YOUR DEGREE, YOUR CAREER... YOU CAN TAKE CONTROL!

Alcohol Violations and Their Effect on Your Employment After Graduation

Pennsylvania Liquor Control Board
Alcohol Education
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You have studied long and hard. You have kept up your grades. You’ve worked many hours for your degree. You are anticipating that dream job and maybe even a starting salary that is better than you imagine.

Although your dream may come true, the reality of that dream may be compromised if you have alcohol violations resulting in misdemeanor or felony charges.

The information in this book is to encourage you and your friends to stop and think about your alcohol consumption habits.

Don’t let the choice of using alcohol interfere with your dreams.
The Commonwealth of Pennsylvania holds young adults accountable for their actions. The consumption of alcohol by a minor, supplying alcohol to a minor, or a DUI can have far reaching consequences.

Here are five possible consequences:

1. Possible denial of a professional license to practice your chosen profession.
2. A criminal conviction for violation of state statutes.
3. A permanent record, even if acquittals occur.
4. Loss of driver’s license, treatment costs, fines and/or jail time.*
5. Denial or revocation of professional license. **

The average cost for a first-time DUI offender—nationwide—is $10,000.00.

The expense increases if you damage property, injure or kill someone.

* Costs and fines DO NOT include the expense of hiring an attorney. An attorney may charge between $2,000.00 to $25,000.00 depending on the complexity of the case.

** Even though you may not be eligible to work in your field of study, you are still responsible for the repayment of your student loans.
If you plan on going to college out of state or plan to move to a different state after graduation, you may not be able to get your driver’s license reinstated. Currently, there is an “interstate compact” that includes 45 states and the District of Columbia as signatories. That means if you lose your license in Pennsylvania you may not be able to get a new license in another state.

**It’s easier than ever to get a DUI.**

Within the last few years, the Commonwealth of Pennsylvania lowered the Blood Alcohol Content (BAC) from .10% to .08% to fall in line with federal standards. If you are under the age of 21, the threshold BAC is .02%.

There are only five states that are not signatories to the compact. They are: Georgia, Massachusetts, Michigan, Tennessee and Wisconsin. Don’t let this fool you. These five states are part of the “Problem Driver Pointer System.” This system is recognized by all 50 states. If a person tries to obtain a driver’s license in ANY state, his or her name is flagged as a problem driver and he or she may be denied a driver’s license.
Like Driving?
Here are some laws that could affect your driving privileges:

• Misrepresentation of Age to Secure Liquor or Malt or Brewed Beverages, 18 Pa. C.S. 6307
• Purchase, Consumption, Possession, or Transportation of Liquor or Malt or Brewed Beverages, 18 Pa. C.S. 6308
• Carrying a False Identification Card, 18 Pa. C.S. 6310.3
• Minor Prohibited from Operation with Alcohol in System, 75 Pa. C.S. 3802(e).
• Driving Under the Influence of Alcohol or Controlled Substances, 75 Pa. C.S. 3802(e)

The following convictions do not carry driver’s license suspension:

• Representing that Minor is of Age, 18 Pa.C.S. 6309
• Inducement of Minors to Buy Liquor or Malt or Brewed Beverages, 18 Pa. C.S. 6310.1
• Manufacture or Sale of False Identification Card, 18 Pa. C.S. 6310.2
• Selling and Furnishing Non-alcoholic Beverages to Persons Under 21 Years of Age, 18 Pa. C.S. 6310.7 *
• Selling or Furnishing Liquor or Malt or Brewed Beverages to Minors, 18 Pa. C.S. 6310.1

Your first offense is usually treated as a summary offense but can be a misdemeanor. Subsequent offenses are usually treated as misdemeanors.

* This statute refers to beverages such as non-alcoholic beer.
Any adult who is:

- Convicted of buying alcohol for anyone under 21, even their own children (a misdemeanor of the third degree)
- Convicted of making or selling false I.D. cards (a misdemeanor of the second degree),

will receive a mandatory fine of at least $1,000.00 for his/her first offense and $2,500.00 for each subsequent offense.

College campuses ARE NOT exempt from the law.

The parents of college students who supply alcohol to their underage child/children are also subject to the above penalties.

