

use of College facilities, including any residence hall dorm room or common area, for personal or commercial profit, is strictly prohibited.

12. Violation of any published rules, policies, or procedures will subject you to disciplinary action.

MAJOR VIOLATIONS

1. Forges, alters, takes possession of duplicates, or uses documents, records, keys, or identification without consent or authorization of appropriate College officials including falsifying or misrepresenting information to a College official.
2. Destruction of, damage to, or malicious misuse of Commonwealth property or property belonging to other individuals.
3. Tampering with safety equipment, including security cameras.
4. Theft of Commonwealth or private property and/or services.
5. The possession, use, sale of alcoholic beverages by students and/or students under the influence, regardless of age, is in direct violation of the College's Code of Conduct **(Additional information follows)**.
6. Unauthorized entry into or use of campus facility.
7. Violation of civil or criminal law with respect to on-campus violations.
8. Assault and/or physical confrontation with a second party.
9. Violation of campus safety and motor vehicle violations
10. **Harassment, stalking, ridicule, and other forms of written, verbal, or physical intimidation are prohibited when the conduct is either (i) severe or pervasive such that it substantially disrupts or interferes with a student's educational experience, (ii) a true threat of harm, (iii) non expressive, physically harassing conduct, or (iv) otherwise violates applicable law. This includes in person conduct as well as conduct through use of social media/internet.**
11. Sexual Assault **(Additional information follows)**
12. Sexual Harassment **(Additional information follows)**
13. Domestic Violence **(Additional information follows)**
14. Dating Violence **(Additional information follows)**
15. Stalking **(Additional information follows)**
16. Unauthorized possession of firearms, other weapons, explosives, and/or chemicals which includes but may not be limited to: guns (inclusive of paint ball guns), bow and arrows, nunchakus, brass knuckles, slingshots, machetes, fireworks, and knives (excluding pocket knives, e.g. folding knives with more than one blade or folding knives with blades no longer than three inches in length). Students may carry mace or any of the various pepper sprays as allowed by the laws of the Commonwealth. Students who discharge mace or any of the various pepper sprays allowed by the Commonwealth for any reason other than self-defense will be guilty of the unauthorized use of the same **(Additional information follows)**.
17. Possession, use, or sale of illegal drugs and/or narcotics by students, regardless of age, is in direct violation of the College's Drug-Free Campus Policy. Additionally, persons found with any manner of drug paraphernalia which would include, but is not limited to baggies, pipes, marijuana seeds and scales, may be subject to the same procedure described herein as those found using or possessing. **(Additional information follows)**
18. Visitation with individuals under the age of 18. (Family members under the age of 18 are permitted in the residence halls during move in and Open House or with permission of the Director of Residence Life or Dean of Student Services.)
19. Disrespect and disorderly behavior which disrupts or obstructs classes, teaching, labs, seminars, administration, student conduct proceedings, and other college activities, including the College's

- functions on or off campus.
20. Failure to identify or falsely identifies oneself (including not providing an I.D. upon request) when requested by a member of the College community acting in the performance of his or her duty and authority.
 21. Violation of any published rules, policies, or procedures will subject you to disciplinary action.
 22. Fails to comply with the request of or to show respect to the residence life staff, security, or any member of the College community acting in the performance of his or her duties and authority.
 23. Participates in activity which recklessly or intentionally endangers the safety of oneself or others.

VAPING/TOBACCO POLICY

Vaping/Tobacco use is prohibited in and on all College property, including College vehicles, with the exceptions listed below:

Gazebos may be found at the following locations:

- Orange Street location entrance
- Between Herrington & Armstrong Hall
- Between Leonard & Woolworth Buildings
- Between Kreider & Leonard Buildings

Designated smoking areas are located:

- Hartzell Parking Lot
- Bulldog Drive
- Greenfield Parking Lot
- Greiner Campus

Tobacco is defined as any type of tobacco product including, but not limited to, chewing tobacco, snuff, cigarettes, cigars, cigarillos, pipes and bidis. Electronic cigarettes e-cigarettes are also restricted to the designated areas.

The progressive disciplinary sanctions for tobacco use outside of the designated areas typically will include the following; however, the College reserves the right to impose any sanctions as outlined in the Student Handbook as deemed necessary on a case by case basis.

- Verbal warning
- Written warning and probationary period
- Loss of privilege
- Suspension from dorms and/or College

MULTI-STEMMED SMOKING DEVICES

In the best interest of the student and the College, a Hookah, which is a multi-stemmed instrument for smoking flavored tobacco, is not permitted within the residence halls or on the Stevens campus. A Hookah can also be known as a Waterpipe, Narghile, Shisha, or Qalyan. If you are found to be in possession of a Hookah or a similar multi-stemmed smoking device, you will be asked to remove it from the residence hall and from the Stevens campus. Not complying with this request is a major violation of the College Code of Conduct.

