MEDICAL / PSYCHOLOGICAL SUSPENSION POLICY

The College Administration reserves the right to suspend/administratively withdraw a student from the College for medical/psychological reasons: Such reasons include:

- The student is deemed a potential threat to self or other persons, either within or outside the College community.
- The student has a contagious disease which, in the opinion of medical personnel, can transmit or inflict the illness to others on campus through normal daily contact.
- The student’s psychological state hinders his/her ability to achieve academic goals, interferes with the learning environment of others, or prevents living in an appropriate manner in campus housing.

This withdrawal applies, at minimum, for the remainder of the semester. However, the student may not re-enroll until documentation is received in the Student Affairs office concerning the student’s readiness to return. In all cases, this documentation must come from a licensed, board-certified professional actively involved in the treatment and care of the student, and must indicate that the student is able to become an active participant in the learning environment.

Further, it should be understood that, although the College will make an effort to provide a reasonable accommodation in appropriate circumstances, the College cannot care for students with serious psychological or medical conditions and therefore reserves the right to decide, in certain circumstances, that it cannot provide educational services or housing.

DRUG, ALCOHOL AND TOBACCO POLICY

No student, regardless of age, is permitted to consume and/or possess alcoholic beverages, tobacco or controlled substances on College premises or at College sponsored events. This is to include possession of alcoholic beverages, tobacco, or controlled substances by the student in the Resident Hall or elsewhere. Any and all items of this nature found in the possession of a student will be confiscated and destruction will be overseen by the Lackawanna College Public Safety department. In all cases, the College will pursue a course of action designed to promote the well-being of the student, protect the welfare of the college community, and demonstrate respect for federal and state laws. Behavior or misconduct resulting from the use or abuse of alcohol or illegal drugs by a student or group of students on or off campus is also a violation of the College’s Alcohol and Drug Policy and may be subject to judicial action as well as any applicable sanctions under local, state, or federal law.

LACKAWANNA COLLEGE DRUG TESTING POLICY

Lackawanna College is dedicated to the health, welfare and safety of each student it serves. To this end, the College is committed to providing each of its resident students and student-athletes with a drug free environment in which to live, study and socialize. From a safety perspective, the use of drugs and/or alcohol may impair the well-being of these students and interfere with the resident’s living condition.

Therefore, since the College is responsible for the welfare of each student and specifically responsible to provide a residence environment free of hazards that would impede the resident student’s academic progress, the Lackawanna College Drug Testing Program has been implemented to provide a safe and healthful environment for all our students who live on campus.

For the purposes of this Drug Testing Policy, Controlled Substance shall be those substances prohibited by Pennsylvania’s Controlled Substance, Drug, device and Cosmetic Act, 35 P.S.§780-101,etseq.and particular Section 4 of the Act (35 P.S. §780-104) and Drug Paraphernalia shall be those products, materials, and equipment as defined in Section 2 of the Act (35 P.S. §780-102).

Every student making application for resident housing must sign a drug consent form prior to taking up residence on campus. A copy of the drug testing policy and procedure, as well as a testing consent form, is included in the packet of materials sent to prospective resident students. This form will stand for the student’s entire time of enrollment at the College. Drug testing is performed randomly on a year-round basis. Students will be tested at random intervals and for cause which may either be announced or unannounced. The testing will be required at the sole discretion of
the College. There are no exceptions to this policy. All resident students will be required to comply. The student will be required to provide breath, blood, and saliva and/or urine specimens for the purpose of analysis. If the student is less than 18 years of age, the parent or legal guardian must sign the drug testing consent form in addition to the student. The signed consent must be returned to the College prior to the student’s arrival.

Each prospective resident student will be provided with a copy of the drug testing policy and procedure and a consent form. These materials are included in the packet of materials sent to prospective resident students and completion of the consent form is part of the required admission procedure. Applications for admission to the dormitory space cannot be processed without the signed consent form.

Students, who refuse to submit to drug testing, when requested by appropriate college administrators, will be expelled from the residence hall and the College, without benefit of appeal. Failure to produce a specimen within the standard collection time, as established by the collection agent, will be considered a refusal, as will leaving the facility at any time before providing the specimen.

