

## **Drug Convictions & Financial Aid Eligibility**

Under the Higher Education Act, students become ineligible for federal student aid upon conviction during any period of enrollment of any offense involving the possession or sale of illegal drugs. Federal aid includes Federal Direct Loans, Federal Direct PLUS Loans, Federal Direct Graduate PLUS Loans, Federal Pell Grants, Federal Supplemental Educational Opportunity Grants, Federal ACG Grants, Federal SMART Grants, Federal TEACH Grants, Federal Work Study, and Perkins Loans.

### **Penalties for Drug Convictions**

#### Possession of Illegal Drugs:

- First Offense: 1 year from the date of conviction
- Second Offense: 2 years from the date of conviction
- Third and Subsequent Offenses: Indefinite ineligibility from the date of conviction

#### Sale of Illegal Drugs:

- First Offense: 2 years from the date of conviction
- Second and Subsequent Offenses: Indefinite ineligibility from the date of conviction

### **How to Regain Eligibility**

If a student successfully completes a drug rehabilitation program, he or she can regain eligibility for federal student aid funds as of the day the student successfully completes the program.

To be sufficient to reinstate financial aid eligibility, the program must:

- include at least 2 unannounced drug tests

AND

- be recognized as a Federal, State, or local government agency program

### **Free Application for Federal Student Aid (FAFSA)**

Question 31 on the FAFSA form asks if the student has ever been convicted of a drug related offense. Failure to answer the question will automatically disqualify the student from receiving Federal aid. Answering this question falsely, if discovered, could result in fines up to \$20,000, imprisonment, or both.

## **Convictions During Enrollment**

According to the United States Department of Education, if a student is convicted of a drug offense after receiving Federal aid, he or she must notify Financial Aid Services immediately and that student will be ineligible for further aid and required to pay back all aid received after the conviction.

### **ALCOHOL AND DRUG POLICY THE UNIVERSITY OF ST. FRANCIS ALCOHOL AND DRUG POLICY REVIEW COMMITTEE May, 2008**

#### **I. Alcohol and Drug Policy Introduction**

The following policies apply to all University of St. Francis students who are taking at least one credit course, excluding students taking courses in settings other than the Joliet campus, and excluding persons involved in continuing education credit programs. They also apply in connection with any student programs, events and activities of the University and its recognized student organizations.

Violations of these policies may subject an individual or organization to disciplinary action.

#### **II. Field Study and Foreign Study Events**

- A. These policies pertain to students while on or off campus, including field trips.
- B. Definition of a University Sponsored Event

For purposes of this policy, a University Sponsored Event shall be any event that is designed for the education of students which utilizes University resources, whether those resources be financial, material, or personnel.

C. During a University sponsored educational event such as a field trip, the University representative designated as having authority over the event may establish specific alcohol use limits or guidelines that he or she believes appropriate to the nature of the event, and in the best interests of the students involved. Such limits or guidelines must be within the parameters of the law and of these policies, and shall take into consideration the liability of the University for the welfare of students. e.g. A University representative at such events may establish specific drinking limits for persons 21 or older.

D. Prior to the initiation of an event, the University representative responsible for supervising the event shall clarify in writing to all students involved, what the expectations are regarding student use of alcohol at the event. Students must sign the notice indicating that they fully understand the expectations and policies involved.

E. For liability purposes, the representative will designate when a University sponsored event is officially initiated and when it shall be terminated. After an event has officially terminated, the University no longer shares responsibility for the conduct of students.

F. Students involved in foreign study programs will be required to adhere to policies and procedures of the program, and laws of the country in which they are studying. The University Administrator, Instructor, or other designated authority who is responsible for foreign study experience has the right to establish limitations on student drinking during foreign study experiences that he or she believes to be in the best interests of the student, and which respects the reputation of and legal responsibilities of the University. The decision of the University authority will be final in this regard.

### III. Health and Safety Issues

A. The University recognizes alcohol and/or drug abuse as a potential health, safety and security problem. Abuse of alcohol or drugs can seriously impair the health and lives of students and others. Students who abuse alcohol and or drugs can impair their own academic performance and do physical, psychological and academic harm to those around them. Alcohol use and abuse has wrongly been perceived as a ritual associated with maturity. In actuality, development into adult maturity is hindered by alcohol and drug abuse.

