

\$500 or community service of an equivalent fine imposed a substance abuse evaluation and/or suspension of the person's motor vehicle operating privileges for a period not to exceed one year.

Iowa Code §123.49: (Providing alcoholic liquor, wine or beer to an intoxicated person). (See: Simple Misdemeanor)

#### **ILLCIT DRUG POLICY:**

When any member of the College community has been charged with the use, possession, distribution, or sale of marijuana, cocaine, amphetamines, or any other controlled substance as outlined by the federal and state Controlled Substance Act, the College may contact law enforcement agencies, which is likely to result in arrest and prosecution. Further, a violation of the drug policy will result in the student being placed on Social Probation and may result in suspension from campus housing. Parents may be notified of action taken, and the individual referred to the Director of Student Counseling. The Director of Student Counseling is prepared to assist individuals with substance abuse problems. **The student will be required to seek professional counseling. (This will include an outpatient assessment and follow-through treatment, if recommended.)** Documentation must be submitted to the Director of Student Counseling's to maintain enrollment in classes at the College.

Students who are asked to leave campus housing because of disciplinary action during a term are not eligible to receive a refund of unused rent or their housing deposit. If the resident, who is found in violation, does not cooperate with the outlined sanctions, he/she faces further disciplinary action, which can include expulsion from the College.

#### **Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance**

21 United States Code 844(a): 1st conviction: Any person who violates this subsection may be sentenced to a term of imprisonment of not more than 1 year, and shall be fined a minimum of \$1,000, or both. After 1 prior drug conviction: shall be sentenced to a term of imprisonment for not less than 15 days but not more than 2 years, and shall be fined a minimum of \$2,500. After 2 or more prior drug convictions: shall be sentenced to a term of imprisonment for not less than 90 days but not more than 3 years, and shall be fined a minimum of \$5,000. Special sentencing provisions for possession of crack cocaine: shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of \$1,000, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of the crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 United States Code 853(a)(2) and 881(a)(7):

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack.)

21 United States Code 881(a)(4):

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 United States Code 844a:

Penalties for simple possession

1<sup>st</sup> conviction – imprisonment of not more than 1 year, and shall be fined a minimum of \$1,000 or both.

2<sup>nd</sup> conviction – imprisonment for not less than 15 days but not more than 2 years, and shall be fined a minimum of \$2,500.

3<sup>rd</sup> conviction – imprisonment for not less than 90 days but not more than 3 years, and shall be fined a minimum of \$5,000.

21 United States Code 862b:

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for 1st offense, up to 5 years for 2nd and subsequent offenses.

18 United States Code 922(g):

Ineligible to receive or purchase a firearm.

**Iowa State Penalties and Sanctions**

Iowa Code §124.401(5): (Possession of a controlled substance). Substances other than marijuana: (See: Serious Misdemeanor). Marijuana: (imprisonment not to exceed 6 months and/or fine not to exceed \$1,000). Suspended sentences may include probation and required participation in drug treatment program.

Iowa Code §124.401: (Manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance or counterfeit or simulated controlled substance). Depending on nature of substance, penalties range from imprisonment for periods not to exceed 6 years, 5 years, 10 years, 25 years or 50 years and/or fines not to exceed \$1,000, \$5,000, \$50,000, \$100,000, or \$1,000,000. (See: Class B, C, D Felony)

Iowa Code §124.406: (Distribution of a controlled substance to person under age 18). Depending on nature of substance and ages of parties, penalties range from imprisonment for periods not to exceed 25 years, 10 years or 2 years and/or fines not to exceed \$100,000, \$50,000 or \$5,000. (See: Class B, C, D, and Aggravated Misdemeanor)

Iowa Code §124.407: (Sponsoring, promoting or assisting with a gathering with knowledge that controlled substance will be distributed, used or possessed there). Controlled substances other than marijuana: (See: Class D felony). Marijuana: (See Serious Misdemeanor)

Second or subsequent offenses of most of the above-referenced offenses may be punished by imprisonment for a period up to three times the term otherwise authorized and/or a fine of up to three times the amount otherwise authorized.

Iowa Code §124A.4: (Manufacture, delivery or possession with intent to deliver an imitation controlled substance). Depending on ages of the participants: (See: Class D, or Aggravated Misdemeanor)

Iowa Code §903.1: Unless there is a specific penalty attached (such as for operating while intoxicated or domestic assault), misdemeanors can be punishable simply by monetary fine, although there is also the possibility of a jail or prison term. Work release may be granted to those serving jail terms, to allow them to maintain employment. Generally, the penalties for misdemeanor level offenses in Iowa are as follows:

Simple Misdemeanor: (Shall be a fine of at least \$65 but not to exceed \$625 and/or imprisonment not to exceed 30 days).

