

Drug and Alcohol Policy

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 alcohol beverage 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 also 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 07.18.2025)

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 at <https://www.campusdrugprevention.gov/content/drug-scheduling-and-penalties>.

Drug and Alcohol State Laws

Category	Summary (Arkansas Statutes)
Possession of Marijuana	<p>Recreational use of marijuana and possession of marijuana is illegal in Arkansas. Ark. Code Ann. §§ 5-64-215(a)(1) (classifying marijuana as a Schedule VI substance), 5-64-419(b)(5) (outlining penalties for possession of a Schedule VI substance). The penalty for these offenses depends on the amount in possession. Possession of less than four ounces of marijuana is a Class A misdemeanor, carrying a penalty of up to \$2,500 in fines and imprisonment for up to one year. §§ 5-64-419(b)(5)(A), 5-4-401, 5-4-201. Penalties increase with additional amounts of marijuana. For instance, possession of four ounces or more but less than ten pounds is a Class D felony, which is punishable by a fine of up to \$10,000 and imprisonment for up to 6 years. <i>Id.</i> Additionally, the unlawful distribution of fourteen grams or less of a Schedule VI controlled substance, such as marijuana, is generally a Class A misdemeanor. § 5-64-438(b)(1)(A).</p> <p>Arkansas allows medical marijuana for qualifying medical conditions and has a regulated system of cannabis cultivation and distribution. Ark. Const. of 1878, amends. §§ 1-26 (2016). A qualifying patient with a registry identification card may legally possess not more than 2.5 ounces of usable marijuana. Ark. Const. of 1878, amend. § 3 (2016).</p>
Controlled Substances	<p>It is illegal to possess a controlled substance. <i>See generally</i> Ark. Code Ann. § 5-64-419. Penalties vary widely based on substance, amount, and criminal history. <i>Id.</i> For Schedule I and II controlled substances (such as methamphetamine, heroin, and cocaine), possession of the smallest listed amount (less than two grams) is a Class D felony. § 5-64-419(b)(1)–(2). Possession of less than two grams of a Schedule III controlled substance is generally a Class A misdemeanor, and possession of less than twenty-eight grams of a Schedule IV or V controlled substance is also generally a Class A</p>

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	<p data-bbox="440 233 1354 302">misdemeanor. § 5-64-419(b)(3)–(4). Possession of fentanyl is a Class C felony. § 5-64-421(a)(2).</p> <p data-bbox="440 342 1432 995">It is illegal to deliver or distribute controlled substances. <i>See generally</i> Ark. Code Ann. §§ 5-64-420 to 5-64-440. Penalties vary based on the type of substance and increase for larger amounts distributed. <i>Id.</i> Delivery of methamphetamine, heroin, or cocaine (1) in the amount of less than two grams is a Class C felony (punishable by three to ten years imprisonment); (2) in the amount of more than two grams but less than ten grams is a Class B felony (punishable by five to twenty years imprisonment); and (3) in the amount of ten grams but less than two hundred grams is a Class Y felony (punishable by ten years to life imprisonment). §§ 5-64-422(b), 5-4-401(a)(1), 5-4-401(a)(3)–(4). Delivery of less than two grams of a Schedule I or Schedule II controlled substance that is not methamphetamine, fentanyl, heroin, or cocaine is a Class C felony, with increased penalties for larger amounts. § 5-64-426. Delivery of a Schedule III substance less than twenty-eight grams is a Class C felony. §§ 5-64-430(b), 5-4-401(a)(2). A person who delivers less than two hundred grams of a Schedule IV or Schedule V controlled substance is guilty of a Class D felony. § 5-64-434. Delivery of fentanyl is a Class Y felony. § 5-64-421(c)(2). Delivery to minors entails enhanced penalties. § 5-64-406.</p> <p data-bbox="440 1037 1424 1392">Arkansas also has enhanced penalties for certain controlled substance crimes (possession of a controlled substance in violation of Ark. Code Ann. § 5-64-419 punishable by a Class C felony or greater, and possession with the purpose to deliver, delivery, manufacture, or trafficking of a controlled substance in violation of §§ 5-64-420 to 5-64-440) that occur within one thousand feet of the real property of a city or state park, elementary or secondary school, college or university, church, or many other locations. § 5-64-411. Possession of drug paraphernalia is also illegal, and the penalties for a violation vary depending on the purpose of the paraphernalia and the substance it is used for. § 5-64-443.</p>
Alcohol and Minors	<p data-bbox="440 1404 1432 1766">It is illegal for any person under the age of 21 to purchase or to have in his/her possession any intoxicating liquor, wine, or beer. Ark. Code Ann. § 3-3-203. Violation by a person aged 18 or older results in a fine of \$100–\$500, surrender of the person’s driver’s license, and possible “writing of themes or essays on intoxicating liquors, wine, or beer” or placement on probation. § 3-3-203. It is unlawful for any person (except for the person's family or for use in any religious ceremony or rite in any established church or religion) to knowingly give, procure, or otherwise furnish any alcoholic beverage to any person under 21 years of age. § 3-3-202. A first offense constitutes a Class A misdemeanor. <i>Id.</i></p> <p data-bbox="440 1808 1424 1875">It is illegal to be under the influence of alcohol or a controlled substance to the extent that: the person is likely to endanger themselves or another person or</p>