B. Alcohol and drug abuse is associated with liver disease, kidney dysfunction, heart disease, impairment of mental functioning, and increased risk for accidents and death. It is a major factor in college students leaving school and abandoning their educations. It can lead to a weakening of an individual's capacity to cope with stress, i.e. psychological resiliency.

C. Since there are many damaging and debilitating effects from alcohol and drug abuse, it is imperative that the University establish policies and procedures to deal with these issues that both clearly state our concern for students, and that clearly reflect our values of respect, service, integrity and compassion for others.

### IV. Underlying Principles

A. The value of RESPECT relates directly to both the self as well as to others. It calls on us to accept the intrinsic worth and value of each human being. The abuse of alcohol and the use of non prescribed drugs is a clear act of disrespect to self and to those to whom we encourage to engage in such acts.

B. The value of SERVICE requires us to take action to be of deliberate benefit to others. Facilitating or encouraging any illegal or immoral act through the use of alcohol or non prescribed drugs is clearly at odds with the value of SERVICE. Failure to come to the aid of others who are clearly jeopardizing their own or others welfare is inconsistent with the value of SERVICE.

C. The value of INTEGRITY means that our actions will be consistent with our beliefs. A Catholic University must act in a manner that is consistent with its beliefs in

the extreme importance and worth of every human being and this policy is a reflection of that mandate. Students who profess to hold values of self and mutual respect are expected to act in a manner that is also consistent with those values.

D. Finally, the value of COMPASSION calls on us to have a sympathetic awareness of others pain and distress and requires us to reach out to them in an effort to alleviate that pain. The University is committed to providing students with those services that will enable them to deal with alcohol and drug problems. Students are expected to care about one another and to come to the aid of their brothers and sisters who exhibit signs of alcohol or drug dependence or abuse.

E. Students are invited to discuss health risks with medical and mental health staff available through the Student Affairs Office.

#### V. Alcohol Policy Relative to All Students at the Joliet Main Campus

A. In the State of Illinois, the legal drinking age is 21. Persons under 21 may not consume, or sell alcohol. It is also unlawful to serve or sell alcohol to anyone under the age of 21. Minors are allowed to consume alcohol in Illinois in the presence of their parents or legal guardian in the privacy of their home, but nowhere else.

B. Possession or consumption of alcoholic beverages by or distribution of alcoholic beverages to individuals under the legal drinking age is a violation of University policy on or off campus. On the basis of probable cause, consumption will be assumed when the odor of alcohol is present from or on a student. The school authority who draws the assumption will document the incident and then refer to the University Health Services Department to rule out medical causes. If no medical cause is found, the student will be referred to the Dean of Students.

C. Students are responsible for knowing, understanding, and complying with the applicable state laws, and municipal and county ordinances regarding alcohol.

D. The University will inform students of these policies during new student orientation at the beginning of the Fall and Spring semesters and through the Student Handbook.

Students will also be informed through E-mail devices, and a copy of these policies (as they relate to students) will also be found on the University's Web Site.

These policies will also be reviewed with students at the time of any University judicial proceeding related to a violation of the alcohol policy.

These policies and consequences for infractions will also be referred to in the housing contract signed by students who live in a University sponsored residence. They will also be placed in each dormitory room and in any other residential facility owned and operated by the University.

E. Intoxication in public is prohibited. Intoxication for purposes of these policies will be assumed when recognized behavioral cues for intoxication are present, such as loss of inhibition, poor judgment, slowed reactions or poor coordination.

F. Violations of the alcohol policy may, in the opinion of University staff, reflect the potentiality of a serious alcohol or drug related disorder and in such cases, will result in a referral to University Counseling services for an evaluation and whatever follow-up services deemed appropriate.

G. Providing an alcoholic beverage to an obviously intoxicated individual is inhumane and prohibited.

H. The consumption of alcoholic beverages will not be accepted as an excuse or rationalization for any conduct that violates University regulations. Appropriate penalties will be applied for any conduct violations and when such violations manifest the possibility of a behavioral disorder, referral will be made to university counseling services.

I. The unauthorized possession of empty or open containers of alcoholic beverages and/or the consumption of same by students, other than those allowed in exempt residence hall areas, is prohibited on university property or at university sponsored events.