NON ALCOHOLIC BEER OR ASSOCIATED BEVERAGES

In the best interest of the student and the College, non-alcoholic beer and other associated beverages are not permitted on campus or in the residence halls. If you are found to be in possession of these beverages, you will be asked to dispose of or remove them from the campus. Not complying with this request is a major violation of the College Code of Conduct.

BEER BOTTLES, LIQUOR BOTTLES, OR SIMILAR CONTAINERS

Thaddeus Stevens College of Technology is a dry campus and strives to promote an alcohol free learning environment. The College also receives grant money exclusively for the use of promoting drug and alcohol related educational seminars and workshops. With that in mind, it is in the best interest of the student and the College that empty beer bottles, liquor bottles or associated containers are not permitted in rooms as decorative items. If you are found to be in possession of these items, you will be asked to

dispose of them or remove them from the campus. If a student chooses not to comply with this request, he/ she will subject himself/ herself to appropriate disciplinary action ranging from probation to suspension from the residence halls for a period of time.

DISCIPLINARY SANCTIONS EXCLUSION FROM THE COLLEGE AND/ OR RESIDENCE HALLS

The Student Services Office, with substantial input from members of the Stevens community and with the approval of the President, will determine the kinds of charges that will lead to exclusion from the College and/ or residence halls. Exclusion may take the form of suspension or expulsion. Typically, the charges resulting in exclusion from the College are defined as major violations indicated under Violations of the Code of Conduct, Major Violations in the previous section.

Suspension is exclusion from College and/or residence halls for a period of one to five consecutive College days. Suspensions are given by the Dean of Student Services or the Director of Residence Life. In cases of one to five days of suspension, no student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond to the College official initiating the suspension. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the College community is threatened. The President of the College shall be notified in writing when the student is suspended. The student is informed in writing of his/ her suspension from the residence halls or College for a specific period of time. The student's parents, guardians, or sponsors may be informed in writing of this action only upon consultation with the student.

Residence Hall Suspension: During the time a student is suspended from the residence hall he/ she may attend classes; however, the student is not

permitted in any of the residence halls. The student must leave campus after classes during the period of the residence hall suspension by 6:00PM or 20 minutes after their last class of the day ends.

College Suspension: During the time a student is suspended from the College a student is not permitted on campus and may not participate in any College sanctioned extracurricular activities regardless of where they take place (i.e. away sporting event, student organization activity, etc.).

Interim Suspension: The Dean of Student Services or Director of Residence Life may impose an interim suspension and/ or loss of privileges upon any student whose presence on campus constitutes a threat to the safety, welfare, or well-being to himself/herself or others in the Stevens community. In such cases, a disciplinary hearing shall be scheduled within five College days if the suspension exceeds ten College days.

Expulsion is exclusion from college and/ or residence halls for a period exceeding five College days and may be permanent expulsion from the College rolls. During the period prior to the hearing and decision of the President in an expulsion case, the student shall be placed in his/ her normal class except as set forth below.

If it is determined after an informal hearing that a student's presence in his/her normal class would constitute a threat to the health, safety, or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from the College for more than 10 days, if the formal hearing is not unreasonably delayed.

ADDITIONAL SANCTIONS

These sanctions can be combined with suspension, expulsion, or one of the other additional sanctions listed below.

Reprimand is when a student is informed in writing of his/her violation of the Code of Conduct. It is understood that further misconduct will result in additional disciplinary action.

Loss of Privilege is when a student is not permitted to access a building, facility, residence halls, or participate in a College sponsored event or activity.

A student may lose one or several privileges for a period of time to be determined by the Dean of Student Services, the Director of Residence Life, or the President of the College.

Loss of Grant is when a student violates the Code of Conduct Loss of Grant Policy.

Probation is when the student is informed in writing that he/ she must show a change in behavior over a period of time. If the student engages in other violations of the College Code of Conduct during the probationary status period, further disciplinary action will be taken ranging from loss of services to suspension to recommendation for expulsion. The period of time shall not be less than 15 days and may last up to one calendar year.

Restitution is payment for the loss, damage, or other associated cost to the student(s)'s behavior which may include but is not limited to medical bills, fines, service fees, or cleanup cost.

Fines are monetary charges imposed upon individuals.

Referral is when a student is required to seek an evaluation from a College Counselor or other professional on or off campus. The student is required to pay for all cost associated with the referral and must comply with the recommendations made by the person who conducts the evaluation.

Community Service/Civic Engagement is when a student is required to take part in a special program based on their offense. They give time without receiving compensation to an on- or off-campus organization or department. This community service may not be counted for the student's community

service as required by the Stevens Grant or other College requirement or expectation.