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	<p>property; or the person unreasonably annoys a person in his or her vicinity. Ark. Code Ann. § 5-71-212(a). This is known as public intoxication and is a Class C misdemeanor punishable by up to 30 days imprisonment and a fine of up to \$500. <i>Id.</i>; §§ 5-4-201, 5-4-401. If a person has been convicted of public intoxication two or more times within five years of the date of the current offense, they are guilty of an unclassified misdemeanor, punishable by up to 30 days imprisonment, a fine of up to \$500, probation not to exceed one year, and mandatory enrollment in an alcohol abuse or dependency treatment or counseling program. § 5-71-212(b). Drinking in public is also a Class C misdemeanor punishable by up to 30 days imprisonment and a fine of up to \$500. §§ 5-71-212(c)–(d); 5-4-201, 5-4-401.</p>
Driving Under the Influence (DUI)	<p>It is illegal to “operate or to be in actual physical control” of a motor vehicle while intoxicated (by alcohol or a controlled substance) or with a blood alcohol concentration of 0.08 or more. Ark. Code Ann. § 5-65-103. For a first offense, there is a minimum imprisonment of 24 consecutive hours up to one year with a fine of \$150–\$1,000, as well as a six-month license suspension and required alcohol education program. §§ 5-65-111, 5-65-112, 5-65-115. For a second offense within ten years of the first offense, there is a minimum imprisonment of 7 days up to one year, and if this second offense occurs within five years, there is a fine of \$400–\$3,000 as well as a 24-month license suspension. <i>Id.</i> Penalties increase for subsequent offenses. <i>Id.</i> Under certain circumstances, the court may order public service instead of some or all required imprisonment. § 5-65-111.</p> <p>It is illegal for an underaged person to drive a motor vehicle while under the influence of alcohol or another intoxicant or with a blood alcohol concentration of 0.02 to 0.08. Ark. Code Ann. § 5-65-303. The penalty for a first offense is a fine of \$100 to \$500, potential public service work, and a 90-day driver’s license suspension. §§ 5-65-304 - 5-65-306. It is also generally unlawful for a person to possess an open alcoholic beverage container within the driver or passenger area of a motor vehicle, although there are listed exceptions. § 5-71-218. A violation of this section is a Class C misdemeanor. <i>Id.</i></p>

Drug and Alcohol Abuse Prevention Program

Student Alcohol and Drug Policy

UAHT prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs on its campuses. The impairment by alcohol or drugs of any student while participating in an academic function, or as an employee when reporting for work or engaging in work – during normal work hours or other times when required to be at work – is also prohibited. UAHT students are required to abide by all federal and state laws, University of Arkansas System policies, local

ordinances, State Board of Higher Education policies, and other related requirements regarding the consumption or possession of alcoholic beverages, controlled substances, and illegal drugs.

Possession, use, or manufacture of illicit drugs is strictly prohibited at the UAHT. Students enrolled in UAHT are subject to disciplinary action for violation of federal or state law regarding the possession, purchase, manufacture, use, sale, or distribution (by either sale or gift) of any quantity of any prescription drug or controlled substance, except for the use of any over-the-counter medication or for the prescribed use of medication in accordance with the instructions of a licensed physician. Possession of paraphernalia associated with the use, possession, or manufacture of a prescription drug or controlled substance is also prohibited.

