

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 (updated 08.05.2024)

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 (Kansas)

| Category | Summary (Kansas Statutes) |
|-----------------------------------|--|
| Possession of Marijuana | Possession of marijuana is a Class B nonperson misdemeanor in Kansas with the possibility of up to six months incarceration and a fine of up to \$1,000. Kan. Stat. Ann. §§ 21-5706(c)(3)(A), 21-6602, 21-6611. Penalties increase with additional convictions. §§ 21-5706(c)(3)(B)–(C), 21-6602, 21-6611. Distribution or possession with intent to distribute marijuana is a drug severity level 4 felony for quantities of less than 25 grams. § 21-5705. A Level 4 felony can result in up to 51 months imprisonment. § 21-6805. Kansas does not allow the medical use of marijuana. |
| Controlled Substances | <p>It is illegal in Kansas to be in possession of a controlled substance. § 21-5706(a)–(b). Penalties vary widely based on the offense and the defendant’s criminal history. §§ 21-5705 – 21-5710.</p> <p>Possession of opiates, opium, or certain stimulants (including methamphetamine) is a Level 5 felony for which a defendant faces up to 3.5 years in prison and \$100,000 in fines. §§ 21-5706(c)(1), 21-6611(a)(3). For certain other drugs, the first offense is a Class A nonperson misdemeanor, with up to a year in prison and up to \$2,500 in fines. Prior offenses result in a Level 5 felony. § 21-5706(c)(2)(B). Possession of drug paraphernalia is a Class B nonperson misdemeanor or a Level 5 felony, depending on how the paraphernalia is used. § 21-5709.</p> <p>Distribution of controlled substances is also illegal, with punishments dependent on the substance and the amount. § 21-5705. Possession of larger quantities of controlled substances results in an inference of an intent to distribute. § 21-5705(e).</p> |
| Alcohol and Minors | <p>No person under the age of 21 shall possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic beverages. § 41-727. A violation, for a person aged 18 to 20, constitutes a Class C misdemeanor with a fine of \$200 to \$500 and imprisonment for up to one month. <i>Id.</i> It may also result in 40 hours of community service and/or completion of an educational training program regarding the results of alcohol and other chemical substances. <i>Id.</i> Second convictions result in a 90-day loss of driving privileges. <i>Id.</i> Third convictions result in a one-year loss of driving privileges. <i>Id.</i></p> <p>Furnishing alcoholic liquor or cereal malt beverage to a minor is a Class B person misdemeanor, punishable by a fine of \$200 to \$1000 and imprisonment for up to 6 months. § 21-5607(c)(1). It is also illegal for any person under the age of 21 to display or have in possession any fictitious or fraudulently altered identification card for use in the purchase of any alcoholic liquor or cereal malt beverage. § 8-1327(c)(4). A first violation constitutes a Class B nonperson misdemeanor with a sentence of not less than 100 hours of public service, up to 6 months imprisonment, and a fine of not less than \$200 nor more than \$500. § 8-1327(d)(1).</p> |
| Driving Under the Influence (DUI) | It is illegal to operate or attempt to operate a car with a blood alcohol content of 0.08 percent or greater or while under the influence of alcohol or any drug to a degree that renders a person incapable of safely driving a vehicle. § 8-1567(a). A first offense is a Class B nonperson misdemeanor with a minimum imprisonment of 48 consecutive hours up to six months (or 100 hours of public service in the court’s discretion) and a fine of \$750–\$1,000. § 8-1567(b)(1)(A). For a second offense, the penalties increase to a Class A nonperson misdemeanor with a term of imprisonment of 90 days to one year and a fine of not less than \$1,250 nor more than \$1,750. § 8-1567(b)(1)(B). It is also unlawful for any person less than 21 years of age to operate or attempt to operate a vehicle with a breath or blood alcohol content of .02 or greater. § 8-1567a(a). For a first offense, the person’s driving privileges will be suspended for 30 days and then restricted for an additional 180 days. § 8-1567a(f). It is generally illegal to operate a motor vehicle with an opened alcoholic beverage in your possession. § 8-1599. A violation is a misdemeanor punishable by a fine of not more than \$200 or by imprisonment for not more than six months, or both. <i>Id.</i> |