



Kutztown University of Pennsylvania

**Drug-Free Schools and Colleges [Edgar Part 86]
Annual Review: Academic Years 2019-2020
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 in Fall term 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 procedures 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/use of illegal drugs seriously affects the University environment and 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 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. There are separate policy addresses violations by University staff.

The University actively encourages students and staff members to voluntarily obtain assistance for dependency or use problems before such behavior results in an arrest and or disciplinary referral, resulting in their separation from the institution.

The use of or dependency on alcohol, marijuana, or controlled substances not excused violations of the Student Conduct Code or staff expectations. It 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 dependent on or use 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. They 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 alcohol consumption 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, 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 the use of a substance in a banned drug class, as outlined in Bylaw 31.2.3.1, shall be declared ineligible for further participation in the postseason and regular-season competition in accordance to 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 the use of a substance in a banned drug class other than "illicit drugs" (in accordance, 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 ending one calendar year (i.e., 365 days) after the collection of the student-athletes positive drug test specimen and until he or she tests negative (in accordance, 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 the 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 using 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 athletics director 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 compete 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 obtained from the NCAA Sport Science Institute staff. Testing for illegal drugs 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 consist of a 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 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 Drugs (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 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 before sanctioning 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.

Alcohol	Type	Variables	1st Violation	2nd Violation	3rd Violation
On-Campus Use/Possession (ARI Rating 1-3)	Passive	Range	Disciplinary Reprimand	Disciplinary Probation (Level 1-3)	Disciplinary Probation (Level 4-5), Deferred/Housing Suspension, Deferred Suspension, Suspension
	Active	Suggested	Under the Influence, Reflection	BASICS, Reflection	AOD Assessment; Reflection; Other sanctions on a case by case basis
On-Campus Use/Possession (ARI Rating 4-5)	Passive	Range	Disciplinary Reprimand, Disciplinary Probation (Level 1-3)	Disciplinary Probation (Level 3)	Disciplinary Probation (Level 4-5), Deferred/Housing Suspension, Deferred Suspension, Suspension
	Active	Suggested	Under the Influence, BASICS, Reflection	BASICS or AOD Assessment; Reflection	AOD Assessment; Reflection; Other sanctions on a case by case basis
On-Campus Use/Possession (Excessive Quantities)	Passive	Range	Disciplinary Probation (Level 1-3), Deferred Housing Suspension, Housing Suspension	Disciplinary Probation (Level 4-5), Deferred Housing Suspension, Housing Suspension	Housing Suspension, Suspension
	Active	Suggested	Under the Influence and/or BASICS, Reflection	BASICS, Reflection	Handled on a case by case basis
Underage	Passive	Range	Disciplinary Reprimand	Disciplinary Probation (Level 1-3)	Disciplinary Probation (Level 4-5), Deferred/Housing Suspension, Deferred Suspension, Suspension
	Active	Suggested	Under the Influence, Reflection	BASICS, Reflection	AOD Assessment; Reflection; Other sanctions on a case by case basis

Public Intoxication	Passive	Range	Disciplinary Reprimand, Disciplinary Probation (Level 1-2)	Disciplinary Probation (Level 2-4)	Disciplinary Probation (Level 4-5), Deferred/Housing Suspension, Deferred Suspension, Suspension
	Active	Suggested	Under the Influence and/or BASICS, Reflection	BASICS, Community Service, AOD Assessment, Reflection	AOD Assessment; Reflection; Other sanctions on a case by case basis
Excessive Intoxication	Passive	Range	Disciplinary Probation (Level 1-3), Deferred Housing Suspension	Disciplinary Probation (Level 2-3), Deferred Housing Suspension, Housing Suspension	Disciplinary Probation (Level 4-5), Deferred/Housing Suspension, Deferred Suspension, Suspension
	Active	Suggested	Under the Influence and/or BASICS, Reflection	BASICS, AOD Assessment; Reflection	AOD Assessment; Reflection; Other sanctions on a case by case basis
Selling/Furnishing	Passive	Range	Disciplinary Probation (2-5), Deferred Housing Suspension, Housing Suspension, Deferred Suspension	Suspension	Dismissal
	Active	Suggested	Under the Influence and/or BASICS, BearFacts, Judicial Educator, Community Service, Reflection	Handled on a case by case basis	Handled on a case by case basis
Hosting a Party	Passive	Range	Disciplinary Probation (Level 2-3), Deferred Housing Suspension, Housing Suspension	Disciplinary Probation (Level 3-5) and Deferred Housing Suspension or Housing Suspension	Housing Suspension to Suspension
	Active	Suggested	Under the Influence and/or BASICS, BearFacts, Community Service/Project, Reflection	Community Service, Judicial Educator Workshops, Reflection	Handled on a case by case basis
Driving Under the Influence	Passive	Range	Loss of Parking, Disciplinary Probation (Level 3-4), Deferred Suspension, Suspension	Loss of Parking, Deferred Suspension, Suspension	Suspension, Dismissal

