

The University of Scranton Policy

Alcohol and Drug Policies

Executive Sponsor:
General Counsel's Office

Responsible Office(s):
Office of Student Life
Human Resources
Office of the Provost

Issued in Current Format:
May 2024 (*see below*).

I. Policy Statement

These policies express The University of Scranton's educational concern for creating an environment that fosters growth by and among its members and its commitment to the physical and emotional health and well-being of all those who work, study or congregate at the University.

This policy document was issued in May 2024; however, it is not a new policy. Prior to 2024 this policy appeared in several separate resources, including the Student Handbook. Following discussion at the University Governance Council in spring 2024, as the policy is applicable to all members of the University community, these policy materials were collated and documented as a stand-alone University policy in May 2024 to clarify its applicability.

II. Entities Affected By This Policy

This policy applies to all University students, faculty, staff, and guests.

III: Alcohol and Drug Policies

I. University Alcohol Policy

A. Student Alcohol Policies

The University of Scranton prohibits students and guests from engaging in the following:

- Use, possession or consumption of alcohol by individuals who are under twenty-one (21) years of age.
- Excessive consumption of alcohol, intoxication, alcohol impairment, or alcohol abuse as evidenced by factors including, but not limited to, public drunkenness, disorderly or erratic behavior, slurring of speech, physical coordination difficulties, vomiting, or a preliminary breath test reading/blood alcohol content of .08% or greater. Excessive consumption of alcohol is not an excuse for behavior that violates the Student Code of Conduct.
- Social hosting, which is defined as providing the site for a gathering where underage alcohol possession or use is documented.

- Providing or serving alcohol to individuals who are under the age of twenty-one (21). Please note that under Pennsylvania state law, charging admission, selling mugs, glasses, chits, tickets, etc. constitute furnishing alcoholic without a legal license and are illegal.
- Possessing an open container containing alcohol in a public location (i.e., street, Commons)
- Being in the presence of any other person on-campus who is engaging in a violation of the University Alcohol Policy.
- Operating a motor vehicle in an illegal or unsafe manner while under the influence of alcohol.
- Use or possession of alcoholic beverages at University-sponsored athletic events.
- On-campus possession or use of kegs (quarter or half), beer balls, or other common containers of alcoholic beverage larger than one gallon without the written approval of the appropriate Vice President (or designee). Please note that the registration form for events where alcohol will be served is available in the Center for Student Engagement.
- On-campus possession of “grain” alcohol except in a supervised laboratory setting.
- Violating laws or ordinances pertaining to the possession or consumption of alcohol.

B. Alcohol Policies Applicable in On-Campus Housing

In addition, The University of Scranton prohibits students and guests from engaging in the following in University on-campus housing:

- Possessing or consuming alcohol while twenty-one (21) years of age or older in the presence of individuals who are under the age of twenty-one (21) (except for one’s roommate).
- Possessing or consuming alcoholic beverages in public areas in University residences. Public areas include, but are not limited to, kitchens, lounges, closets, hallways, bathrooms and balconies. Note that students and guests who are at least twenty-one (21) years of age may consume alcohol in the privacy of student rooms in a manner otherwise consistent with the University Alcohol Policy.
- Displaying empty alcohol containers (cans or bottles) on shelves, desks, etc.
- Possessing beer funnels, beer pong tables or other paraphernalia that can be used for fast, abusive consumption of alcohol.
- Refusing to submit to a preliminary breath test when requested to do so by a University Police officer. A student who refuses such a test will be presumed to have a .08% blood alcohol content.

C. Alcohol at University Social Events

Alcoholic beverages may be served at University social events registered with the appropriate Vice President or his/her designee (student functions are always registered with the Center for Student Engagement) at least five (5) class days prior to the event. Registration includes

agreement to assume responsibility for monitoring and controlling the event. See page 6 of this document for more information about event registration and approval.