Enforcement of Federal and State Alcohol and Drug Laws

The UAHT Campus Police Department (UAHTPD) enforces all state and local liquor laws, including those for underage drinkers. UAHTPD enforces all state and local laws regarding prescription drugs and controlled substances. UAHTPD will work with federal agencies when needed to enforce any applicable federal laws.

Alcohol Use/Abuse and Substance Abuse Education Programs

The College educates students about potentially life-threatening consequences of alcohol use/abuse, and calls on student leaders, administration, faculty, and staff to serve as role models and promote good decision making regarding the risks and consequences surrounding alcohol use/abuse.

UAHT has a vested interest in the health and well-being of its students. Providing students and employees with access to substance abuse education materials promotes a healthy campus community. UAHT recognizes substance abuse as a treatable condition and offers programs and services for students with substance dependency problems. The programs provide services related to substance use and abuse including dissemination of informational materials, educational programs, counseling services, and referrals. UAHT's mental health service provided by Uwill offers substance abuse counseling and referrals for further evaluation and treatment.

UAHT expects its students to comply with federal and state laws, local ordinances, and the Student Code of Conduct related to alcohol and other drugs. Continued or abusive use of alcohol and other drugs has health consequences. Violations of UAHT alcohol and drug policy will be addressed by the College through the student conduct process.

UAHT requires all students to complete an online course – Alcohol and Other Drugs. Alcohol and Other Drugs is a reality-driven online course designed to educate students on the risks of the abuse of alcohol and other drugs, and to teach successful strategies for handling dangerous situations related to these substances. The course features four modules: Your GPA, Your Brain, Your Peers, and Your Life. Each section provides extensive, research-backed evidence of the detrimental effects alcohol and other drugs can have, and how social skills and interactions can help reduce harm associated with these substances.

The College also conducts education and prevention programming throughout the academic year. The programming includes but is not limited to providing information via flyers, pamphlets, and posters; and providing interactive events during alcohol awareness month, substance abuse awareness month, and safe spring break programming.

Disciplinary Actions

The College responds to reports of the illegal use of substances through its student conduct system. Students in violation of UAHT's Alcohol and Drug policy will face disciplinary actions as noted in the Student Code of Conduct. The Code applies to conduct that occurs on College premises and College-sponsored activities, and to off-campus conduct that adversely affects the College Community and/or the pursuit of its objectives. Additionally, College student conduct proceedings may be instituted against a student charged with conduct that potentially violates both criminal law and the Student Code of Conduct (that is, if both possible violations result from the same factual situation).

Student Conduct Amnesty for Alcohol and Other Drugs

UAHT is committed to the safety and welfare of its students. It is critical for the safety of the campus community that students immediately call for help when they are faced with an alcohol or drug-related emergency that requires immediate medical intervention for themselves or others. To encourage students to seek emergency medical care in these situations, the College has instituted this Amnesty protocol.

This protocol is a mechanism for appropriate College officials to apply an alternative resolution process in lieu of disciplinary action under the Student Code of Conduct, for minor violations related to the possession or use of alcohol and drugs that arise out of a bona fide attempt to seek emergency medical care for someone experiencing alcohol intoxication or a drug overdose. The purpose of this protocol is to encourage students to call for help in these emergency situations, and to cooperate with the College's reporting and investigative processes, by facilitating an educational and safety-focused response rather than focusing on disciplinary outcomes.

This protocol is designed to be applicable to alcohol and drug-related violations of the Student Code of Conduct. It does not ordinarily apply to other types of conduct violations, or violations of other College policies or procedures, although its use may be considered in situations involving victims and witnesses of other types of student conduct violations. The application of this protocol will have no bearing on criminal, civil, or other legal proceedings in federal, state, or local courts. Additionally, this protocol does not limit the authority of law enforcement personnel or College staff to act as required at the time of an alleged violation of College policies or federal, state, or local laws.

Parental Notification

In accordance with a 1998 amendment to FERPA, UAHT school officials have the discretion to notify parents or guardians of students who, at the time of disclosure, are under the age of 21, and have violated any federal, state, or local laws, or violated any rule or policy of the institution

governing the use or possession of alcohol or controlled substance. Exceptions to parental notification may be made based on circumstances as determined by school officials with legitimate educational interest.

The employee alcohol/drug policy is in the employee policy manual on the intranet.

UAHT conducts a biennial review of the College's drug and alcohol abuse prevention program. The report is available in the Office of the Dean of Student Services.