Cease and Desist Order

A cease and desist order can be imposed for an interim period pending hearing by the Dean of Student Services or his/her designee as a measure to de-escalate a potentially volatile situation between a student and any other party. Imposing a cease and desist order carries with it the expectation that formal charges have been or will be filed or deemed in the best interest of the student(s) or College. Continuation of a cease and desist order may be included as part of a judicial/student conduct sanction.

Second offense of the College Code of Conduct within a year following a suspension

may result in a five-day residence halls suspension with recommendation for expulsion. If the student is a resident and retained by the College, then he/she may be suspended from the dorms for the remainder of the semester and continue to be on probation. In addition, the student will be held to the same constraints as outlined below for a commuting student. An individual's return to the residence halls at the outset of another semester will be subject to review and approval of the Dean of Student Services and Director of Residence Life. If the student is a commuter and retained by the College, then he/she will remain on probation for the remainder of the semester and not be permitted on campus after 6:00 PM for the same time period. An individual's return to campus after 6:00 PM at the outset of another semester will be subject to review and approval of the Dean of Student Services and Director of Residence Life.

DRUG-FREE CAMPUS POLICY

POLICY PURPOSE

Thaddeus Stevens College of Technology (hereinafter referred to as the "College") values its students, its reputation and is concerned with accident prevention and loss control. It recognizes that student substance

abuse negatively impacts student health and jeopardizes the College's resources. Additionally, substance abuse undermines the College's ability to operate effectively and efficiently. As part of its commitment to protect the safety, health and well-being of its students, to protect the College's assets, and to deter the illegal use of drugs, and the misuse of alcohol, controlled substances, inhalants, and/or other substances used as alternatives to illicit drugs, the College has established a Drug-Free Campus Policy (referred to as "the Policy").

SCOPE AND APPLICABILITY

Students. Compliance with this Policy is a continuous condition of enrollment and it shall apply to all full-time and part-time students of the College (hereinafter all are referred to as "students").

Contract Disclaimer. This Policy does not create an express or implied enrollment agreement or alter any existing agreements, if any.

When Applicable. The College's Policy is applicable in the following instances:

- a. while on College premises;
- b. during all school hours (regardless of location);
- c. during lunch and other breaks;
- d. while operating tools or machinery on campus or at a college-sponsored event;
- e. while operating a motor vehicle on campus property;
- f. while attending College-sponsored events; or
- g. while conducting business on behalf of or representing the College.

Policy Modification. This Policy supersedes any other College policy or practice on the subject of student drug, controlled substance, inhalant, other substance used as alternatives to illicit drugs, and/or alcohol use, abuse, and testing. At any time, the College, with or without notice, may amend, supplement, modify or change any part of this Policy. This Policy shall automatically incorporate any changes to satisfy federal or state laws without notice to

students. Any failure to implement the Policy or any part thereof, any variation, addition, or omission to the procedures set forth in the Policy shall not confer any contractual or other rights or claims in favor of the student not otherwise conferred by law.

Designated Information Representative (DIR). An individual at the College will be identified as the DIR. This person will maintain confidential records of student test results and record passing a drug test as "completed Drug Testing" in the applicant's Jenzabar profile. Questions regarding this Policy will be emailed to the DIR who will forward the emails to Admissions, Counseling, or Student Services Office as appropriate.

Implementation. This Policy shall be effective August 1, 2014.

STUDENT RESPONSIBILITIES AND DUTIES

Student Duties. This Section imposes duties on students and failure to comply with those duties constitutes a Policy violation separate from Section 4:

- a. Report to campus, class or activities at all times in a fit-for-duty capacity which includes free of drugs (including medical marijuana), alcohol, controlled substances, inhalants, or other substances used as alternatives to illicit drugs, which pose a direct threat to campus safety.
- b. Review and understand the Policy, the negative effects of the use and/or misuse of drugs, alcohol, controlled substances, inhalants, or other substances used as alternatives to illicit drugs, the College's Policy on testing, and voluntarily seek help with such problems prior to problems arising at school.
- c. A student who is convicted of a drug law violation must notify the College's DIR no later than five (5) calendar days after the conviction or the plea of nolo contendere.
- d. Whenever a student is legally prescribed drugs or directed to take over-the-counter

medication, the student shall ask his/her prescribing physician whether the medication, if taken as directed, is likely to pose a direct threat to campus safety and if so, indicate this on his or her College physical. Students in safety sensitive programs are prohibited from being on campus under the influence of medical marijuana.

