

Student Marijuana Violation Procedures

I. General

- 1.1 Marijuana offenses include but are not limited to the use, storage, possession, distribution, or sale of marijuana and/or of marijuana paraphernalia (as defined by the Utah State Code, Title 58 Chapter 37a Section 3 and elsewhere), or being under the influence of marijuana. Marijuana includes all parts of the plant *Cannabis sativa*, *Cannabis indica*, *Cannabis saliva*, or other *Cannabis* species, whether growing or not and including seeds, extracted resin, and any derivatives, salts, mixtures, or preparations thereof.
- 1.2 Possession of a controlled substance is allowed only when a verifiable prescription legal under Utah laws and bearing the valid signature of a licensed health care practitioner has been issued to the individual in proprietary control of the substance. Any other possession or use is a violation of this policy.
- 1.3 Although the disciplinary procedures for marijuana offenses include three progressive levels, any serious offense, including but not limited to driving while under the influence of marijuana (DUI), distribution or sale of marijuana, and exhibiting intoxicated and disorderly conduct, will be treated as a third offense. In such cases, the student may incur interim administrative suspension at the discretion of the Vice President of Student Services and will immediately be referred to the Student Conduct Committee.
- 1.4 A student who receives any sanction to which s/he did not consent can appeal that sanction according to the provisions in the Student Code.
- 1.5 The University maintains the option of notifying the parent or legal guardian of a student under age 21 who incurs any marijuana violation.

II. Disciplinary Procedures for Marijuana Offenses

- 2.1 First offense violations may result in disciplinary probation for a period of time not to exceed 90 calendar days, and the student must enroll in and successfully complete the appropriate Level I Dixie State University Alcohol, Tobacco, and Other Drugs intervention program (ATOD) and pay the fee associated with that program. A disciplinary hold and notation will be placed on the student's academic record until such time as the sanctions have been completed.
 - 2.1.1 Satisfactory program completion is determined by the ATOD Program

Coordinator and the Dean of Students based on attendance, compliance, and fulfillment of course requirements. After the specified disciplinary probation period and the ATOD program are completed in a satisfactory manner, the disciplinary hold will be removed.

- 2.1.2 Students who are not compliant or who do not complete the ATOD program satisfactorily will have a permanent disciplinary hold placed on their record, which will only be removed when the Dean of Students determines that the program requirements have been met.
- 2.2 Second Offense violations may result in disciplinary probation for a period of time not to exceed one (1) calendar year from the date of the infraction, and the student must enroll in and satisfactorily complete the appropriate Level II Dixie State University Alcohol, Tobacco, and Other Drugs intervention program (ATOD) and pay the fee associated with that program. A disciplinary hold and notation will be placed on the student's academic record until such time as the sanctions have been completed.
 - 2.2.1 Satisfactory program completion is determined by the ATOD Program Coordinator and the Dean of Students based on attendance, compliance, and fulfillment of course requirements. After the specified disciplinary probation period and the ATOD program are completed in a satisfactory manner, the disciplinary hold will be removed.
 - 2.2.2 Students who are not compliant or who do not complete the ATOD program satisfactorily will have a permanent disciplinary hold placed on their record, which will only be removed when the Dean of Students determines that the program requirements have been met.
- 2.3 Third Offense violations incur a disciplinary hold and are automatically referred to the Student Conduct Committee which may impose one or more of the following sanctions according to the guidelines in the Student Code:
 - 2.3.1 Immediate suspension for a period of time up to one (1) calendar year.
 - 2.3.2 Allow the student to complete the current semester but then impose a suspension.
 - 2.3.3 Impose permanent disciplinary probation as long as the student is enrolled at DSU.
 - 2.3.4 Referral to professional treatment.
 - 2.3.5 Other appropriate sanctions as specified in the Student Code.

2.3.6 Immediate dismissal from the University.

III. Federal Financial Aid

- 3.1 A conviction in a court of law for possessing or selling illegal drugs for an offense that occurred while an adult student (age 18 or older) was receiving Federal financial aid such as Pell or other grants, certain loans, or Work Study will cause a student’s financial aid to be immediately suspended.
- 3.2 Unless the conviction is overturned or set aside, the student will be ineligible to receive Federal financial aid for a specified period of time, until s/he has successfully completed a qualified drug rehabilitation program, or has passed two unannounced drug tests given by a qualified rehabilitation program.

Period of Ineligibility

	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	Indefinite period

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