete, sign and submit the documentation to the head athletic trainer or designee prior to testing. The student-athlete must remain with the tester until producing a sample.

### ***Reasonable Suspicion Testing***

A student-athlete may be subject to testing at any time when the directors of athletics and the head athletic trainer determine that there is individualized, reasonable suspicion to believe the participant is using a prohibited substance. Causes for reasonable suspicion may include, without limitation, the student-athlete having been:

- Observed possessing or using substances or related paraphernalia or equipment that appears to be a prohibited substance by an Athletics Department staff member.
- Arrested or convicted of a criminal offense related to the possession or transfer of prohibited drugs or substances.
- Observed by an Athletics Department staff member to have an abnormal change in appearance, conduct or behavior that is reasonably interpretable as being caused by the use of prohibited drugs or substances. Among the indicators that may be used in the evaluation of the student-athlete's abnormal change in appearance, conduct or performance are class attendance, academic performance, significant GPA

changes, athletic practice attendance, increased injury rate or illness, physical appearance changes, academic/athletic motivational level, emotional condition, mood changes and legal involvement.

### ***Testing Procedures***

As part of the drug-testing procedure, any student-athlete on the current year roster (in or out of season) may be asked to submit a urine sample to detect illegal drugs, non-prescribed drugs, narcotics, steroids and/or banned nutritional supplements at such times and places as directed by the Athletics Department. The selection for testing will be based on random selection or reasonable suspicion as outlined in the Selection and Notification Process section and Reasonable Suspicion Testing section of this document.

### ***Collection Procedures***

Immediately after the student-athlete signs the Drug Testing Custody and Request form, an Athletic training staff member will accompany selected student-athletes to the Gable Health Center for formal drug testing.

### ***Sanctions***

Because the student-athlete willingly took part in the drug-testing process, student-athletes who receive a positive test will not be subject to institutional sanctions under the Student Code of Conduct as a result of drug-tests under this policy.

#### **First positive test result**

The head athletic trainer will notify the directors of athletics upon a positive test. At that time the student-athlete will meet with the directors of athletics and the head athletic trainer. The directors of athletics will notify the student-athlete's head coach.

1. The student-athlete will receive a two-week suspension from participation in team activities. This suspension will be served in the non-traditional or traditional season, whichever is scheduled first for the specific sport.
2. The student-athlete will receive a suspension from 10 percent of traditional season contests. The contests to be missed are the next available.
3. The student-athlete will be required to complete five hours of internal College community service.
4. In the case of marijuana use, the student-athlete must follow-up with the online marijuana e-CHECKUP program. Results will be printed, and the student-athlete will discuss those results with the Gable Health and Counseling Center.
5. The student-athlete will be required to take part in Albright's educational programming related to the harmful effects of drug use.

#### **Second positive test result**

The head athletic trainer will notify the directors of athletics upon a positive test. At that time the student-athlete will meet with the directors of athletics and the head athletic trainer. The directors of athletics will notify the student-athlete's head coach.

1. The student-athlete will receive a 60-day suspension from team activities.
2. The student-athlete will receive a suspension from 50 percent of traditional season contests. The contests to be missed are the next available.
3. The student-athlete will undergo drug counseling through Albright's standard counseling program.
4. The student-athlete will complete 20 hours of internal College community service.

5. In the case of marijuana use, the student-athlete must follow-up with the online marijuana e-CHECKUP program. Results will be printed, and the student-athlete will discuss those results with the assistant dean of students.
6. The student-athlete will be placed on disciplinary probation (1-2 semesters).

### **Third positive test result**

The student athlete will no longer be permitted to participate in Albright College Athletics.

### *Appeal Process*

A student-athlete who tests positive under the terms of the Drug Testing Policy will meet with the directors of athletics or their designee and the head athletic trainer prior to imposition of any sanction. These proceedings shall include an opportunity for the student-athlete to review the results of the drug test. The proceedings shall be confidential. The findings regarding the positive test by the directors of athletics or their designee will be final. A student-athlete who believes he/she has received a false positive screen may appeal the positive finding. He/she must notify the directors of athletics or head athletic trainer immediately of the decision to appeal and the desire to be re-tested. Repeat testing will be conducted on the student-athlete's original sample.