- e. A student shall notify DIR of prescription or over-the-counter medication use that may pose a direct threat to campus safety or significantly impair the student's fitness-for-duty prior to Enrollment or participation in campus or program related activities. When required to notify, a student is not required or asked to report his/her medical condition or the drugs used; the student should merely report that he/she is using medication that may pose a direct threat to campus safety. The student shall provide a copy of the physician's statement regarding the student's ability to perform the essential functions of his program of study and function safely on the College campus prior to participating in campus or program related activities.
- f. If a student is legally using a prescription or over-the-counter drug that poses a direct threat to campus safety, then the College shall determine whether the Student may continue to remain on campus or attend class during the course of treatment. The College may seek a second opinion from a medical professional of its choice and may require the student to undergo an examination by the College's chosen medical professional. The College may rely on the second opinion rather than that of the student's prescribing physician.
- g. Participate in and support College-sponsored drug, alcohol,

controlled substance, inhalant, or other substances used as alternatives to illicit drug education programs if instituted.

- h. Cooperate in any investigation and support the College's efforts to eliminate drug, alcohol, controlled substance, inhalant, other substances used as alternatives to illicit drug abuse among students where it exists.
- i. All student medications must be kept in their original containers while on campus. Students are prohibited from using or possessing medical marijuana on campus.

STUDENT PROHIBITED CONDUCT.

Illegal Drugs. It is a violation of College Policy for a student to sell, manufacture, distribute, dispense, use, possess, purchase, obtain, transfer, convey, be under the influence or test positive for controlled substances as defined in Section 4.1 (a) in contravention of federal or state law (or to attempt any of the foregoing acts).

- a. Controlled substance is defined in this policy as a drug which has been declared by federal or state law to be illegal for sale or use, but may be dispensed under a physician's prescription.

Prescription Drugs. Prescription medication usage while the student is subject to the terms of this policy is not prohibited when taken in standard dosage and/or under a physician's written prescription, provided, however, that the prescribed drug would not pose a threat to campus safety or render the student unfit-for-duty. Abuse of prescription drugs is strictly prohibited including, but not limited to, exceeding the prescribed dosage, using a prescription medication for a purpose not intended or using a prescribed medicine which was prescribed to another individual. Students are prohibited from using or possessing medical marijuana on campus.

Over-the-Counter Drugs. Over-the-

counter medication usage is not prohibited when taken in the standard dosage, provided, however, if taken as directed it does not render a student unfit to perform essential functions of program of study or otherwise negatively impact campus safety. The College prohibits students from being under the influence of mood-altering over-the-counter drugs used contrary to the product's labeling (i.e. misuse of over-the-counter drugs) while subject to the terms of this policy.

Alcohol. The College prohibits students from illegally using, possessing, selling, buying, distributing or illegally attempting to distribute, manufacture, or being involved in illegal alcohol-related conduct, including, but not limited to, driving under the influence and underage drinking violations, while subject to the terms of this policy .

For purpose of this Policy, the term alcohol includes any intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols and includes any medication or food containing alcohol. Furthermore, the College prohibits its students from the alcohol-related conduct while subject to the terms of this policy:

- a. Possessing opened containers of alcohol;
- b. Using, consuming, distributing, manufacturing, dispensing, or being under the influence of alcohol;
- c. Operating a motor vehicle on campus property;
- d. Using or consuming alcohol within four (4) hours before arriving on campus, and participating in any campus related activities or program related coursework and operating any tools or machinery.
- e. consuming alcohol within eight (8) hours following an accident and/or before a post-accident test as specified in the Policy.

Inhalants and Legal Substances.

Students are prohibited from arriving on campus property or participating in campus related activities or program

related coursework and operating tools or machinery while under the influence of, or using while at school, any inhalant. An "inhalant" is defined as any glue, paint, aerosol, anesthetic, cleaning agent, solvent, or other substance that, when inhaled or ingested, will cause a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses and that contains chemicals including, but not limited to: toluene, xylene, hexane, acetone, methylene chloride, methanol, Freon(s), benzene, (iso) amyl nitrate, (iso) butyl nitrite, (iso) propyl nitrite, N-butyl nitrite, butane, propane, fluorocarbon, hydrocarbons, ethyl chloride, nitrous oxide, halothane, tetrachloroethylene, trichloroethane, or trichloroethylene.

The College also recognizes that certain legal substances can be used as an alternative to illicit substances to create a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, and/or dulling of the senses. Students are prohibited from arriving on campus property or participating in campus related activities or program related coursework and operating tools or machinery while under the influence of, or using while at the College, any such legal substance for these purposes.