In addition, the following regulations apply to University social events where alcohol is served:

- Persons under twenty-one (21) years of age may attend functions where alcohol is served only with the written approval of the Vice President for Student Life & Dean of Students or other appropriate Vice President/Vice Provost (or designee). The approval is based on the nature of the event and the ability of the organizing group, department or division to provide suitable and effective control. No one under the age of twenty-one will be permitted to consume alcohol at these functions.
- Non-alcoholic beverages and food items must be provided and must be as accessible as alcoholic beverages. ARAMARK must cater all events where alcohol is served on campus.
- Alcohol must be served by bartenders provided by ARAMARK or trained through the ARAMARK TIPS program. Hiring and training costs are the responsibility of the sponsoring division, department, club or organization, which must also provide individuals from its own membership to serve as checkers of identification and control agents to monitor behavior.
- A University of Scranton identification card or valid driver's license, or both, are proper identification to verify the age and University status of an individual. Some events may require the use of a computer-generated list to verify age or University status.
- The University's Chief of Police will determine when University Police officers and/or Scranton Police Department personnel are necessary.
- Alcohol will not be served to visibly intoxicated persons.
- Advertising or promoting alcohol as a primary attraction of an event and the marketing of alcohol by beverage manufacturers or distributors or by clubs, organizations, departments or divisions of the University are prohibited.
- Alcoholic beverages must not be sold at any event held in a University facility not covered by a Pennsylvania liquor license. Under state law, charging admission, selling mugs, glasses, chits, tickets, etc. constitute furnishing alcoholic without a legal license and are illegal.

Any division, department, club or organization that fails to follow these guidelines and procedures will lose its privilege to conduct social events for a period of time determined by the appropriate Vice President or his/her designee.

D. State and City Laws Concerning Alcohol

Laws of the Commonwealth of Pennsylvania and ordinances of the City of Scranton are applicable to all members and guests of The University of Scranton community. Below is a list of prominent laws and ordinances. However, this list is not comprehensive. Community members are encouraged to ensure they are familiar with relevant laws and ordinances. Failure to abide by them may result in disciplinary action.

- It is illegal for any person under twenty-one (21) years of age to attempt to purchase, consume, possess or transport any alcoholic beverage. Note that Pennsylvania applies the concept of constructive possession under which guilt can be construed

for possession of alcohol by determining that alcohol was readily available to a minor who apparently made no good faith attempt to distance him or herself from it. Also note that individuals who violate this law do not have a right to a breath test or blood test.

- It is illegal for any person to sell, furnish or give away any alcoholic beverage to a person under twenty-one (21) years of age or to any person who is visibly intoxicated.
- It is illegal to operate or control a motor vehicle while under the influence of alcohol. “Under the influence” is currently defined in Pennsylvania as .08% blood alcohol content for individuals who are twenty-one (21) years of age or older and .02% blood alcohol content for individuals who are less than twenty-one (21) years of age.
- It is a violation of a City of Scranton ordinance to possess and/or consume alcoholic beverages from open containers in public streets, sidewalks, highways, buildings, lanes, parking lots, recreation or park areas, or other public property within the City limits.

II. University Drug Policy

The University of Scranton established this policy in an effort to ensure the most positive learning environment for all students. Violations of this policy are serious and may result in a student’s suspension from the University and/or removal from on-campus housing, even for a first offense. University students and their guests are prohibited from engaging in the following:

- Use or possession of illegal drugs, controlled substances, or other substances that significantly alter one’s physical and/or mental state.
- Use or possession of a controlled substance without a valid prescription; Use of a controlled substance in a manner other than as prescribed; Abuse of prescription or over-the-counter products.
- Use or possession of drug paraphernalia or items that have been or can be used to smoke or ingest illegal drugs, controlled substances, or other substances that significantly alter one’s physical and/or mental state (i.e., pipes, hookahs, bowls, bong).
- Being in the presence of any other person on-campus who is engaging in a violation of the University Drugs Policy.
- Manufacture, transfer, sale, distribution, or intent to distribute any amount of illegal drugs, controlled substances, or other substances that significantly alter one’s physical and/or mental state. Students who engage in such conduct will be suspended from the University as a minimum sanction, even for a first offense.

III. Amnesty & Good Samaritan Policy

The University of Scranton is a caring community that holds paramount the health and safety of students. Accordingly, all University students are expected to alert appropriate officials in the event of any health or safety emergency, including those involving the abuse of alcohol or other drugs.