### **Confidentiality and Records**

Each specimen will be identified by the student-athlete's name and date of birth. The specimen will then be analyzed for the presence of drugs. The identification of each sample taken will be kept confidential by the athletic training staff. Only positive test results will be reported to the directors of athletics. All names and results of athletes tested will be kept confidential. The results of the drug screening program will become a part of the student-athlete's medical record and will be considered confidential. Records and other information shall remain in the confidential possession of the athletic training staff or its designee and may only be released with consent from the student-athlete.

### **Employees - Drug and Alcohol Policy Standards of Conduct (HR)**

Albright College is committed to the maintenance of a learning and working environment free from the unlawful use of drugs and alcohol and in accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. It is the intent and obligation of the College to provide a drug-free, healthful, safe, and secure work environment free of drug and alcohol abuse. As such, the College prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and faculty and staff on its property or as part of any of its curricular and co-curricular activities.

### **Legal Consequences of Drug Violations**

The unlawful manufacture, distribution, possession, or use of a controlled substance or alcohol on College premises or while conducting College business off-campus is absolutely prohibited.

All applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs or alcohol will be applied.

### **Rules of Conduct and Standards of Performance**

**Code of General Expectations**

1. Conduct yourself and all of your business activities ethically and honestly.
2. Approach your job responsibilities with enthusiasm, professionalism and self-confidence.
3. Promote good will by handling all contacts with co-workers, supervisors, students and other community members in a spirit of courtesy, cooperation and attentiveness.
4. Interact with all co-workers, supervisors, students and other community members without unlawful regard to their race, creed, color, religion, marital status, gender, sexual orientation, gender identity, age, national origin, status as a disabled veteran or veteran of the Vietnam era, or physical or mental disability.
5. Refrain from sexual, racial, ethnic and all other forms of unlawful harassment and/or inappropriate behavior.
6. Refrain from engaging in hostile, abusive, intimidating, threatening or demeaning behavior when dealing with subordinates, co-workers, supervisors, students and other community members with whom you do business.
7. Report to work physically and mentally fit for duty (e.g., free from the influence of either drugs or alcohol) and avoid consumption of the same during the course of the working day.
8. Report to work promptly and regularly, keeping absences, late arrivals and early departures to a minimum.
9. Provide appropriate notice of an unavoidable absence or lateness in accordance with established policy.
10. Perform your job responsibilities efficiently, thoroughly and promptly, seeking continually to improve quality.
11. Remain actively engaged in the performance of your job responsibilities throughout the entire day.
12. Perform your job responsibilities prudently and carefully, observing all health, safety and security rules at all times.
13. Protect the confidentiality of information which you acquire in the course of your employment and which is not generally accessible to the public.
14. Avoid engaging in any conduct which could create an actual or potential conflict of interest.
15. Avoid the use of alcohol during the course of the working day.
16. Safeguard and maintain College property to prevent its damage, loss, misuse or theft.
17. Report accidents, injuries, fire, theft or other unusual incidents immediately after occurrence or discovery.
18. Follow all established College policies, rules and procedures as well as the specific instructions of your supervisor.
19. Refrain from using College property, services or supplies for personal reasons, unless prior permission has been obtained.
20. Provide complete and honest information in connection with all pay, time, business expense and employment records.
21. Ensure that your personal appearance, oral communication and physical conduct are consistent with high standards of professionalism and property.

The College generally may impose discipline after counseling has been unsuccessful or in circumstances when the College determines that counseling is inappropriate. Except for instances of gross misconduct, extreme performance problems, or other circumstances when the College determines that discipline such as immediate discharge is appropriate, corrective counseling may be utilized in an effort to correct performance problems. In circumstances where the College chooses to use counseling, its purpose is to identify problems and to assist employees in taking the necessary steps to correct such problems. The employee and his or her supervisor will discuss the nature of the

problem, how and when it is to be corrected, and what the next step will be if the employee fails to meet the requirements of the position.

### **Progressive Counseling**

It is the policy of Albright College to provide guidelines and assistance to employees to meet the stated standards of the College. To that end, the College may utilize the practice of a Progressive Counseling System to help employees improve their performance and further their professional development. Failure to meet stated standards or follow College work rules may result in progressive counseling sessions which include the following progressive counseling steps: verbal counseling session, written counseling session(s), suspension, termination. During these steps a performance improvement plan will be initiated with employee, if applicable.

Supervisors shall monitor performance on a continuous basis and provide informal and formal coaching, counseling, and documentation (in the form of performance evaluations, letters of conversation, warning notices, and other written materials documenting performance issues) to each incumbent as needed. In the event that previous informal attempts at effecting performance improvement are not sufficient, a formal performance improvement procedure will be invoked with the concurrence of the appropriate vice president and the director of human resources.

