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# *Lebanon College of Cosmetology*

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## **DRUG AND ALCOHOL ABUSE POLICY:**

The Safe and Drug-Free Schools and Communities Act requires that as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Lebanon College has developed and adopted the drug prevention program described herein pursuant to the requirements. This program document including a policy statement and educational information will be known as the Lebanon College Drug and Alcohol Abuse Prevention Program. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action. All students are expected to conduct themselves as mature adults and as members of an academic community.

### **Drug and Alcohol Counseling Services**

- ✓ Water Shed Drug and Alcohol Treatment Center 1-800-711-6402
- ✓ Alternative Options INC. Recovery Center (417) 862-3455
- ✓ Sigma House (417) 862-3339 ext. 229
- ✓ For treatment centers located in or around Laclede County contact the Missouri Department of Health at (573) 751-4942.

### **Standards of Conduct**

The School community must adhere to a code of conduct that recognizes that the unlawful manufacture, sale, delivery, unauthorized possession or use of any illicit drug is prohibited on property owned or otherwise controlled by Lebanon College. If an individual associated with the School is apprehended for violating any drug-or alcohol-related law when on School property, or participating in a School activity, the School will fully cooperate with all law enforcement agencies. Underage possession or consumption of alcoholic beverages is not permitted on property owned or controlled by the School and the state laws will be enforced. Intentionally or knowingly selling, or intentionally or knowingly furnishing alcoholic beverages to persons under the age of 21, or to persons obviously inebriated, is not permitted on property owned or controlled by the School.

### **Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol**

Moderate to high doses of alcohol cause marked impairments in higher mental functions and the loss of memory. High doses of alcohol can cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and

permanent damage to vital organs such as the brain and the liver. Physical effects of drugs include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. The use of drugs may impair or reduce short-term memory and comprehension, alter sense of time, and reduce the ability to perform tasks requiring concentration and coordination. Motivation and cognition may also be altered making the acquisition of new information difficult. As one can see from the above, there are major health risks associated with the use of illicit drugs and the abuse of alcohol.

### **Federal Financial Aid Penalties for Drug Violations**

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Opportunity Act states students convicted of an illicit drug violation can be denied federal financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: "Have you ever been convicted of possessing or selling illegal drugs?" If you answer "yes," the School will hand deliver or send a worksheet in the mail to determine if your conviction affects your eligibility for aid. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.

### **Penalties for Drug Convictions**

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

### **Possession of Illegal Drugs**

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction.

### **Sale of Illegal Drugs**

- For a first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.
- Some other potential federal penalties and sanctions applicable to drug-related offenses include:

## 21 U.S.C. 844

- ↪ 1st conviction: Up to 1 year imprisonment and fined at least \$1,000, or both.
- ↪ After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500, or both.
- ↪ After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5, or both. Provisions relating to increased penalties in cases of certain serious crack possession offenses, making offenders subject to fines under Title 18 or imprisonment to terms not less than 5 years and no more than 20 years, or both.
- ↪ Possession of flunitrazepam shall be imprisoned for not more than 3 years, shall be fined as otherwise provided in this section, or both after mixture or substance exceeds 1 gram.

## 21 U. S. C. 844a

Civil fine up to \$10,000

## 21 U. S. C. 847 Additional Penalties

Any penalty imposed for violation of this subchapter shall be in addition to, and not in lieu of, any civil or administrative penalty or sanction authorized by law.

## 21 U. S. C. 854 Investment of illicit drug profits

Whoever violates this section shall be fined no more than \$50,000 or imprisoned not more than 10 years, or both.

## 21 U. S. C. 862

- a. Drug Traffickers - Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 5 years for the first offense, up to 10 years for second and permanently ineligible for subsequent offenses
- b. Drug Possessors – 1<sup>st</sup> offense is up to 1 year and 2<sup>nd</sup> and subsequent offenses are up to 5 years.
- c. Suspension of period of ineligibility (A) (B) (C)

## 21 U. S. C. 862a

Denial of assistance and benefits for certain drug related convictions, i.e., state program funded under the Social Security Act or food stamp program or state program under the Food Stamp Act.

More information about federal penalties and sanctions for unlawful possession, use, sale, and/or distribution of controlled substances is located at:

<http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

### **How to Regain Federal Student Aid Eligibility**

1. A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends or upon having a conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale of illegal drugs or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.
  
2. A student may also regain eligibility upon successful completion of a qualified drug rehabilitation program that must:
  - Include the student passing at least two unannounced drug tests; *and*
  - Have received or is qualified to receive funds directly or indirectly under a federal, state or local government program, *or*
  - Be administered by a federal, state, or local government agency or court, *or*
  - Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company, *or*
  - Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.
  
3. A student may further regain eligibility upon successful completion of two unannounced drug tests which are part of an approved rehab program (the student does not need to complete the rest of the program).

The student is responsible to certify that a rehabilitation program was successfully completed. As with the conviction question on the FAFSA, the School is not required to confirm the reported information unless conflicting information is determined.

### **Convictions during Enrollment**

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify Lebanon College immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

### **Institutional Sanctions for Alcohol and Drug Violations**

Any members of the School community found consuming or selling drugs on School property shall be subject to discipline on a case-by-case basis.

- Discipline will be based on the seriousness of the situation.
- A case may result in dismissal from the School.
- In all cases, the School will abide by local, state and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol.
- Additional state penalties and sanctions may also apply.
- The School has adopted a zero-tolerance policy regarding underage drinking.
- Successful completion of an appropriate rehabilitation program by an individual confirmed to have been in violation of alcohol or drug policies and/or laws who have since sought admission or readmission to the school will be considered on a case-by-case basis.

### **Biennial Review of the Drug and Alcohol Abuse Prevention Program**

Schools are required to conduct a biennial review of their drug and alcohol abuse prevention program. This review must include a determination of the number of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities and the number and type of sanctions imposed by the institution as a result of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities.

The term “campus” is defined in the same manner as it is defined for campus safety reporting purposes. That is, the term campus encompasses any building or property owned or controlled by the school within a reasonably contiguous geographic area used in direct support of the school's educational purposes or used by students and supporting institutional purposes.

The effectiveness of Lebanon College’s prevention program is, in part, also measured by tracking the number of drug and alcohol-related

- disciplinary actions,
- treatment referrals, and
- incidents recorded by campus officials.

Additionally, to assist in the determination of the effectiveness of the prevention program, the school considers, if and when the school is made aware, the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse. The school also conducts a survey to ascertain student, faculty, and employee attitudes and perceptions about whether there is a drug and alcohol problem on campus.

With the results gathered from the various points of information described above, the school writes its report giving the results of the biennial review and its determination of whether the program is being effective or must be modified. The school keeps the biennial review on file in case of a possible audit. Schools are not required to send their review to the U.S. Department of Education unless requested to do so. Lebanon College conducts its biennial review every other Odd year. The report from the review and documents related to it are retained for three years after the fiscal year in which the report was created.