When a student is in need of medical attention as a result of alcohol or other drug (“AOD”) use, fellow students are expected to (1) contact appropriate officials to report the incident

and request assistance (i.e., University staff members, University Police, law enforcement), (2) provide their names and contact information to the appropriate officials, and (3) demonstrate cooperation and care by remaining with the student in need of medical attention and providing assistance during and after the incident.

A student (other than a student-staff member) who seeks medical attention for an AOD impaired student by following the aforementioned steps will generally not be subject to formal University disciplinary action for Alcohol or Drug Policy violations relative to this incident. While no formal University disciplinary action may be taken, the student who acted as a Good Samaritan may be requested to meet with a University staff member to discuss the incident and adhere to any appropriate therapeutic and/or educational recommendations.

Similarly, an AOD impaired student who receives medical attention because another student (other than a student-staff member) followed the aforementioned steps will generally not be subject to formal University disciplinary action for Alcohol or Drug Policy violations relative to this incident. While the impaired student may be granted amnesty from formal University disciplinary action, the student will be required to meet with a University staff member, participate in substance abuse education and/or an evaluation at the University's Counseling Center, and comply with any therapeutic and/or educational recommendations (i.e., counseling, therapy, outpatient or inpatient care).

The Amnesty & Good Samaritan Policy does not protect students from repeated, flagrant, or serious violations of the Student Code of Conduct (i.e., physical or sexual assault, property destruction, disorderly behavior, theft) nor does it prevent or preclude action by police or other legal authorities. While Pennsylvania law provides an exception for persons seeking medical attention for another (18 Pa.C.S. 6308), it differs from the University's Amnesty & Good Samaritan Policy.

In general, the Amnesty & Good Samaritan Policy only applies for an initial Alcohol or Drug Policy violation, as it is the expectation of the University that students learn from poor decisions involving alcohol or other drugs and avoid such situations in the future. Therefore, if a student was previously responsible for an Alcohol or Drug Policy violation or previously was covered by the Amnesty & Good Samaritan Policy, the applicability of the Amnesty & Good Samaritan Policy for subsequent incidents is at the discretion of the Vice President for Student Life (or designee). See also, [Sexual Harassment & Sexual Misconduct Policy](#).

Note that student clubs, teams, and organizations, through their officers and members, are also expected to take responsible action in emergency situations. While the Amnesty & Good Samaritan Policy may not fully apply, a group's adherence to the aforementioned steps will be considered a mitigating factor when determining the outcome or sanction of an incident that merits disciplinary action. Additionally, the University will consider a group's failure to adhere to the aforementioned steps to be an egregious factor when determining disciplinary action.

IV. Website Address for this Policy

This policy is available:

University of Scranton Policy page (www.scranton.edu/governance)

Office of the General Counsel Page (<https://www.scranton.edu/general-counsel/policies.shtml>)

Compliance Corner tab on the Human Resources Page (<https://www.scranton.edu/hr/compliance-corner/index.shtml>)

Student Handbook (<http://www.scranton.edu/studenthandbook>)

V. Related Documents, Forms, and Tools

Individuals wishing to include alcohol at University events must complete and submit the following registration form. The form must be submitted to and approved by the Vice President for the division in which the sponsoring individual/department is assigned. Review and signatures of other University and/or public safety officials may also be required.

Events Form: <https://www.scranton.edu/reservations/pdf/alcohol-registration-form.pdf>

Additional information about alcohol and drug policy and resources is available on the University's Consumer Information web site: www.scranton.edu/consumerinfo. Annual notices regarding alcohol and drug policies and resources are distributed annually to all students, faculty and staff.

Additional information about the University's alcohol and drug policies, and related procedures and resources are from the Divisions of Student Life and Human Resources

VI. Contacts

For Policy Clarification and Interpretation, please contact the following offices:

For students: Office of Student Life, Suite 201 The DeNaples Center. (570) 941-7680
<https://www.scranton.edu/studentlife/index.shtml>

For faculty: Office of the Provost, Suite 5124 St. Thomas Hall. (570) 941-7520
<https://www.scranton.edu/academics/provost/index.shtml>

For staff: Office of Human Resources, Suite 100 St. Thomas Hall. (570) 941-7767.
hr@scranton.edu