An adult who supplies minors with alcohol may also be liable for any resulting injuries and/or property damage caused by the minor.
WHAT ARE THE SANCTIONS FOR SUMMARY OFFENSES, MISDEMEANORS & FELONIES?

• A summary offense is punishable by a maximum imprisonment for up to 90 days and/or a fine of up to $300.00
• A misdemeanor of the third degree is punishable by imprisonment for up to 1 year, and/or a fine of up to $2,500.00
• A misdemeanor of the second degree is punishable by imprisonment for up to 2 years, and/or a fine of up to $5,000.00
• A misdemeanor of the first degree is punishable by imprisonment for up to 5 years, and/or a fine of up to $10,000.00
• A felony of the third degree is punishable by imprisonment for up to 7 years, and/or a fine of up to $15,000.00
• A felony of the second degree is punishable by imprisonment for up to 10 years, and/or a fine of up to $15,000.00
• A felony of the first degree is punishable by imprisonment for up to 20 years, and/or a fine of up to $25,000.00

STATE & FEDERAL GRANTS

If a student is incarcerated due to an alcohol conviction, that student is not eligible for state or federal student aid.
If you are completing a degree that requires a license and you are convicted of any offense listed previously, you may not be eligible for a professional license in the Commonwealth of Pennsylvania. Many occupations in the Commonwealth of Pennsylvania require a license issued by the Pennsylvania Department of State. Ethical standards are set by a governing body for a given occupation. Each one has its own rules on the types of discipline handed down and whether or not a license is issued.

Imagine being a senior or graduate student in college, spending thousands of dollars of your money or your parent’s money on an education, then not being able to work in your field of study because of an alcohol-related offense.

Even if you are granted a professional license by the Commonwealth, today more companies are conducting criminal background checks on potential employees. Even if you are acquitted of an offense, a potential employer may have serious questions regarding your arrest and prosecution.
If a student is majoring in a health care discipline he/she should know the potential consequences of a DUI or other alcohol-related offense on his/her record with regard to obtaining a state license to practice in his/her occupation. The Pennsylvania Department of State, which issues many professional licenses within the Commonwealth, does not necessarily discourage individuals from applying for their license if they are convicted of a DUI or alcohol-related offense. However, depending on the circumstances and other charges resulting from the offense, it may result in the new graduate or current practitioner either not receiving his/her license or it being suspended or revoked.

If a healthcare licensee is convicted of an alcohol-related offense in the Commonwealth of Pennsylvania, that person’s name may be entered into the National Practitioner Databank. This databank is accessible by any healthcare agency in the United States. If a complaint is received by the licensing board about a licensee and the licensing board finds evidence that the licensee suffers from an addiction, such as alcoholism, making the licensee unfit to provide safe healthcare, there is a voluntary employee assistance program that the licensee may participate in for a period of time, to deal with his/her addiction in an appropriate manner. In this program, the licensee’s name is
kept anonymous for the purposes of confidentiality. If the licensee does not successfully complete the program the board may begin proceedings to have the provider’s license revoked or suspended.

• **College Major in Psychology**
  All misdemeanor and felony convictions, pleas, and Accelerated Rehabilitative Dispositions (ARDs) must be reported to the Board. Section 8 of the Professional Psychologists Practice Act and Section 9124 of the Criminal Record History Information Act, provides the Board with the authority to refuse a license to an applicant who has been convicted of a crime. Following review, the Board may require a personal interview with the applicant. Applicants may bring their supervisors or character references to the interview.

• **College Major for Occupational Therapy**
  The Board for Occupational Therapists has a set of professional standards to which all licensed occupational therapists must adhere. All misdemeanors and felony convictions must be reported to the Board for consideration of licensing. A conviction does not necessarily preclude someone from being licensed in the Commonwealth, but it will be more difficult.

• **College Major in Chiropractics**
  The State Chiropractic Board requires that a licensee who receives a conviction of a misdemeanor or felony report it to the Board within 90 days. The Board will require that a
licensee submit to a drug and alcohol evaluation for the determination of the licensee’s ability to safely work as a chiropractor. If it is determined that the licensee has a problem with drugs or alcohol, he/she may participate in the Professional Health Monitoring Program. Participation in this program will allow a licensee to continue to work as a chiropractor. If a chiropractor fails to complete the program, this may cause the license to be revoked.

