

OKWU Drug & Alcohol Policy

Federal Student Financial Aid Penalties for Drug Law Violations

This notice provides information on the penalties associated with drug-related offenses under section 484(r) of the Higher Education Act. It also provides notice on how to regain eligibility after conviction of a drug-related offense. The institution will provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA and will advise the student of the ways in which to regain eligibility under section 484(r)(2) of the HEA.

In general – A student who has been convicted of any offense under and Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified in the following table.

Possession of a Controlled Substance	Ineligibility Period
First Offense	1 year
Second Offense	2 years
Third Offense	Indefinite
Sale of a Controlled Substance	Ineligibility Period
First Offense	2 years
Second Offense	Indefinite

Rehabilitation – a student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if –

1. The student satisfactorily completes a drug rehabilitation program that is approved by the VP of Student Development.
2. The conviction is reversed, set aside, or otherwise rendered nugatory.

Policies and Programs Concerning alcohol and Drugs

The University has adopted a “Zero-Tolerance” policy regarding the use, sale, possession and/or distribution of illegal drugs and alcohol.

The materials that follow are intended to help inform the entire University community of the standards of conduct required with regard to illicit drugs and alcohol and the possible consequences of inappropriate behavior.

Alcohol and Drug Prevention and Counseling Services

If you need assistance with a drug abuse problem, the University encourages you to seek help at your local community drug abuse prevention center. All conversations are private and will not affect your attendance at the University.

The following national toll-free telephone numbers are provided to assist any member of the University community who may have a drug or alcohol problem.

- Al-Anon 1-800-356-9996
- American Council on Alcoholism 1-800-NCA-Call (622-2255)
- National Institute on Drug Abuse Hotline 1-800-662-HELP (4357)
- National Institute on Drug Abuse Helpline 1-800-843-4971

These various agencies can provide guidance and assistance in identifying a counseling, treatment, or rehabilitation program that meets individual needs.

For additional assistance in locating a treatment facility, contact the office of VP for Student Development.

Sanctions the University Will Impose for Alcohol or Drug Violations

Any member of the University community found consuming or selling alcohol or drugs on University 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 University. In all cases, the University will abide by local, state, and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol. The University has adopted a “zero tolerance” policy regarding underage drinking.

Federal & Oklahoma Penalties & Sanction for Illegal Trafficking and Possession of a Controlled Substance

There are federal penalties and sanctions. Additional state penalties and sanctions may also apply.

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment
Cocaine Base (Schedule II)	28-279 gms mixture		280 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious injury, not more than 15 yrs. Fine \$2 million if an individual, \$10 million if not an individual		
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1.5 million if an individual, \$5 million if not an individual		

All other Schedule IV drugs	Any amount	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	Less than 1 gm	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

Federal Trafficking Penalties – Marijuana

DRUG	QUANTITY	1 st OFFENSE	2 nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years, not more than life If death or serious injury, not less than 20 years, not more than life Fine not more than \$4 million if an individual, \$10 million if other than an individual	Not less than 20 years, not more than life If death or serious injury, mandatory life Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana (Schedule I)	100 kg to 999 kg mixture; or 100 to 999 plants	Not less than 5 years, not more than 40 years If death or serious injury, not less than 20 years, not more than life Fine not more than \$2 million if an individual, \$5 million if other than an individual	Not less than 10 years, not more than life If death or serious injury, mandatory life Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana (Schedule I)	more than 10 kgs hashish; 50 to 99 kg mixture	Not more than 20 years If death or serious injury, not less than 20 years, not more than life	Not more than 30 years If death or serious injury, mandatory life

	more than 1 kg of hashish oil; 50 to 99 plants	Fine \$1 million if an individual, \$5 million if other than an individual	Fine \$2 million if an individual, \$10 million if other than individual
Marijuana (Schedule I)	1 to 49 plants; less than 50 kg	Not more than 5 years Fine not more than \$250,000, \$1 million other than individual	Not more than 10 years Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		