	Active	Suggested	PIA/RA, BASICS, AOD Assessment, Community Service, Reflection	AOD Assessment, Reflection	Handled on a case by case basis
Drugs (Marijuana)	Type	Variables	1st Violation	2nd Violation	3rd Violation
Use/Possession	Passive	Range	Disciplinary Probation (Level 2-3)	Disciplinary Probation (Level 3-4), Deferred Housing Suspension, Housing Suspension	Suspension
	Active	Suggested	Marijuana 101, CASICS, Reflection Paper	CASICS, AOD Assessment, Reflection	Handled on a case by case basis
Paraphernalia	Passive	Range	Disciplinary Probation (Level 1-3)	Disciplinary Probation (Level 2-4), Deferred Housing Suspension	Housing Suspension, Suspension
	Active	Suggested	Marijuana 101, CASICS, Reflection Paper	CASICS, AOD Assessment, Reflection	PIA/RA, AOD Assessment; Reflection; Other sanctions on a case by case basis
Possession (large quantity)	Passive	Range	Housing Suspension and Suspension or Dismissal	Dismissal	NA
	Active	Suggested	Handled on a case by case basis	Handled on a case by case basis	NA
Drugs	Type	Variables	1st Violation	2nd Violation	3rd Violation
Use/Possession	Passive	Range	Disciplinary Probation (Level 2-3), Deferred Housing Suspension	Disciplinary Probation (Level 4-5), Deferred Suspension, Housing Suspension	Suspension, Dismissal
	Active	Suggested	AOD Assessment, Judicial Educator, Reflection	AOD Assessment	Handled on a case by case basis
Paraphernalia	Passive	Range	Disciplinary Probation (Level 1-3)	Disciplinary Probation (Level 3-4), Deferred Suspension	Suspension
	Active	Suggested	AOD Assessment, Judicial Educator, Reflection	AOD Assessment	Handled on a case by case basis
Hosting	Passive	Range	Disciplinary Probation (Level 2-3), Deferred Housing Suspension, Housing Suspension	Disciplinary Probation (Level 3-5) and Deferred Housing Suspension or Housing Suspension	Housing Suspension to Suspension

	Active	Suggested	Judicial Educator, Community Service, Reflection	Handled on a case by case basis	Handled on a case by case basis
Selling/Furnishing	Passive	Range	Housing Suspension, Suspension, Dismissal	Dismissal	NA
	Active	Suggested	Handled on a case by case basis	Handled on a case by case basis	NA
Impairment	Passive	Range	Disciplinary Probation (Level 1-3)	Disciplinary Probation (Level 3-4), Deferred Suspension, Deferred Housing Suspension, Housing Suspension	Housing Suspension, Deferred Suspension, Suspension
	Active	Suggested	CASICS, AOD Assessment, Judicial Educator, Reflection	AOD Assessment, Reflection	PIA/RA, AOD Assessment; Counseling (If professionally referred)
Driving Under the Influence	Passive	Range	Loss of Parking, Disciplinary Probation (Level 3-4), Deferred Suspension, Suspension	Loss of Parking, Deferred Suspension, Suspension	Suspension, Dismissal
	Active	Suggested	PIA/RA, CASICS, AOD Assessment, Judicial Educator, Reflection	AOD Assessment, Community Service, Reflection	PIA/RA, AOD Assessment; Counseling (If professionally referred)
Drugging	Passive	Range	Disciplinary Probation (Level 3-5), Housing Suspension, Deferred Suspension, Suspension, Dismissal	Dismissal	NA
	Active	Suggested	Handled on a case by case basis	Handled on a case by case basis	NA