J. Common sources of alcohol, (kegs, half-kegs, quarter kegs, beer bongs, punches, etc....), or other means of mass distribution by students, (e.g. taps), are not permitted on the University premises.

K. Commercial delivery of alcohol to individual students is prohibited.

L. The University will allow students to drink alcohol who have reached their twenty-first birthday at University sponsored events where alcohol is served by the University or by contractors employed by the University. Students who have reached the legal age of drinking in Illinois may not however bring or drink alcohol other than that provided by the University at these events.

M. Any person who serves alcohol at any University sponsored event must be trained by the University or contractors of the University, regarding Illinois and local laws and regulations regarding the service of alcoholic beverages.

## VI. Resident Alcohol Policy

A. All residents and their guests must comply with the University's Alcohol Policy.

B. In the residence halls, alcohol is only permitted for those "exempt" students who are of legal drinking age, (21), and who are living in an area of a residence hall that has been explicitly designated by the University as an area where students 21 years of age or older are allowed to drink alcohol, i.e. an exempt area.

C. Students who have reached the legal drinking age in Illinois may not use alcohol on campus property except in designated exempt residence hall areas or at University sponsored events where alcohol is provided by the University. (see Alcohol Policy for All Students section, L.)

D. Residents who are allowed to use alcohol in designated residences may have no more than (one) 12 pack of beer, or (one) bottle of wine in a designated exempt room. Kegs, containers of liquor, 24 or 36 packs of beer, etc, or other sources of alcohol in quantities other than a 12 pack of beer or one bottle of wine, are prohibited.

E. Any resident under the age of 21 found on University property or at University sponsored events with others who are not of legal drinking age while alcohol is present will be found in violation of this alcohol policy.

F. Possession of alcohol for purposes of this section of this policy is defined as being in a room where alcohol is present. Students under the age of 21 who visit the exempt rooms of students age 21 or older, will not be presumed to be drinking merely by their presence in such rooms.

G. Drinking is not permitted in any residence owned by the University except by "exempt" students in exempt areas as defined above.

## VII. Athletics Alcohol Policy

A. All athletes must comply with the University's Alcohol Policy.

B. Athletic team members representing the University of St. Francis are expected to represent the University in a first-class and respectable manner. Any violation of behavior standards related to alcohol will result in consequences that are deemed appropriate to the incident by administrators within the athletic department.

C. Athletic administrators have options open to them including but not limited to the loss of a percentage of the student athlete's playing season to the loss of scholarship or dismissal from the team. If less than a full season is remaining at the time of a violation, the remaining suspension from participation shall carry over to the following season.

D. If a student-athlete is charged with a violation of the University's Alcohol Policy, the student-athlete will receive sanctions from the University as delineated in these policies. In addition to coming under sanctions from the University's normal policies and procedures that are relevant to all students, the student will also appear before the Director of Athletics and possibly the Athletic Disciplinary Board.

E. Due to the extreme danger to student-athletes, if alcohol is found in a van where student-athletes are present, every student-athlete in that van will be subject to possible dismissal from the team, other sanctions and consequences withstanding.

VIII. Position Statement B. Drug Policy (Joliet Main Campus)  
Drug Policy for All Students

- A. The harmful effects of drug abuse on physical and mental health are well established, as well as the costs of such actions both academically and legally.
- B. A violation of federal, state, or local laws concerning drugs shall be considered a violation of university policies and is subject to University disciplinary action up to and including separation from the University community.
- C. The University prohibits the illegal possession or transfer of any illicit drug so defined under state or federal law and views the use, possession or sale of any illicit drug as contradictory to the welfare of both the individual and the University community.
- D. Whenever, in the final opinion of the Assistant Vice President for Student Affairs/Dean of Students, there is sufficient and creditable information or other evidence from within the University or from without, that a student is or has been trafficking in illicit drugs, or is or has been in possession of such amounts as to make this a reasonable supposition, the student will be subject to dismissal from the University and the legal authorities will be notified.
- E. Students are responsible for reading and understanding and complying with all applicable state and local laws pertaining to drug abuse as well as the legally mandated consequences for drug possession, or distribution. Legal consequences for drug possession or distribution are printed in these policies for student awareness.
- F. The use of drugs or being under the influence of drugs will not be accepted as an excuse or rationalization for any conduct that violates University regulations or the rights of others. Appropriate penalties will be applied for any conduct violations and when such violations manifest the possibility of a behavioral disorder, referral will be made to the university's counseling services.
- G. The possession of drug paraphernalia by a student or present in a room owned by the University and used by a student is prohibited.