Under certain circumstances, the progressive counseling process may be circumvented or shortened based on the severity of the infraction. Some of these instances where immediate termination may result are listed below.

### **Steps to Disciplinary Action**

- Verbal Warning – documented in writing by the appropriate management personnel and in consultation with the Office of Human Resources. A copy of the documented verbal warning should be sent to the Office of Human Resources.
- Written Warning – documented in writing by the appropriate management personnel and signed by the employee. A copy of the written and verbal warning document should be sent to the Office of Human Resources.
- Suspension – to be determined by the appropriate management personnel in concert with the director of human resources.
- Termination – to be determined by the appropriate management personnel in concert with the director of human resources.

### **Gross Misconduct**

The following misconduct demands disciplinary action, up to and including termination of employment.

1. Falsification of College records, including employment applications, time or medical records, or the recording of anyone's time but your own or the granting of permission to another employee to record your time
2. Deliberate destruction or defacing of College property, or the property of a fellow employee
3. Fighting or provoking a fight on College premises
4. Assaulting, threatening, intimidating, coercing or interfering with fellow campus community members, including supervisors, fellow employees and students
5. Possession of weapons while on College premises
6. Unauthorized removal or alteration of College records or release of confidential information, dishonesty, bearing false witness
7. Theft or misappropriation of money or College property

8. Gross negligence
9. Willful misconduct
10. Insubordination
11. Engaging in criminal conduct, regardless of whether such conduct is related to job performance
12. Dishonest actions toward others, misrepresentation of facts that result in a negative impact and willful malice toward others
13. Blatant disregard for safety guidelines in conjunction with assigned duties
14. Behavior that creates the potential for accident and/or injury to self and others while creating potential liability to the College
15. Consumption of alcohol, use of illicit drugs during the work day.

The misconduct described above shall in no event be inclusive of all forms of misconduct requiring disciplinary action, and determination of such shall be in the College's sole and absolute discretion, and in concert with the College's "at will" status of all employees.

### **Dismissal**

If the individual fails to meet acceptable standards of performance within the period designated by the supervisor, and if in the judgment of the supervisor, dismissal is warranted, a final meeting shall be held. Prior to conducting the final meeting, however, the supervisor shall review the situation with the appropriate vice president or his/her designate and the director of human resources and obtain concurrence on the determination. At the final meeting, the supervisor shall review the manner in which the incumbent has failed to meet acceptable standards of performance and specify a date of termination.

### **Immediate Dismissal**

If an individual is guilty of a major act of misconduct, or when continued employment is contrary to the best interests of the College, the supervisor and/or the appropriate vice president shall recommend immediate dismissal to the director of human resources.

### **Alcohol and Drug Intervention Programs**

#### **Pennsylvania Liquor Control Board (PLCB) Grant**

The PLCB awards more than \$1 million annually in grants that fund programs that focus on proven strategies to discourage and reduce both underage and dangerous drinking. Albright College received \$38,386 in funds to increase efforts to reduce underage and dangerous drinking behaviors. The grant, from the Pennsylvania Liquor Control Board (PLCB), will support a multi-pronged effort that includes educational and training programs, additional patrols, new equipment and community outreach.

The two-year, \$38,386 grant will help fund continuing peer education programming, as well as training for Albright resident assistants, and enable a representative of Albright's Public Safety Office to attend the PLCB's annual alcohol education conference.

The grant will also fund additional surveillance cameras around the new Rockland Hall, which opened this fall at Rockland and 13<sup>th</sup> streets, as well as additional weekend patrols of campus by Reading Police. Public Safety officers train and work closely with Reading PD and other agencies to prevent alcohol misuse, and Reading PD has been

supplementing College patrols since 2011. The grant also provided support for Reading PD's National Night Out event on Aug. 1, 2017, as well as "neighborhood town and gown" meetings between College officials and local residents.

### **Peer Education Programming**

The peer education program called "Peers to Peers" began in 2015. Peer educators focus on creating and presenting health programs to assist in teaching students to become well rounded and successful individuals. The peer educator team consists of seven to ten students each semester that are carefully selected by a panel of Student and Campus Life administrators. Peer educators are required to teach three to four programs per semester on topics such as alcohol and drug abuse, safe sex, domestic violence and much more. The programming is funded by the Pennsylvania Liquor Control Board.

