

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcoholic beverages on campus or as any part of the College's activities unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College enforces Federal and State drug laws. The possession, sale, manufacture, or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or Federal and State laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

### Federal Drug Laws

**Denial of Federal Benefits ([21 U.S.C. § 862](#))** A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

**Forfeiture of Personal Property and Real Estate ([21 U.S.C. § 853](#))** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties ([21 U.S.C. § 841](#))** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university ([21 U.S.C. § 860](#)) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties ([21 U.S.C. § 844](#))** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

\*For the most recent and complete Federal Trafficking Penalties information, visit the website of the [U.S. Drug Enforcement Administration](#).

## Drug and Alcohol State Laws (Tennessee)

Category	Summary (Tennessee Code Annotated)
Possession of Marijuana	<p>It is an offense for a person to distribute a small amount of marijuana not in excess of 0.5 ounces (14.175 grams). See T.C.A. § 39-17-418. The minimum fine for possession is \$250. See T.C.A. § 39-17-428. This is a Class A misdemeanor which carries a term of imprisonment not greater than 11 months and 29 days or a fine not to exceed \$2,500, or both, unless otherwise provided by statute. See T.C.A. § 40-35-111. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase.</p>
Controlled Substances	<p>T.C.A. §§ 39-17-401 – 39-17-455 cover a wide range of offenses related to controlled substances. Penalties for the possession and delivery of illegal drugs include prison sentences, monetary fines, community service work, and mandatory drug offender school. See T.C.A. §§ 39-17-428 and 39-17-417. These penalties vary widely by the type of drug, amount confiscated, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug. Trafficking controlled substances will result in more severe penalties.</p> <p>As an example, a person who possesses any amount of methamphetamine will be punished by a minimum of 30 days of imprisonment (T.C.A. § 39-17-418) and, if it is that person’s first conviction for a misdemeanor drug offense, he or she will be fined \$750. A first conviction for a misdemeanor drug offense involving marijuana results in a fine of \$250; a second offense results in a fine of \$500. T.C.A. § 39-17-428. The manufacture, delivery, sale, or possession with intent to manufacture, sale, or deliver cocaine or methamphetamine is a Class B felony if the amount involved is more than .5 grams may result in a fine up to \$100,000.</p> <p>Violations on the grounds of any school or within five hundred feet of a school or park results in enhanced penalties. T.C.A. § 39-17-432.</p>
Alcohol and Minors	<p>It is unlawful for any person under 21 to purchase, possess, transport, or consume alcoholic beverages, with the exception that any person 18 or older may transport, possess, sell, or dispense alcohol in the course of such person’s employment. See T.C.A. § 1-3-113. Underage possession and consumption is a Class A misdemeanor punishable by up to 11 months and 29 days of imprisonment and a fine of up to \$2,500. See T.C.A. § 57-3-412. Any person who purchases an alcoholic beverage for or at the request of a person under twenty-one (21) years of age commits a misdemeanor and, upon conviction for such person’s first such offense, shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500), plus all penalties imposed by § 39-15-404, <i>id.</i>, including up to 11 months and 29 days of imprisonment and a fine of up to \$2,500. See T.C.A. § 40-35-111. The court may also impose a sentence of 100 hours of community service work and suspend the offender’s driving privileges (or require 200 hours of community service if the offender does not possess a valid driver’s license). See T.C.A. § 39-15-404.</p> <p>Any person under 21 who makes a false statement or exhibits false identification stating the person is 21 or older commits a misdemeanor. See T.C.A. § 57-3-412. Fines, terms of imprisonment, and required amount of community service vary based on the age of the offender and the number of offenses. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>An individual is guilty of Driving Under the Influence if he or she has a blood alcohol concentration of 0.08 percent or more while driving. See T.C.A. § 55-10-401. This offense carries between 48 hours and no more than eleven (11) months and twenty-nine (29) days of jail time. See T.C.A. § 55-10-402. A fine for the first offense will be \$350 to \$1,500. See T.C.A. § 55-10-403. On a first offense, the offender’s license will be suspended for 1 year. See T.C.A. § 55-10-404.</p>