The College shall use reasonable suspicion to determine a Policy violation involving a student's use of inhalants or other substances used as alternatives to illicit substances. Reasonable suspicion may be based on, but is not limited to, any of the following circumstances:

- a. Observable behavior, such as direct observation of such use, possession or distribution of inhalants or other substances used as alternatives to illicit drugs, or the physical symptoms of being under the influence of inhalants or other such items such as, but not limited to, bad breath, substance odor on breath or clothes, runny nose, watery eyes, drowsiness or unconsciousness, poor muscle activity, mood swings,

irritability, anger, agitation, uncontrolled laughter, nausea, loss of appetite, vomiting, hallucinations, convulsions, facial rashes and blisters, constant sniffing and coughing, slurred speech, depressed reflexes, rapid movement of the eyeballs, and dilated pupils. Observation may include indications of the chronic and withdrawal effects of the use of inhalants or other legal substances;

- b. A pattern of abnormal conduct, violent or erratic behavior or deteriorating performance in college related activities which appears to be related to the use of inhalants or other legal substances;
- c. The identification of a student as the focus of a criminal investigation into the illegal use of inhalants or other legal substances;
- d. The admission by the student that he/she is involved in the illegal use of inhalants or other legal substances;
- e. Repeated violations of the College's safety or College's rules that pose a substantial risk of physical injury or property damage and that appear to be related to inhalant or other legal substance misuse that may violate the College's Policy; or
- f. A report of inhalant or other legal substance misuse provided by reliable and credible sources and which has been independently corroborated.
- g. Drug Paraphernalia. Students are prohibited from bringing paraphernalia related to the illegal use of drugs onto College property at any time.

STUDENT DRUG AND ALCOHOL TESTING

Testing a Condition of Enrollment. The College may require its students to be tested for illegal use of drugs and/or alcohol in the circumstances listed below. In order to carry out such testing, a student may be asked to submit a

saliva, urine, blood or breath sample for testing. Student acceptance of testing when requested is a mandatory condition of initial and continued enrollment at the College through graduation.

The College identifies programs it considers to be "safety sensitive", including but not limited to: Automotive Technology, Cabinetmaking & Wood Technology, Carpentry Technology, Collision Repair Technology, Construction Electrical Technology, Electrical Technology, ElectroMechanical Technology, Electronic Engineering Technology, Heating, Ventilation, Air Conditioning & Refrigeration Technology, Machine Tool & Computer-Aided Manufacturing Technology, Masonry Construction Technology, Metal Castings Technology, Metal Fabrication & Welding Technology, Plumbing Technology, Residential Remodeling Technology, Water Environment Technology, Welding Program, and the Pre-Major program.

Students planning to enroll in safety-sensitive majors are subject to drug and alcohol testing. Failure to consent to any requested test will result in immediate withdrawal of the students offer of admission, or a recommendation for expulsion from the College.

- a. **Pre-Acceptance.** The College shall require a pre-acceptance (post offer) drug test to be administered to any applicant who has received a conditional offer of acceptance. Any applicant who is given a conditional offer of acceptance must provide a verified negative drug test result prior to enrolling in their courses and no later than 30 days prior to the start of the semester in which they plan to enroll. Additionally, any applicant who tests positive, refuses to submit to a pre-acceptance drug test, or attempts to tamper with a test or the testing procedures shall be treated as withdrawing his/her application and the College shall revoke its offer of

acceptance.

- b. **Random Drug Testing.** Students enrolled in safety-sensitive programs will participate in random drug testing. Students will be selected randomly for a drug test using computer generated random numbers to identify students for testing. Students selected for random drug test must comply and agree to be tested within 12 hours or test results will be recorded as positive and treated according to the Policy.
- c. **Reasonable Suspicion.** The College shall require a student to submit to reasonable suspicion drug and/or alcohol testing when, in the sole judgment of the College and based on information known at the time the decision to test is made, the student is unfit for duty or there is a reasonable suspicion to believe that a student is using drugs or alcohol in violation of the College's Policy or exhibits the physical signs and symptoms of substance abuse. The evidence will be drawn from specific, objective facts and reasonable inferences. Such facts and inferences may be based on, but are not limited to, any of the following:
 1. Observable behavior, such as direct observation of drug or alcohol abuse, possession or distribution, or the physical symptoms of being under the influence of drugs or alcohol such as, but not limited to slurred speech, dilated pupils, odor of alcohol or marijuana, dynamic mood swings, etc. Observation may include indications of the chronic and withdrawal effects of the illegal use of drugs;
 2. A pattern of abnormal conduct, violent or erratic behavior or deteriorating performance in college related activities which appears to be related to substance abuse or misuse;
 3. The identification of a student as the focus of a criminal investigation into unauthorized drug possession, use or trafficking;
 4. The admission by the Student that he/she is involved in the illegal use of drugs or misuse of alcohol;
 5. Repeated violations of the College's code of conduct, safety or College rules that pose a substantial risk of physical injury or property damage and that appear to be related to substance abuse or misuse that may violate the College's Policy;
 6. A report of drug or alcohol use provided by reliable and credible sources and which has been independently corroborated;
 7. Evidence that an individual has tampered with a drug or alcohol test; or
 8. A student's failure to report an accident
- d. **Post-Accident.** The College may require a student involved in a campus related accident or incident to submit to drug and/or alcohol testing following the accident. The College may also test any individual whose performance created a "near miss or unsafe condition" or was a contributing factor to a campus related accident. This determination shall be based on the best information available at the time of the accident.