**PENALTIES FOR POSITIVE DRUG TEST RESULTS**

First Positive Test: The student will be suspended from any and all extra-curricular activities (including but not limited to athletic participation) until completion of the program and will be required to participate in a substance abuse treatment program through the Drug and Alcohol Treatment Service (DATS) or other approved program during the suspended period. A $50 fine will also be levied against the student. The length of the treatment program will be determined by DATS, based on an assessment of the student.

The student must sign a waiver form allowing the Dean of Students to have access to all DATS information including a record of attendance and completion date. Failure to sign this waiver will result in dismissal from the College without appeal. The Student will be responsible for all costs associated with the counseling and treatment programs. Referral requirements, further discipline to include but not limited to medical leave of absence, probation and/or dismissal may occur.

All students who test positive will have a mandatory retest within four to six weeks of their first positive test. If the student tests positive, DATS will be contacted in order to determine if extenuating circumstances exist. If the student is not actively seeking treatment they will be dismissed from the College without appeal. If the student is actively pursuing DATS treatment and tests positive on this second test, he/she will be dismissed from any extracurricular activities and forfeit all scholarship monies. A $100 fine will also be assessed.

After a positive second test, the student will be tested again within four weeks. A positive test result again (the third) would be seen by the College Administration as cause for dismissal without appeal.

**Failure to comply with the imposed penalties assigned in response to a positive test within a three week window from notification will also constitute refusal and will result in dismissal without appeal.**

If a student is found to be in possession of a Controlled Substance or Drug Paraphernalia, that student must follow the same policies as a student who has had a positive drug test result. **HOWEVER, IF THE AMOUNT OF CONTROLLED SUBSTANCE IN THE POSSESSION OF THE STUDENT EVIDENCES INTENT TO SELL AND/ OR DELIVER TO THIRD PARTIES, THAT STUDENT SHALL BE IMMEDIATELY DISMISSED FROM THE RESIDENCE HALL AND THE COLLEGE.** All protocols must be followed and all treatments must be completed before that student will be allowed to participate in any extra-curricular activities. The progressive steps outlined above will also be required if a student is found to be in possession of non-prescribed, controlled substance or illegal substances a second time.

A program of education on drug use and abuse will be provided to the students residing in each residence hall and will include, but not be limited to, discussion of the drug testing policy and distribution of educational materials concerning the abuse of illegal drugs and alcohol.

The College will include the policy and procedure for Drug Testing in the College catalog, the student handbook, Residence Life Handbooks and other pertinent College publications to ensure adequate notice and distribution. As stated previously, a copy of the policy and procedure will be mailed to each applicant at the time of application.
It must be understood that the College cannot protect an offender against any penalties of law. Law enforcement officers, when armed with proper documents, have a legal right to search any and all buildings and personal space on campus without prior notice.

**EXCEPTION TO THIS POLICY** – any student testing positive for Phencyclidine (PCP) will be subject to dismissal from the College without appeal, regardless of the stage of testing.

**ALCOHOL POLICY**

Lackawanna College does not condone the use of alcohol and prohibits the use or possession of alcohol on campus. Possession, use or consumption of alcohol or public drunkenness on any College property is strictly prohibited and can lead to disciplinary action, including separation from the College. **Being present where an alcohol violation is occurring is treated as possession.** Open canisters or empty containers apply as well, and will be treated as alcohol violations.

If a student if found to be in violation of the Alcoholic Beverage Policy, the minimum sanctions include:

1st Offense
- $50 Fine
- Parental notification
- Written warning and a meeting with the Associate Dean of Students and a member of the Student Assistance Program staff.
- For all student, suspension for one week from all extra-curricular activity.
- Community service or service learning may be assigned/required.

2nd Offense
- $100 Fine
- Parental notification
- Mandatory participation in an alcohol education program at Drug and Alcohol Treatment Service (DATS). The Dean must be notified of the expected completion date and whether or not said student has successfully completed the program.
- Student athletes will be suspended from participation in all collegiate activity until the program is completed.
- Probation until completion of the program.
- Student must meet with SAP staff member and the Dean of Students within 3 calendar days of notification. Failure will move the student to the 3rd offense level.