- **College Major in Pharmacy**
  An alcohol-related offense does not automatically preclude someone from obtaining a license to become a Pharmacist. An applicant must demonstrate to the Board of Pharmacy that he or she is of good moral and professional character and that he or she is not unfit or unable to practice pharmacy by reason or extent or manner of use of alcoholic beverages or controlled substances or by reason of physical or mental disability.

  If an applicant is convicted of an offense he or she would have to undergo an evaluation to determine whether there is a substance abuse issue. Once the evaluation is completed, the entire application, including the evaluation, is forwarded for review and approval to Board Counsel and possibly the Board of Pharmacy.

  If there is a substance abuse issue, an applicant may still be able to obtain a license if they agree to enter the Voluntary Recovery Program (VRP). The VRP is a confidential program for pharmacists and/or pharmacy interns who have substance abuse issues.
An individual can reapply at any time in the future if a license would be initially denied.

**College Major in Medicine**
The State Medical Board reserves the right to investigate a licensed medical doctor within the Commonwealth of Pennsylvania. If a physician engages in unprofessional or immoral conduct he/she may be subject to disciplinary action. The Board may investigate any commission of an act involving moral turpitude, dishonesty or corruption. This may or may not lead to a doctor’s license to be revoked or withheld.

A physician engaging unprofessional or immoral conduct may be subject to disciplinary action.

**College Major in Dentistry & Dental Hygiene**
The State Dental Board may refuse, revoke or suspend the license of any dentist, dental hygienist or dental assistant for various reasons, including “having been found guilty of a crime or misdemeanor involving moral turpitude or having been found guilty of any felony in violation of the laws of this Commonwealth or any other state, territory or country.”

While a DUI is a misdemeanor offense, it does not necessarily preclude a dental student, dental hygienist or dentist from being licensed. If it is determined that a problem exists, the licensee will be asked to participate in the Professional Health Monitoring Program (PHMP). This program is sponsored by the Bureau of
Professional and Occupational Affairs. If a licensee does not successfully complete the PHMP, program his or her licensee to practice dentistry may be suspended or revoked.

• **College Major in Nursing**

If the licensee has been convicted, or has pleaded guilty, or entered a plea of *nolo contendere*, or has been found guilty by a judge or jury, of a felony, or a crime of moral turpitude, or has received probation without verdict, disposition in lieu of trial, or an Accelerated Rehabilitative Disposition in the courts of this Commonwealth, the United States or any other state, territory, possession or country, the State Board of Nursing reserves the right to investigate any licensed nurse within the Commonwealth of Pennsylvania.

• **College Major in Nursing Home Administration**

The Board for Nursing Home Administrators has a set of professional standards to which all licensed nursing home administrators must adhere. All misdemeanors and felony convictions must be reported to the Board for consideration of licensing. A conviction does not necessarily preclude someone from being licensed in the Commonwealth, but it will be more difficult.

A nurse engaging in unprofessional or immoral conduct may be subject to disciplinary action.

The Board may investigate any commission of an act involving moral turpitude, dishonesty or corruption.
• **College Major in Law Enforcement for Municipal Police, State Police & Federal Agents**

If a student is majoring in the areas of criminal justice, criminology, or any other law enforcement-related discipline with the intent of becoming a law enforcement official, he/she should know that a DUI will have serious consequences to his/her career. All federal law enforcement agencies and municipal police departments do extensive background checks on potential employees before making an offer of employment.

**A DUI will have serious consequences for a Law Enforcement Student...**

**A DUI will disqualify him/her from obtaining security clearances and from attending the Police Academy.**

Federal agents require a security clearance to conduct many of their investigations. A DUI will disqualify him/her from this. Applicants who have a DUI on their record may be considered for a position as a federal agent only after the conviction has been removed from his/her record. Through the Commonwealth of Pennsylvania’s Accelerated Rehabilitative Disposition (ARD) Program, the conviction will be removed after seven years.

Municipal Police Departments and State Police require new employees...
to attend a police academy to receive their ACT 120 Municipal Police Officer Training Certificate or state police academy training before they can be sworn in as police officers. A state police background check will be conducted on potential employees before they are accepted into a police academy. A DUI will disqualify them from attending.