The post-accident test will be administered as soon as possible. In no way is this post-accident test requirement intended to delay the necessary medical treatment for an injured person(s) following an accident or to prohibit a student from leaving the scene of an accident to obtain medical assistance for others or for personal medical assistance.

In order to ensure the appropriate application of this policy, Students are required to report the occurrence of accidents to their instructor, nurse, residence hall director or other assigned staff within 24 hours of the occurrence and thereafter submit to a post-accident test as directed. The failure to timely report and submit to a post-accident test will constitute a refusal to test, subjecting the Student to discipline up to and including expulsion. It will also constitute reasonable suspicion to test the Student once the College receives notice of said accident, regardless.

For purposes of this Policy, a campus-related accident is defined as an unplanned, unexpected or unintended event that occurs on or involves college property, or occurs while representing the College off campus and results in any of the following:

1. a serious violation of a safety rule or the program standards;
 2. a fatality of anyone involved in the accident;
 3. a serious bodily injury requiring medical treatment
 4. other serious property, vehicular or equipment damage occurs.
- e. **Return-to-School.** The College shall require a student who has violated this Policy and desires re-admission to test negative on a return-to-school drug test before returning to school. Additionally, the College may require a return-to-school alcohol test if the prohibited conduct involved alcohol or a treatment provider recommends an alcohol test. Inclusion of this paragraph, in no way obligates the College to make an offer to readmit a student.

- f. **Follow-up.** Following a determination that a Student is in need of assistance in resolving problems associated with alcohol misuse and/or the illegal use of drugs, the Student may be subject to unannounced follow-up drug and/or alcohol testing as directed by a treatment professional. The number and frequency of such follow-up testing shall be as directed by the treatment professional. The Student may be required to undergo follow-up testing for both alcohol and drugs, if the treatment professional determines that follow-up testing for both are necessary for that particular Student. Follow-up testing shall remain in place throughout the student's enrollment at the College from the date of the student's return-to-school. Inclusion of this paragraph in no way obligates the College to reinstate the student or conduct follow-up testing.

Testing Procedures for Drugs. Testing for illegal use of drugs normally will be conducted through a 9 panel plus alcohol urine specimens collected at a collection site. The collection site will take the necessary steps to assure that the specimen is not adulterated or tampered with and that a strict chain-of-custody is maintained. Normally, the specimen will then be transported to a U.S. Department of Health and Human Services certified laboratory for screening and confirmation testing for the following drugs and their metabolites: marijuana (including medical marijuana), amphetamines (including methamphetamines), phencyclidine, opiates, cocaine, barbiturates, methadone, benzodiazepines and propoxyphene.

Testing Procedures for Alcohol. The initial testing for alcohol normally will be conducted through either a saliva or breath specimen. If the Breath Alcohol Content (BAC) is less than 0.02, the test is considered negative. If the

screening test results show an alcohol concentration level of 0.02 or greater, a confirmation test will be conducted. The confirmation test shall be performed by using breath specimen conducted on an Evidentiary Breath Testing (EBT) device approved for use in the United States Department of Transportation's Drug and Alcohol Misuse Prevention Program. If the confirmation test reads positive, 0.02 or greater, the test results shall be considered positive and the Student will be subject to disciplinary action as specified in this Policy.

Screen and Confirmation Testing. All urine samples will undergo an initial test. If the specimen tests above the screening cut-off levels set by the U.S. Department of Health and Human Services Mandatory Guidelines for Federal Workplace Drug Testing Programs, then the screen test shall be considered positive. The sample shall then undergo a confirmation test. Test results indicating the illegal use of drugs at levels below the confirmation cut-off limits shall be considered negative and those above the confirmation cut-off levels shall be considered positive.

Review of Test Results by Medical Review Officer. All positive drug test results will be reviewed and interpreted by a Medical Review Officer (MRO) before the test results are reported to the College. A MRO is a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

The MRO review of a positive test result may include conducting a medical review of the tested Student's medical history, or review of any other relevant biomedical factors. If the MRO determines that a legitimate medical explanation exists for the test results, then the MRO will report to the College that the test result is negative.

If after making all reasonable efforts and documenting them, the MRO is unable to reach a tested Student directly, the MRO shall contact the DIR,

who will direct the tested student to contact MRO as soon as possible. The College will use electronic or phone methods to contact the student. In such circumstances, the College will to the maximum extent possible, ensure that the requirement on a tested student to contact the MRO is held in confidence. If the tested student does not contact the MRO within three (3) days after being instructed to do so, the MRO will report the test as being positive.