IX. Drug Policy for Athletics

- A. All athletes must comply with the University's Drug Policy.
- B. Athletic team members representing the University of St. Francis are expected to represent the University in a first-class manner. Any violation of behavior standards related to personal illicit drug use will result in consequences that are deemed appropriate to the incident, by administrators within the athletic department.
- C. Administrators have options open to them including, but not limited to, the loss of a percentage of the student athlete's playing season, to the loss of scholarship or dismissal from the team.
- D. If less than a full season is remaining at the time of a violation, the remaining suspension from participation shall carry over to the following season.
- E. Any student-athlete charged with a violation of the University's Drug Policy will also be subject to the same sanctions that would apply to any other student of the University.
- F. In addition to coming under normal University sanctions, the student-athlete will also appear before the Director of Athletics and possibly the Athletic Disciplinary Board.
- G. Drugs in Vans: Due to the extreme danger to student-athletes, if drugs are found in a van where student athletes are present, every student-athlete in that van will be subject to possible dismissal from the team for the entire season, other consequences and sanctions withstanding.

X. Mandated Consequences for Personal Policy Infractions

- A. The University recognizes that individuals who personally abuse or are addicted to illicit drugs or alcohol are in need of consequences that will assist them in making informed choices about their future behavior.
- B. The University makes a distinction between mandated consequences which are more negative in nature, and interventions which are aimed at assisting an individual student in changing attitudes, beliefs, and behavior.
- C. Mandatory consequences for first personal offenses against these policies related to the improper or illegal private use of alcohol or drugs will be a meeting with the Assistant Vice President for Student Affairs/ Dean of Students (AVP/DS) and a monetary fine of up to \$100 at the discretion of the AVP/DS. The AVP/DS will conduct an initial assessment of the student's behavior and will determine whether an intervention/ referral will be made for an alcohol assessment by University Counseling Services. As a result of this evaluation, further services or interventions may be required.

Referrals to Counseling Services for an evaluation after an initial infraction of these policies will be made when there is reason to suspect that the student's use of alcohol is excessive, abusive, or possibly addictive.

D. Mandatory consequences for a second personal violation of these policies will be up to a \$200 fine to be imposed by the AVP/DS. Second offenses will automatically result in a referral to the University's Counseling Services for an alcohol-drug evaluation.

E. Consequences for a third personal violation of these policies may include dismissal from the residence hall or the University.

XI. Consequences related to Distribution and Supply of Alcohol to Others, or the Sale or Trafficking in Drugs.

A. The illegal or illicit distribution of alcohol to a person under the age of 21 is prohibited and is subject to sanctions imposed by University Administration, including the possibility of a report being made to local police authorities leading to arrest. Encouraging an individual under the age of 21 to drink goes directly against the values of the University, pertaining to respect for and service to another human being.

B. The illegal or illicit distribution of illegal drugs to any person is prohibited. Consequences for such distribution or supply to other students will be automatic discharge from the University. In addition, if a student attempts to sell, distribute or encourage the use of illicit drugs, the University will notify the legal authorities of this behavior and assist in their prosecution.

C. In cases where a student is arrested for breaking the law pertaining to the illicit distribution or supply of illicit drugs or alcohol, and that student has not been determined by University Authorities to have broken policies or rules of the University prior to his or her arrest; the student will automatically be suspended from living in a University sponsored residence until a legal judicial decision is made regarding guilt or innocence. That student will also be placed on probationary status as a student of the University.

If the student is found to be guilty of such charges in a court of law, the student will not be allowed to live in a University sponsored residence again, and will be subject to University disciplinary action, including possible discharge from the University.

XII. Parental Notification

A. The decision to inform parents regarding when a student who is under the age of 21 engages in illegal drinking behavior or drug use is consistent with recent changes in the law that governs the privacy of student records, the Family Educational Rights and Privacy Act.

This permits colleges and universities to inform the parents/guardians of students under 21 years of age when their student has been found in violation of university alcohol and drug rules as it relates to use or possession.

