

## MUHLENBERG COLLEGE DRUG USE AND CONTROLLED SUBSTANCE POLICY

Muhlenberg College recognizes that the use of illicit drugs is a serious problem on college campuses. When a student uses illicit drugs, the College makes every effort through education and referrals to assist that person to gain the help that they might need to live a life free of drug dependencies. Muhlenberg recognizes that the use of illicit drugs can seriously affect an individual's health, personal relationships and their ability to function in a competitive academic environment. The College cannot tolerate behavior which is harmful to the individual; infringes upon the rights of others; or which the College deems detrimental to the welfare of an academic community. Consistent with its concern for the welfare of its students, moreover, the College will not tolerate the illegal distribution of drugs on campus. When the College becomes aware that students are using or distributing illegal drugs, the College reserves the right to contact those local, state and federal officials charged with enforcing state and federal drug laws.

The Dean of Students reserves the authority to exercise discretion in all disciplinary matters, giving consideration to the particular circumstances. These procedures do not take the place of criminal prosecution.

The following conduct is prohibited for all students and student groups:

**Sale and/or Distribution:** The sale, production or possessing for the purpose of distribution, as well as attempt, intent, or conspiracy to sell, produce, or distribute illegal drugs, or, without authorization, prescription or over the counter medications, or other controlled, dangerous, or addictive substances.

**Manufacturing, Possession, Purchasing, and/or Use:** Manufacturing, possessing, purchasing, or using illegal drugs (ex: cannabis\*, cocaine, heroin, PCP, LSD, methamphetamine, hallucinations, etc.) or controlled substances with a prescription.

**Prescription Drugs:** Purchasing, possessing or using prescription drugs without a prescription or using prescription or over the counter medications differently than the prescribed or recommended purpose and/or dosage.

**Paraphernalia:** Using or possessing drug paraphernalia, in any form, while on campus. Drug paraphernalia includes, but is not limited to, pipes, bongs, bowls, grinders, vaporizer, vaping device, e-cigarette, etc. Drug paraphernalia includes any device that tests positive for drug residue.

**Driving Under the Influence:** Operating a vehicle, defined as any device upon which a person can be transported, while impaired by an illegal drug or controlled substance.

*\*Cannabis is a controlled substance under federal law and its possession and use, even for medical reasons, is prohibited on property owned or operated by the College or at College-sponsored or affiliated programs and events. It should be noted that any substance that tests positive for THC, regardless of how that substance was sold, will be considered as illegal cannabis possession for the purposes of this policy.*

**Drug Policy Enforcement and Sanctioning:** When a suspected Drug Policy violation is encountered by College staff in a residence hall room or apartment, College staff may enter rooms or apartments to address policy violations, confiscate items, and/or to disperse guests. Students are expected to comply with College staff in their efforts, as failure to comply will result in more severe sanctions. Items found that violate policy will be confiscated by appropriate College personnel and not returned.

**Sanctioning:** Muhlenberg College's Student Code of Conduct is meant to be educational, restorative, and corrective. Students or student groups who are found responsible for violations of this Code will be assigned at least one primary sanction and other secondary sanctions as necessary to meet these goals. The imposition of any sanctions shall be subject to mitigating factors, such as present demeanor and past disciplinary record of the respondent, as well as the nature of the offense and the severity of any damage, injury, or harm resulting from the offense. Sanctions for all students are outlined in the Student Policy and Resource Guide, Article VI - Sanctions and Remedies and can be accessed online at [Student Code of Conduct](#).

Depending on the severity of the circumstances, local, state, or federal law enforcement may initiate a criminal investigation.

Contact: Director of Campus Safety and Police, 484-664-3112