Validity Testing. Additionally, validity testing of a student's urine specimen may also occur. Validity tests are the evaluation of the specimen to determine if it is consistent with normal human urine and include tests for creatinine concentration, specific gravity, pH, and substances that may be used to adulterate a specimen.

Direct Observation/Monitoring. The College reserves the right to have its collection site agent conduct a direct observation or monitoring of the urine specimen collection if the collection site personnel indicates an attempt to tamper, the specimen's temperature is out of range, the specimen appears to have been tampered with, if the laboratory reports an invalid test and the MRO states no medical reason, the result is positive, adulterated or substituted, cancelled, and for return-to-duty or follow-up testing.

Dilute Specimens. If the MRO informs the College that a drug test was positive dilute, the College will treat the test as a verified positive test. The College shall not direct the student to take another test based on the fact that it was dilute. For negative-dilute test results, the College shall require a student to take another test immediately, but it shall not be collected under direct observation unless there is another basis for use of direct observation. If the College directs another test, then the result of the second test, not the original test, becomes the controlling test result.

Re-collections. When the College directs the Student to take another test, the student shall be given the minimum possible advance notice that he or she

must go to the collection site. The result of the second test, not the original test, is the test of record. Any student required to take another test, which is also negative and dilute, will not be permitted to take a third test. Provided, however, that if the MRO directs the College to conduct a re-collection under direct observation, the College must immediately do so. If the College directs the student to take a second test and the student refuses, the test will be treated as a positive result.

Verification Testing. For urine drug testing, one portion of the specimen will be preserved for a very limited period of time after the student is told the test results. If the portion originally analyzed (the primary sample) is positive, the student shall have the right to specify a laboratory certified by the U.S. Department of Health and Human Services to which the preserved portion will be sent for independent analysis. The verification test cost is the responsibility of the student. The verification test result shall be controlling.

Refusal to Test and Test Tampering. Any student who refuses to submit to testing, tampers, manipulates, adulterates or attempts to tamper with the testing will be treated as having a verified positive test result and violating this Policy. A refusal to submit to testing shall include, but not be limited to, the following:

- a. Fails to timely report a campus-related accident as outlined in Section 5.1(c) above;
- b. Fails to appear for any test within a reasonable time, to be determined by the College, after being directed to do so by the College;
- c. Fails to remain at the collection site until the testing process is complete;
- d. Fails to provide urine specimen when required for a drug test or a saliva or breath specimen for an alcohol test;
- e. In the case of directly observed or monitored collection in a drug test, fails to permit directly

- observed or monitored collection;
- f. Fails to provide a sufficient amount of urine, saliva or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- g. Fails or declines to take a second test as directed;
- h. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process;
- i. Fails to cooperate with any part of the testing process; or
- j. Is reported by the MRO as having a verified adulterated or substituted test result.

DISCIPLINE FOR POLICY VIOLATIONS.

Student Discipline. Any student who is reasonably believed to have violated this Policy shall be subject to expulsion.

The College encourages its students who are chemically dependent to voluntarily obtain assistance/treatment for substance abuse problems before they cause problems on campus. A student's decision to voluntarily seek assistance for such problems will not be used as the basis for disciplinary action. Students may not avoid imposition of discipline by first requesting such treatment or a leave of absence after being selected for testing or violating the College's Policy.

To determine the appropriate sanctions for the violation of the policy the following facts associated with a violation of the policy will be considered:

- The location of the violation. If the environment where the violation of the policy occurred or revealed during the investigation of the violation is in a safety sensitive area including but not limited to a program lab/shop, class related job site, internship placement related location, and/or at a college event the student will be recommended for expulsion.
- The amount of drugs/ paraphernalia

found. If the amount of marijuana found is greater than a gram, two joints, or a bundle greater than the size of a quarter (US Currency) the student will be recommended for expulsion. If the student is found with paraphernalia including but not limited to a needle (s) the student will be recommended for expulsion. A bong or roach clip alone and no other paraphernalia or violations of the Policy and/or College Code of Conduct would not cause the student to be recommended for expulsion.

- Other violations of the Policy and/or the Code of Conduct. Any violations of the College Code of Conduct in addition to a violation of The Policy would result in the student being recommended for expulsion.

