

## Tennessee College of Applied Technology Jackson Annual Notice of Federal Student Financial Aid Penalties for Drug Law Violations

### Drug and Alcohol Prevention and Policy on a Drug-Free Campus

Any school that participates in the Federal Student Aid programs must provide a written notice to students and employees declaring it a drug-free campus. The Tennessee College of Applied Technology Jackson (TCAT Jackson) has a drug-free policy and prevention program to assist students and staff members who have problems with drug or alcohol abuse. Drugs and/or alcohol abuse can affect one's physical and emotional health as well as social life and everyday living. Long-term abuse can destroy a healthy body and mind. Student Services personnel are available to assist and make referrals to appropriate agencies, which assist persons with these problems. Every effort will be made to respond effectively to the use and abuse of alcohol and drugs at our campus. The Tennessee College of Applied Technology Jackson expects all students and staff members to comply with the rules and local and state laws relating to alcoholic beverages and drugs.

TCAT Jackson strictly prohibits the unlawful possession, manufacture, use, or distribution of drugs and alcohol by students and employees on the school's property or as part of the school's activities. All employees and students are subject to applicable federal, state, and local laws related to this matter. Additionally, any violation of this policy will result in disciplinary sanctions as set forth in our TCAT Jackson policy.

### Tennessee College of Applied Technology Jackson Sanctions

TCAT Jackson will impose the appropriate sanctions, up to and including expulsion, termination, and referral for prosecution, on any employee or student who fails to comply with the terms of this policy. TCAT Jackson is also required to notify the Department of Education when it learns of an employee or student's conviction under any criminal drug statute. Employees may also be required to successfully complete an alcohol or drug rehabilitation program.

For students, other possible sanctions for failure to comply with the terms of this policy may include suspension, probation, warning, reprimand, loss of federal student aid eligibility, and mandatory successful completion of an alcohol or drug rehabilitation program.

### Loss of Federal Student Aid Eligibility due to Drug Convictions

Any student who completes the Free Application for Federal Student Aid must disclose whether or not he/she has been convicted for the possession or sale of illegal drugs, for an offense that occurred during the time he/she was receiving federal student aid. In addition to this initial disclosure, any student subsequently convicted from the unlawful manufacture, possession, distribution, use or abuse of alcohol or drugs, while attending TCAT Jackson, must notify the school within five days after such conviction. Violation of this policy will result in disciplinary action against the student, including a warning, probation, and/or termination. Within five days of receipt of a conviction notification, TCAT Jackson will give a written notice to the student explaining necessary sanctions and possible loss of federal student aid eligibility.

The Higher Education Act of 1965 as amended (HEA), states that any federal or state drug convictions, as a result of an offense that occurred during a period of enrollment for which the student was receiving federal student aid, can disqualify a student for federal funds. The penalty is dependent on the type of conviction (possession or sale) and number of offenses. The chart below illustrates the loss of federal aid eligibility based on these factors.

	Possession of Illegal Drugs	Sale of Illegal Drugs
<b>1<sup>st</sup> Offense</b>	1 year from date of conviction	2 years from date of conviction
<b>2<sup>nd</sup> Offense</b>	2 years from date of conviction	Indefinite period
<b>3<sup>+</sup> Offenses</b>	Indefinite period	

\*2018-2019 Federal Student Aid Handbook, Student Aid Eligibility – Volume 1, Ch. 1, pg. 22. <http://ifap.ed.gov/fsahandbook/1617FSAHbkVol1.html>

A student regains eligibility the day after the period of ineligibility ends or when they successfully complete a qualified rehabilitation program that includes successfully passing two unannounced drug tests. A conviction that was reversed, set aside or removed from the student's record does not count, nor does one received when the student was a juvenile, unless they were tried as an adult.

If you have a conviction(s) for these offenses that occurred during a time of receiving financial aid, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243) or visit the Financial Aid Supervisor for additional information.

### **Local, State, and Federal Sanctions**

Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, dispense, deliver or sell controlled substances. The penalty imposed depends upon many factors, which include the type and amount of controlled substance involved, the number of prior offenses, and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment, and a fine up to \$4000. These sanctions are doubled when an offense involves either: 1) distribution or possession at or near a school or college campus, or (2) distribution to persons less than 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to \$10000 may be assessed for simple possession of "personal use amounts" of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor's senior, and the adult knew the person was a minor, the offense is classified a felony as provided in T.C.A. 39-17-417. (21 U.S.C. 801 et. seq.; T.C.A. 39-17-417)

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

There are many health risks associated with the use of illicit drugs and the abuse of alcohol, including organ damage; impairment of brain activity, digestion, and blood circulation; impairment of physiological processes and mental functioning; and physical and psychological dependence. Such use during pregnancy may cause spontaneous abortions, various birth defects or fetal alcohol syndrome. Additionally, the use of drugs increases the risk of contracting hepatitis, AIDS, and other infections. If used excessively, the use of alcohol or drugs singly or in certain combinations may cause death.

### **Drug and Alcohol Counseling, Treatment, and Rehabilitation Assistance**

This document is presented as an educational and informational resource. It is not designed to provide services for persons in crisis or in need of mental health services. Persons in crisis should call the National Suicide Prevention Lifeline at 1-800-273-TALK (8255). Veterans can call the Lifeline number and press "1" to be routed to the Veterans Suicide Prevention Hotline. If the crisis is life threatening, dial 911.

Some additional counseling, treatment, and rehabilitation centers and hotlines are listed below. Please contact Student Services for a more extensive list of Drug and Alcohol Counseling and Treatment Centers in our area. You can also search for a local treatment center at <http://www.samhsa.gov/find-help>.

Employee Assistance Program  
1-800-308-4934  
(for TN State Employees only)

U.S. Dept. of Health and Human Services  
Treatment and Referral Hotline  
1-800-662-HELP(4357)

Aspell Recovery Service  
331 N. Highland Ave.  
Jackson, TN 38301  
731-427-7238

Jackson Area Council on Alcoholism  
and Drug Dependency  
900 E. Chester St.  
Jackson, TN 38301  
731-423-3653

Pathways of TN Inc.  
238 Summar Dr.  
Jackson, TN 38301  
731-541-8200

Pathways Employee  
Assistance Program  
33 Directors Row  
Jackson, TN 38305  
731-541-7605