### **New Student Orientation**

#### **Mike Green: Four Stages of Drinking**

Presenter Mike Green discusses the four stages of drinking development, in his own terms: "social awareness, boozier stage, controlling consumption and developed," as well as some popular types of rave drugs. Green also shares his personal story as he educates students on the symptoms of alcohol poisoning and ways to get help.

#### **Mark Sterner: DUI, A Powerful Lesson**

Presenter Mark Sterner shares his personal story about a Spring Break trip with his college friends that ended in tragedy after drinking and driving.

#### **Bystander Intervention: Who Will You Be?**

The dean of students and a representative from Safe Berks teach about safe strategies to interrupt, intervene, and object to unhealthy and abusive behaviors of others. Students learn about resources on and off campus, community standards, the student code of conduct, Albright's values and how to be responsible members in the Albright community.

### **Safety Awareness Month (September)**

#### **Pennsylvania Liquor Control Enforcement Presentations**

PA liquor control officers come to campus for two days and hold hour-long information sessions for students. Officers discuss DUI and the law, other PA laws and consequences surrounding alcohol use. LCE officers share career opportunity information with students.

#### **Muhlenberg Police Department Presentation**

Muhlenberg's police sergeant presents a talk, DUI and the Law, on campus. He discusses DUI and the law along with consequences. He shares his experiences with DUI crashes and discusses tragic events that he has witnessed.

#### **Peer Education Information Display Tables**

Albright peer educators present drug and alcohol table displays that include brochures, interactive learning games, and opportunities to learn about on- and off-campus resources for substance abuse problems.



### **Adopt an Officer Program** *(Fall and Spring Semesters)*

Public Safety officers hold a variety of programs relating to drug and alcohol abuse during the fall and spring semesters. Each officer is assigned to a residence hall where they are responsible for conducting two to three programs per semester. Topics include DUI, alcohol and drug abuse, and information about where to go for confidential help if you are experiencing a substance abuse problem.

### **Alcohol Awareness Month** *(April)*

#### **DUI Crash Vehicle Display**

Public Safety brings a DUI crash vehicle onto campus to display to the community. An informational display is stationed next to the vehicle.

#### **Peer Educator Alcohol Learning Activities**

Peer educators set up interactive learning games to simulate vision and coordination impairment effects of alcohol consumption. Students wear "drunk goggles" while attempting to throw balls into garbage containers, walk a straight line, etc. The "drunk goggles" are designed to teach students what impairment looks like above the legal BAC limit.

#### **Alcohol Screening Day**

Free and confidential screenings by mental health professionals. Students who participate in the screening are placed in a drawing for a \$75 Wawa card. A Mental Health Fair includes posters and brochures focusing on a variety of drugs and games and prizes in the McMillan Student Center.

#### **Drug and Alcohol Poster Session**

The Counseling Center partners with students from Psychology 391, Child Psychopathology to present a Substance Use Mental Health Fair. Posters and brochures targeting specific substances such as alcohol, marijuana, heroin and prescription drugs are available in the McMillan Student Center during the time of the mental health screenings. Students are available to speak with members of the campus community about the impact of each substance.

### **Wellness Fair** *(September)*

Various participants run tables outside of the McMillan Student Center and provide wellness information to the campus community. Listed below are participants who provided alcohol and drug information to students, faculty and staff during fall 2017:

- The Council of Chemical Abuse
- Albright College Department of Public Safety
- Pennsylvania Liquor Control Board
- Albright College Peers to Peers

### **Athletics Programming**

Stephanie McDonough from Reading Health Systems provided four alcohol and drug sessions to all student athletes in the spring of 2017. She spoke to the student-athletes about the after effects of drug use, what she sees and what walks into the ER after drug use, near overdose and long-term use. She reviewed information on how drugs and alcohol impact the mental and physical health of students. She also discussed how specific drugs and alcohol affect reaction times, performance, and effectiveness. All student-athletes were mandated to attend. Stephanie McDonough, MA, LPC, is employed by Reading Health Systems Center for Mental Health. She has been a counselor in the Gable Health and Counseling Center for eight years. She is completing her doctoral work in clinical psychology. Her specialty areas include drug and alcohol and dialectical behavioral therapy.

### **Greek Life Programming** *(Fall and Spring Semesters)*

The programming that is run by Greek Life for drugs and alcohol is during New Member Education day, geared to and focused on the new members of the community. This presentation has been given by the Health Center or a representative of the Peer to Peer program over the last couple of years and is meant to (a) ensure that new members receive this critical information and (b) supplement any other presentations the organization has planned.