



ALCOHOL, ILLEGAL DRUG AND SUBSTANCE RESTRICTIONS

Sherman College provides information on alcohol and drug awareness for its students and employees that includes the annual distribution of program information. The library maintains information regarding drug awareness via videotape available for checkout for interested individuals. Counseling resources are available through the Office of Student Affairs.

Also see: Policy 8013 – Tobacco Use
 Policy 8004 – Student Code of Conduct

I. Standards Of Conduct For Employees and Students Regarding Drugs and Alcohol:

- A. The possession, use or distribution of alcoholic beverages is forbidden on the premises of the college, except during the course of college-sponsored events. In such cases, the event organizer must obtain prior written consent from the college president or his or her designee.
- B. The possession, use or distribution of illegal drugs or substances of any kind is forbidden on the premises of the college.
- C. The unlawful possession, use, manufacture or distribution of illegal drugs or substances and alcohol on or off campus is cause for immediate dismissal.
- D. Individuals and sponsoring groups are accountable for their choices and behavior. If alcohol or other drug violations occur, the following disciplinary systems may be utilized:
 - 1. College's Student Conduct Review Board
 - 2. Legal prosecution
- E. A faculty member may be dismissed before the end of a contract term for the unlawful possession, use, manufacture or distribution of illegal drugs or substances or for teaching under the influence of drugs or alcohol.
- F. Students, employees, and guests must adhere to federal, state, local and college rules and regulations.

II. Legal Requirements:

- A. South Carolina Law: Individuals must be 21 years of age to purchase, possess, and/or consume alcohol. It is illegal to give or sell alcoholic beverages to persons who are under 21 years of age or who are intoxicated.
- B. Open Container Law: The State of South Carolina complies with the Transportation Equity Act for the 21st Century (TEA-21): The State of South Carolina has voluntarily submitted its open container law to the National Highway Traffic Safety Administration (NHTSA) for review and has been found to be in compliance with the provision in the federal highway bill, TEA-21..

Open Container (beer, wine): South Carolina law prohibits having an open container of beer



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or wine in a moving vehicle of any kind, except in the trunk or luggage compartment. If you are convicted of violating this law, you face a fine of up to \$100 or imprisonment for up to 30 days. (S.C. Code of Laws Section 61-4-110)

Open Container (liquor): South Carolina law prohibits having an open container of liquor in a moving vehicle of any kind, except in the trunk or luggage compartment. If you are convicted of violating this law, you face a fine of up to \$100 or imprisonment for up to 30 days. (S.C. Code of Laws Section 61-4-4020)

III. Sanctions:

Students found to be in violation of Sherman College's Code of Conduct or the Alcohol and Illegal Drug Restrictions Policy will be held accountable for their actions and will face disciplinary action and/or legal prosecution.

If students are found to be in violation of any of the following infractions, the following minimum sanctions are likely to occur:

1. Distribution of illegal drugs or substances: Dismissal
2. Possession, use or manufacture of illegal drugs: Two (2) term suspension/dismissal
3. Providing patient care while under the influence of alcohol and/or illegal drugs or substances: Two (2) term suspension/dismissal
4. Being under the influence of alcohol and/or illegal drugs or substances while on campus: One (1) term suspension/dismissal

Students may also be held accountable for allowing or soliciting violations of the standards of conduct by their guests. Campus disciplinary sanctions include, but are not limited to:

1. Written warnings
2. Probation
3. Fines
4. Suspension and/or dismissal

See Policy 8004 – Student Code of Conduct

IV. Title IV Guidelines:

The college will adhere to the regulations/procedures as stated in the Title IV Guidelines concerning Financial Aid status and application.

The Title IV. Guidelines are stated as follows:



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A drug conviction can disqualify a student for FSA funds. The student self-certifies in applying for aid that he/she is eligible; the college is not required to verify this unless it has conflicting information in its possession.

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 he/she was tried as an adult.

The period of ineligibility for FSA funds depends on whether the conviction was for sale or possession, and whether the student had previous offenses.

	Possession of illegal drugs	Sale of illegal drugs
1 st Offense	1 year from date of conviction	2 years from date of conviction
2 nd Offense	2 years from date of conviction	* Indefinite period
3 rd Offense	* Indefinite period	

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

A student regains eligibility the day he/she successfully completes a qualified drug rehabilitation program, though further drug convictions will make he/she ineligible again.

Students denied financial aid eligibility for an ***indefinite period** can regain it only after completing a rehabilitation program as described below or if a conviction is reversed, set aside, or removed from the student’s record so that fewer than two (2) convictions for sale or three (3) convictions for possession remain on the record. It is the student’s responsibility to certify to the college that he/she has completed the rehabilitation program; as with the conviction question on the FAFSA, the college is not required to verify the reported information unless it has conflicting information.

A qualified drug rehabilitation program must contain the following requirements:

1. Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
2. Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
3. Be administered or recognized by a federal, state, or local government agency or court.
4. Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.



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If a student certifies that he/she has completed a drug rehabilitation program, but the college does not believe that the program meets the requirements stated above, then the college must treat this as conflicting information and resolve the conflict before paying the student any FSA funds.

V. Health Risks And Contact Information:

Students needing information concerning the health risks associated with alcohol and/or drug abuse should contact the Office of Student Affairs to obtain a campus *Drug Prevention Program and Resource Guide*.

VI. Policy Update:

The college will conduct a biennial review of the this policy to:

1. determine its effectiveness
2. implement any needed changes
3. ensure that disciplinary sanctions are consistently enforced