Serious Misdemeanor: (Shall be a fine of at least \$315 but not to exceed \$1,875 and possibility of imprisonment not to exceed 1 year).

Aggravated Misdemeanor: (Shall be imprisonment not to exceed 2 years and a fine of at least \$625 but not to exceed \$6,250). When a judgment of conviction of an aggravated misdemeanor is entered against any person and the court imposes a sentence of confinement for a period of more than one year the term shall be an indeterminate term.

Iowa Code §902.9: Unless there is a specific penalty attached (such as for forcible felonies, including sexual assault and murder), the penalties for felony level offenses in Iowa are as follows:

Class "A" felony: (Shall be committed into the custody of the director of the Iowa department of corrections for the rest of the defendant's life)

Class "B" felony: (Shall be confined for no more than 25 years).

Class "C" felony: (Shall be confined for no more than 10 years, and in addition shall be sentenced to a fine of at least \$1,000 but not more than \$10,000).

Class "D" felony: (Shall be confined for no more than 5 years, and in addition shall be sentenced to a fine of at least \$750 but not more than \$7,500).

## **PARENTAL NOTIFICATION**

AIB regards its students as free, mature individuals who choose their own directions and thus assume responsibility for their successes and failures. With that being said, the College recognizes that students have varying degrees of maturity, as well as a range of experience levels in decision-making.

The right of access to information in a student's educational records is governed by the Family Education Rights and Privacy Act (FERPA). FERPA protects students' privacy rights by defining whom a college may disclose education records to and under what conditions is lawful. The act allows a college to disclose information to "appropriate parties," which may include parents, without written consent from the student in emergency situations when notification is determined to be necessary to protect the health or safety of the student or others.

The Higher Education Amendments of 1998, permits education institutions to disclose information regarding student violations involving alcohol or controlled substances, to parents or legal guardians of students under the age of 21. Accordingly, AIB College of Business will use professional discretion in deciding when parental notification is essential or beneficial to the student's welfare.

Parental notification will only occur for parents with students under the age of 21 or if the student signs a consent form for the following occurrences.

1. Student health – Federal laws prohibit the College from sharing student's medical or counseling records with anyone. However, parents will be notified without student

- consent in any situation in which the student behavior demonstrates a direct threat of harm to him/herself or others in the campus community.
2. Violations of any AIB alcohol or controlled substance policies.

## **ACTIVITIES & RECREATION – USER POLICY GUIDE**

### **WELCOME**

The following pages contain information regarding the Activities Center's policies and general information that will help you enjoy the facility for years to come. The policies have been developed to insure the safety of all occupants and to keep the facility in excellent condition. If you have any questions or need assistance, please contact the Activities Department on the first floor of the Activities Center. This policy guide includes information on:

- Free Weights and Weight Stations
- Cardiovascular Fitness Room
- Collegiate-Sized Basketball Court
- Men's and Women's Locker Rooms
- Equipment-Issue Room
- Concession Stand
- Conference Center

### **STUDENT AND MEMBER POLICIES**

Every person who enters the Activities Center must show valid identification. Student ID's will be used for entrance by students and Alumni/Corporate members will show a valid membership card. Since the AIB Activities Center is a private facility, anyone who does not have a student ID or membership card will not be admitted into the Activities Center Gym, Cardio Room or Weight Room.

### **GENERAL FACILITY USE POLICY**

Activities Center Hours:

Monday – Thursday	6 a.m. – 10 p.m.
Friday	6 a.m. – 8 p.m.
Saturday	8 a.m. – 5 p.m.
Sunday	2 p.m. – 10 p.m.

*\*Holiday and Event hours are posted on-site.*

- Smoking and smokeless tobacco products are prohibited in the facility.
- Clean gym shoes only are permitted in activity areas. Students and members must bring a second pair of gym shoes during winter months when dirt and water are problematic.
- No bicycles, cleats, or rollerblades are permitted in the building.
- Specific rules can be found in the Activities Center Office and are posted in each activity area.
- ID's are collected and held when checking out equipment from the equipment room.

### **RULES**

#### **Activities Center Gym**

1. Clean gym shoes only are permitted on the gym floor. Absolutely no shoes that mark the gym floor will be allowed.
2. No spitting on the gym floor or walls is permitted.
3. No hanging on basketball rims is allowed.
4. No softballs or baseballs allowed.