*2019_2020 update

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 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, statutes, 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 problems 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. It 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 \$1000, court costs. Police officers arresting 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. The maximum fine is \$500 plus court costs.(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. The 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. The 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 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 the 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 face 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 a 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 seized at the time an individual 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 illegally distributed, the person convicted on federal charges of distributing the substance faces a 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 imprisonment. Fine up to \$250,000
Cocaine	5 kgs. or more	Not less than 10 years imprisonment, not more than life. Fine up to \$4 million
	Less than 100 grams	10-63 months imprisonment. Fine up to \$1 million
Crack Cocaine	50 grams or more	Not less than 10 years imprisonment, not more than life. Fine up to \$4 million
	5-49 grams	Not less than 5 years imprisonment, not more than 40 years. Fine up to \$2 million
	5 grams or less	10-63 months of 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 imprisonment, not more than life. Fine up to \$4 million
	100-999 grams	Not less than 5 years imprisonment, not more than 40 years. Fine up to \$2 million
	100 grams or less	10-63 months imprisonment. 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 imprisonment, not more than life. Fine up to \$4 million
	1-10 grams	Not less than 5 years imprisonment not more than 40 years. Fine up to \$2 million
Marijuana	1000 kg or more	Not less than 10 years imprisonment not more than life. Fine up to \$4 million

	100-999 kg	Not less than 5 years imprisonment, 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 imprisonment not more than life. Fine up to \$4 million
	10-49 grams	Not less than 5 years imprisonment, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months imprisonment. Fine up to \$1 million
PCP	100 grams or more	Not less than 10 years imprisonment, not more than life. Fine up to \$4 million
	10-99 grams	Not less than 5 years imprisonment, not more than 40 years. Fine up to \$2 million
	10 grams or less	10-21 months imprisonment . 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 the 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 criminal prosecution pursued.

Short-term alcohol and other drug counseling are available on Campus to students through Kutztown Counseling and Psychological Services (610-683-4072). Students can be referred to other treatment programs for more intensive treatment from the Counseling and Psychological Services.

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

Kutztown 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 provides various individual, group, and community programs, and interventions are administered on Campus and are listed below.

AlcoholEdu for College and Sexual Assault for Undergraduate Students is a requirement for first-year undergraduate and first-year transfer undergraduate students. Kutztown University feels that all students are transitioning to take these courses, so they have a foundation of knowledge about alcohol and sexual assault prevention. For the 2019-2020 academic year, the incoming students received information on accessing the account on August 1, 2019, before starting 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.

BASICS (Brief Alcohol Screening and Intervention of College Students) is a preventive alcohol abuse intervention program for college students 18 to 24 years old. The design helps students make better alcohol-use decisions. The program meets students where they are and promote conversations in a safe space to discuss use:

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

If you are interested in learning more about BASICS and would like to set up an appointment, please contact the BASICS coordinator by emailing AODteam@kutztown.edu.

CASICS (CAnnabis Screening and Intervention for College Students) is a preventive marijuana intervention program offered by HPAOD Services. Participants meet one-on-one with a trained specialist who will help them evaluate their marijuana use, identify personal risks, and plan ways

to reduce consequences associated with their marijuana use. CASICS sessions are non-judgmental and personalized to the interests and needs of the student.

Also, Clinical Services provides Brief Intervention and Referral to Treatment (SBIRT) Screenings to students. It is an evidence-based approach to identifying patients who use alcohol and other drugs at dangerous levels. The goal of SBIRT is to reduce and prevent related health consequences, diseases, accidents, and injuries. Students receive campus resource information such as CASICS/BASICS, smoking cessation, and Counseling and Psychological Services.

If you are interested in learning more about CASICS and would like to set up an appointment, please contact HPAOD Services, Director of HPAOD Services, at cortez@kutztown.edu 610-683-4082. For students interested in receiving an SBIRT screening, please call Clinical Services for an appointment at 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
- Athletes Against Alcohol Abuse reoccurring prevention programs designed specifically for athletes. The program provides alcohol awareness information, how alcohol affects the body, and risk reduction planning for individuals and team

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; for individual appointments, contact 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 offered to the Kutztown University Community and 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 to reduce consumption.

Bystander training is available for students and students' groups. Step UP! is a prosocial behavior and bystander intervention program that educates students to help others. The goals of Step UP! are to raise awareness of helping behaviors, increase motivation to support, develop skills and confidence when responding to problems or concerns to ensure the safety and well-being of self and others. Step UP! is a resource available to cultivate a safe collegiate environment for students with candid discussions on bystander behaviors.

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 reducing 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, we distribute to all students, staff, and faculty annually. During every even year, a biennial review of the comprehensive alcohol and other drug programs. 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	booze, handle	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, crank, 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 frequency 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, reduced heart rate, reduced 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, significant 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, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, 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, delusions, paranoia, disordered thinking	memory loss, difficulties with speech, thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin	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 the attainment of standard height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension,

			congestive heart failure, liver damage, psychological dependence
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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 based on 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 subjected to discrimination by the University.