Examples of violation of The Policy and corresponding sanctions:

- a. Student found smoking marijuana (a joint) in a car parked on campus with car turned off and no other drugs, drug paraphernalia, or persons in car. Pennsylvania State Police are called and no charges filled on the student.
 - Sanction- Student would be determined to have a 'minor' violation of The Policy and would be suspended from the dorm for five days, pay for a drug test, attend counseling, and produce a clean-drug test within 45 days of the violation of The Policy.
- b. Student appears to be high in cabinet shop. Student is taken for a drug test immediately and fails the drug test for marijuana.
 - Sanction- Student would be determined to have a 'major' violation of The Policy and would be recommend for expulsion from the College.
- c. Staff report that a student was in a fight in the residence hall and appeared to be in an altered state during the fight. During the investigation staff enters the student dorm room and finds rolling paper and a scale.

- Sanction- Student would be determined to have a 'major' violation of The Policy and would be recommend for expulsion from the College.
- d. Student found to be intoxicated in the dorm. On his desk are three unopened cans of Budweiser.
 - Sanction- Student would be determined to have a 'minor' violation of The Policy and would be suspended from the dorm for three days attend counseling.

Referral to Law Enforcement. In addition to imposing discipline, the College may refer information about serious criminal activities and transfer any suspected illegal drugs or illegal drug paraphernalia to appropriate law enforcement.

Other Discipline Not Precluded. Nothing in this Policy prohibits a student from being disciplined or discharged for other violations and/or performance problems.

Automatic Suspension. In the event that a student is ordered to submit to a post-accident, random, or reasonable suspicion test the Student shall be suspended until the MRO verified test result is received. If the verified result is positive, then the student is subject to discipline as described herein.

SEARCHES

College Property Searches. The College may provide lockers, storage areas, equipment, briefcases, computers, desks or workstations for use by students in order to perform the essential skills of their programs of study, or provide for housing. All such items and the data or materials generated using College property remains College property. The College reserves the right to search any College property, at any time, with or without notice or cause. No student shall maintain any expectation of privacy on College-owned property. The College also reserves the right to use other investigative methods when reasonable suspicion exists to indicate drug-free campus Policy violations. Refusal to cooperate in the conducting of a search shall be considered a Policy violation.

Personal Property Searches. The College reserves the right to conduct a search of a student's personal property if a violation of this Policy is suspected. A search may include all personal property located in or brought onto College property such as wallets, purses, bags, briefcases, toolboxes, lunch bags, or vehicles. Entry onto College property and continued enrollment constitute consent to search. The search shall be conducted in the presence of two College trained representatives and the student. Refusal to cooperate in the conducting of a search shall be considered a Policy violation.

CONFIDENTIALITY

Test Results. The College shall take reasonable efforts to insure that all aspects of the testing process are as private and confidential as reasonably practical. Actual test results will be provided to: a) the MRO and his staff; b) DIR c) the student tested upon request; d) any person(s) permitted or required by law or regulation to receive such information; e) any individual(s) with a student's written authorization; f) to law enforcement; g) the decision maker(s) in a legal action initiated by or on behalf of the student or placed at issue by the student in any legal, administrative or other proceeding; or h) to any governmental agency(ies) as required by federal or state law.

Nonspecific statistical information may be provided upon request to a corporation, which requires its vendors or subcontractors to maintain drug and alcohol testing programs in accordance with a contract, or to a governmental agency in accordance with law.

Separate Files. Testing results will be maintained in a locking file cabinet or a secured file room separate and apart from Student educational files.

Costs for Testing

Students in the application process who are enrolling for the first time, or students who are requesting re-admission are responsible for the costs related to drug testing as this is considered a part of the medical

clearance and application process for students enrolling in safety sensitive programs of study.

Students who are requested to participate in drug testing as a result of an accident, random testing, or reasonable suspicion are required to pay for the drug testing, unless the testing results are negative and then the College will incur the costs.

Students who test positive and require on-going testing during their enrollment will incur the costs of all testing.

STUDENT HEALTH ISSUES

The College encourages its Students who are chemically dependent to voluntarily obtain assistance/ treatment for substance abuse problems before they cause problems on campus. A Student's decision to voluntarily seek assistance for such problems will not be used as the basis for disciplinary action. Students may not avoid imposition of discipline by first requesting such treatment or a leave of absence after being selected for testing or violating the College's Policy.

LOSS OF STEVENS GRANT

Below are the following infractions of the College Code of Conduct which will result in loss at Steven's Personnel and/ or contracted Service Personnel;

- Destruction of Property*
- Failure to Show ID (2nd Offense); *
- Failure to Clean Room within College Expectations (2nd Offense)
- Behavior Off Campus when Representing Thaddeus Stevens College which results in Harm/ Damage to the College's Name and Reputation (i.e., at Athletic Events, Organization trips, Community Service, Business Visitations and the like);
- Failure to Complete Community Service Obligation;
- Visitation Violation (2nd Offense) *
- Four Minor Violations;
- Excessive absenteeism not resulting in Expulsion;
- Committing a Major Violation of the Code of Conduct while on probation;