3rd Offense
- Dismissal from the College
- Parental notification

Please note that all sanctions must be completed within a three week time period or the sanction will be elevated to the next level of offense.

**CONTROLLED SUBSTANCES POLICY**

Lackawanna College does not condone the use, possession, or distribution of any type of illegal drugs. The behavior and attitudes associated with the use of illegal drugs are detrimental to the individual student and the student body, and contrary to the mission and philosophy of the College. Students charged with possession, use, or intent to distribute illegal drugs are subject to College disciplinary action, including dismissal from the College, independent of any external legal actions. In addition, eligibility for Federal Financial Aid may be subject to suspension or termination. **Loss of Title IV eligibility will result if a student is convicted of a state or federal offense involving the possession or sale of an illegal drug that occurred while the student was enrolled in school and receiving Title IV aid.**

While in the Commonwealth of Pennsylvanla, all students are subject to Commonwealth law regarding possession
and/or use of illegal drugs:

- Possession of any amount of marijuana is a misdemeanor - subject to a fine, possible imprisonment and a permanent arrest record.

- Possession of any other illegal substance including crack, LSD, cocaine, heroin, hashish, etc. – Subject to one-year imprisonment and/or $5,000 fine and a permanent arrest record.

- Possession with intent to sell – subject to three to five years’ imprisonment and/or $10,000 to $1,000,000 fine and a permanent arrest record.

Students experiencing problems related to drug and/or alcohol use should do one of the following:

- Seek out a college counselor for referral to an appropriate local agency for assistance.
- Contact Drug and Alcohol Hotline at 961-1234.
- Contact Drug and Alcohol Treatment Service at 961-1997.
- Contact Alcoholics Anonymous at 347-1183.

SMOKING POLICY

The Surgeon General of the United States has determined that smoking is the largest preventable cause of illness and premature death in the country. Smoking is associated with the unnecessary death of More than 350,000 Americans a year. Moreover, a research finding now indicates that exposure to Environmental Tobacco Smoke (ETS), also known as second-hand smoke, is linked to a variety of negative health consequences and is responsible for approximately 3,000 lung cancer deaths annually among non-smokers in the US.

Smoking and the use of any tobacco products are prohibited inside all facilities or vehicles owned, leased, or operated by Lackawanna College. Smoking is prohibited inside all Lackawanna College buildings. There are no designated smoking areas on campus. All members of the Lackawanna community are encouraged to refrain from smoking while on campus. Smokeless tobacco usage is also prohibited. Violators will be fined $25.00 for each offense.

FIREARMS POLICY

Weapons of any kind are prohibited on campus. This includes, but is not limited to, firearms, paint ball guns, BB guns dart guns, black or smokeless powder ammunition, knives, pen knives, swords, daggers and bayonets, martial arts weapons of any description and fireworks. Any item of any kind found in possession of a student anywhere on school property will be confiscated and turned over to the proper authorities as evidence following the protocol stated above. Possession of a weapon will lead to discipline including, but not limited to fines, probation and/or immediate dismissal from the College. If a student is dismissed from the College for a weapons possession offense, there will be no appeal unless granted, on a case-by-case basis, by the President of the College or his/her designee.

GAMBLING

Gambling is prohibited. Raffles, fund raising and sales must be cleared through the Student Affairs office and may not include alcoholic prizes. Violations will result in disciplinary action.

GOOD SAMARITAN POLICY

In the event of a situation that is life-threatening or a danger to the community, students can report the incident without the fear of reprisal for the situation in which the student gives assistance. This refers to isolated incidents only and does not excuse or protect those who flagrantly or repeatedly violate College policy.

COLLEGE POLICY ON PHOTO/VIDEOTAPE POLICY

The Lackawanna College administration reserves the right to authorize persons to photograph/videotape activities and events on campus, at off-campus extension centers and places where College functions take place, providing such photographing/taping is performed and utilized without malice to any individuals.

Individuals desiring to be omitted from such photos/taping should make this request known to the College Public Relations Department in writing. By allowing inclusion of oneself in an authorized photograph/videotape, the individual consents without restriction to such use of the photo/videotape as the College deems appropriate.