B. In the interest of the student, the University reserves the right to notify parents when in its judgment the behavior of the student is illegal or clearly harmful to the student's health and welfare.

We will encourage parents to take an active role in helping their student to make rational decisions regarding drugs and alcohol.

### XIII. Retention of Documents Related to this Policy

A. This policy will be retained in the office of the Dean of Students of the University.

B. Results of the University's Biennial Review will also be retained in the office of the Dean of Students.

### XIV. Mandated Biennial Review

A. It is the policy of the University to have these policies and procedures reviewed every two years.

B. The University's Alcohol and Drug Policy Committee which shall be responsible for the review, revision, and implementation of these policies under the direction of the AVP/DS.

C. The Biennial review will include the following:

1. Assessment of the effectiveness of these policies.
2. Recommendations regarding policy changes.
3. The degree of enforcement of discipline actions.
4. Completion of student, faculty and staff surveys regarding the effectiveness and impact of the policy.
5. Provision of a suggestion box for student, faculty and staff use regarding suggestions for policy change.
6. Conduct of focus groups for students, faculty and staff regarding the alcohol and drug policy and to identify alcohol and drug related problems within the University.
7. Assessment of the effect of referrals for treatment of alcohol and drug problems.
8. Assessment of the effect of disciplinary actions taken by University Administration.

## XV. Alcohol and Drug Policy for Off Site Students

- A. For purposes of this policy only, "Off Site Students" refers to those individuals who attend for credit classes through the University of St. Francis, at sites not located at the Joliet main campus.
- B. The use of alcohol or non prescribed mood altering drugs by students on any University site, i.e. premises used by the University for the purpose of conducting educational opportunities, is prohibited. Off site students must also abide by any additional policies that may be established by the off site location coordinator. When applicable, these additional policies will be provided by the instructor and/or location coordinator.
- C. Appearing at a University site under the influence of alcohol or non prescribed mood altering drugs is prohibited.
- D. If a student engages in prohibited behaviors at an "off site" facility, it will be the decision of the Dean or the Dean's designee to determine appropriate penalties for this behavior. Appropriate penalties will include monetary fines, exclusion from one class or exclusion from all classes. Exclusion from the University will be confined to the decision of the Dean or the Dean's designee under which the class was being conducted.
- E. Off site students have the right to appeal decisions made by the Dean or the Dean's designee. Appeals are to be presented in writing to the Provost. The Provost will have final authority in the matter.

## Judicial Alcohol Violations 2005 through 2010

Totals for alcohol incidents are as follows:

- 2009-10: 17 incidents
- 2008-09: 17 incidents
- 2007-08: 11 incidents
- 2006-07: 17 incidents
- 2005-06: 11 incidents

Breakdown is as follows:

	2005-2006		2006-2007		2007-2008		2008-2009		2009-2010	
	Fall	Spring								
Incidents	7	4	5	12	6	5	6	11	3	14
Individuals	9	7	15	19	10	7	10	29	6	54
Repeat	0	0	0	0	1	0	1	1	0	3

Potential Interventions:

- Alcohol Safety presentations and educational materials
- Alcohol violation sanctions (fines, community service, etc.) Alcohol awareness week activities
- Alcohol-free social activities
- Motivation interviewing with Personal Counselor E-CHUG online educational interactive program
- Alcohol 101 CD-ROM program
- Alcoholics Anonymous (AA) referral
- Alcohol abuse rehabilitation referral

Illinois Law Violation	Illinois Penalty
Permitting underage alcohol consumption in a private residence	Class A misdemeanor charge
Permitting underage alcohol consumption in a private residence leading to serious injury or death	Maximum \$25,000 fine; one to three year prison term

New Policies for 2008-09 Handbook:

Any student shall be in violation of the university alcohol policy where he or she knowingly permits a gathering at a residence which he or she occupies of two or more persons where anyone or more of the persons is under 21 years of age; and the student occupying the residence knows that any such persons under the age of 21 is in possession or is consuming alcohol (regardless of whether the alcohol was provided by the student occupying the residence or brought by the person(s) under the age of 21). Note: A student may be charged with a Class 4 felony under Illinois law if he or she permits intoxicated persons to leave the residence which he or she occupies, leading to serious injury or death.