**Patrolling in a squad car is an essential part of municipal and state police officer duties. Suspension of their driver’s license would preclude them from this activity.**

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**EDUCATION DEGREES**

- **College Major in Education**
  The Commonwealth of Pennsylvania requires that the educational system provide a safe environment in which children can attend classes. The following types of discipline can be enacted against an educator in the Commonwealth of Pennsylvania:
  - Private Reprimand
  - Public Reprimand
  - Suspension of Teaching Certificate
  - Revocation of Teaching Certificate
  - Surrender of Teaching Certificate In Lieu of Discipline
  - Suspension or Prohibiting a Person from Being Employed by a Charter School

The Education Commission may also require a professional educator to meet certain conditions or take corrective action in conjunction with any discipline.
Many occupations in the Commonwealth of Pennsylvania require a bond to be issued by a bonding agency, as well as the approval of an application by the Secretary of the Commonwealth at the Pennsylvania Department of State.

An example of an occupation that requires a bond would be a notary public. Notaries are regulated by the Pennsylvania Department of State. Section 3 of the Notary Public Law requires that a notary be “of good moral character.” Section 22 of the law gives the Secretary of the Commonwealth the authority to reject an application, issue a written reprimand, or suspend or revoke a notary commission. Such decisions are also subject to notice, hearing and adjudication.

Currently, an applicant must disclose all information regarding any criminal convictions or guilty pleas. The Department of State’s legal office then makes a determination as to the qualifications of the applicant.
The Pennsylvania Department of State does not necessarily discourage individuals from applying for their license if they are convicted of a DUI or alcohol-related offense. However, depending on the circumstances and other charges resulting from the offense, it may result in the new graduate or current practitioner either not receiving his/her license or it being suspended or revoked.

- **College Major in Funeral Direction**
  An alcohol-related offense does not prohibit someone from receiving a license to become a funeral director. You will be asked on your application for licensing if you have any criminal convictions. You must supply a letter of explanation and the legal documents from your conviction. Each application that shows a criminal conviction will be reviewed by the Board Administrator and the Board. The Board may also request additional information. A hearing is also possible, depending on the circumstances of an applicant’s conviction.

- **College Major in Licensed Architecture**
  The Pennsylvania Commission on Architecture has a set of professional standards to which licensed architects must adhere. When applying for a license to practice architecture, candidates must submit a list of all misdemeanors and felonies that are on their record. The Board will
evaluate each individual candidate on a case-by-case basis. The board is concerned with the safety of the public and if the candidate is a threat to the profession. A conviction does not necessarily preclude a candidate from being licensed but it will be more difficult.

• **College Major in Licensed Accounting**
  The Pennsylvania Board of Accountancy reserves the right to review any criminal conviction by any accountant licensed by the Commonwealth of Pennsylvania. The Board has the authority to deny or revoke the license of an accountant. However, an alcohol-related offense does not necessarily preclude someone from being licensed.

**YOUR DEGREE, YOUR CAREER...**

Make sure your dreams come true by avoiding alcohol-related violations.
• **Signatories** - a person, government or organization that has signed a treaty or contract and is bound by it.

• **Threshold** - the level at which a psychological or physiological effect or state starts.

• **Summary Offense** - proceedings dealt with by a lower court that operates outside of the formality of other courts.

• **Acquitted** - to declare officially that somebody is not guilty of a charge or accusation.

• **Misdemeanor** - a crime less serious than a felony and resulting in less severe punishment.
  ◦ A third degree misdemeanor is punishable by imprisonment for up to 1 year, and/or a fine of up to $2,500.00
  ◦ A second degree misdemeanor is punishable by imprisonment for up to 2 years and/or a fine of up to $5,000.00
  ◦ A first degree misdemeanor is punishable by imprisonment of up to 5 years and/or a fine of up to $10,000.00

• **Felony** - A serious crime, (e.g. Murder).
  ◦ A third degree felony is punishable by imprisonment for up to 7 years and/or a fine of up to $15,000.00
  ◦ A second degree felony is punishable by imprisonment for up to 10 years and/or a fine of up to $15,000.00
  ◦ A first degree felony is punishable by imprisonment for up to 20 years and/or a fine of up to $25,000.00
The PLCB offers a variety of alcohol education materials FREE of charge.

FOR MORE INFORMATION, please contact us at:

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