



Drug and Alcohol Abuse Prevention Policy

Miami Regional University student and employee health and wellbeing are of great importance. MRU is committed to providing an environment free of the abuse of alcohol and the illegal use of alcohol and other drugs. MRU has adopted and implemented programs to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees on school premises or as part of any of its activities.

The University wants all students and employees to know about the dangers of drug and alcohol abuse and the resources that are available to them concerning education, what to do about abuse and addiction in self and others, and other general information. To this end, the University has established programming and/or resources for students and employees appropriate to their needs.

Standard of Conduct

The unlawful possession, use, or distribution of drugs and alcohol by students or employees is prohibited while on property is owned and controlled by MRU or university activities. No employee or student is to report to work or class while under the influence of illegal drugs or alcohol.

Employees who are under the influence of a drug or alcohol on the job compromise the university's interests; endanger their health, safety, and the health and safety of others, including other employees, students and visitors; and can cause a number of other work-related problems, including absenteeism and tardiness, compromised job performance, increased workloads for coworkers, behavior that disrupts other employees, delays in the completion of work, inferior quality in products or service, and disruption of customer relations.

The prohibitions of this section apply whenever the interests of the university may be adversely affected, including any time the employee is:

- On university premises;
- At university-sponsored or university-related events;
- Conducting or performing university business, regardless of location;
- Operating or responsible for the operation, custody, or care of university equipment or other property; or
- Responsible for the safety of others.



The following acts are prohibited and subject an employee to termination:

- The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation or dispensation of alcohol;
- Being under the influence of alcohol while at work;
- The use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance;
- Being under the influence of any illegal drug or other controlled substance;
- The abuse of any legal drug;

- The purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription drug in a manner inconsistent with law; or
- Working while impaired by the use of a legal drug whenever such impairment might:
 - o Endanger the safety of the employee or some other person;
 - o Pose a risk of significant damage to university property or equipment;
 - o Substantially interferes with the employee's job performance or the efficient operation of the university's business or equipment.

Alcohol: Students are expected to act responsibly and maturely regardless of whether they have consumed alcoholic beverages. Inappropriate behavior resulting from alcohol consumption and/or abuse is a violation of university regulations and policy.

The use or abuse of alcohol is not an acceptable excuse for violation of university policies. Specifically:

- Alcoholic beverages may not be served on university property or within university facilities without proper authorization.
- The appropriate administrator may grant permission to those persons, groups or organizations in their area of responsibility. All permissions granted must be consistent with established policy.
- Persons under the legal drinking age may not distribute, sell, possess, consume, or be under the influence of alcohol, nor be in the presence of alcohol while on campus.
- In an instance of an underage person being present where alcohol is being consumed or available, the person of legal drinking age may also be held accountable.



- Persons of legal drinking age may not distribute, provide, or sell alcohol to persons under the legal drinking age.
- The supplying, possession and consumption of alcohol are prohibited during student-sponsored events and university events at which underage students are present, except with the written approval of the appropriate administrator.
- Use or possession of false or altered identification, or other misrepresentation of one's age in order to possess, consume or purchase alcohol, is prohibited.
- The possession and/or use of alcohol paraphernalia (funnels, bong, beer pong tables, etc.) is prohibited.
- Public intoxication is prohibited.
- Driving while under the influence of alcohol is prohibited.

Underage drinking:

MRU respects the rights of those students 21 years of age or older to consume alcohol. Students under the age of 21 are not permitted to have alcohol on campus or at any designated university function. Students found in violation of this policy may have the alcohol confiscated and may also receive disciplinary action. Alcohol is not permitted on campus without permission from an authorized university official.

Drugs: MRU does not support any activity related to the possession, use, provision, or sale of any substance considered to be illegal or mind-altering. This policy includes, but is not limited to, marijuana, salvia and the nonprescribed use of prescription drugs. Note that the State of Florida's Compassionate Medical Cannabis Act does not change the university's prohibition regarding the possession, use, provision, or sale of marijuana or otherwise authorize individuals to use medical marijuana on campus. Federal law, including the Drug Free Schools Act, continues to prohibit marijuana. Thus, marijuana possession or use, even if in compliance with the Compassionate Medical Cannabis Act, is prohibited on campus. Drug paraphernalia also is prohibited and includes any and all types of equipment, products and materials of any kind that are used, intended for use or designated for using or selling drugs.

On-campus and/or off-campus involvement in possession, use or sharing of drugs may result in suspension from the university for a minimum of one semester and until the student completes his or her educational sanctions. This suspension may occur regardless of legal action.



The selling or sharing of illegal drugs, including marijuana and prescription drugs, on or off campus, may result in expulsion. Given the considerations and other dangers regarding the use and abuse of drugs, regulations will be enforced and are applicable regardless of the status of any legal proceedings.

Specifically:

- Illegal substances may not be possessed, used, shared, distributed, bought, sold or manufactured on campus.
- Controlled substances may not be possessed, used, shared, distributed, bought, sold or manufactured on campus except as expressly permitted by law.
- Illegal or inappropriate use of substances to cause intoxication or hallucination is prohibited.
- Possessing any and all types of drug-related paraphernalia, equipment, products or materials of any kind that are used, intended for use, or designed for using, selling, manipulating or manufacturing drugs is prohibited.
- Abusing or misusing one's own prescribed drugs is prohibited.
- Being in the presence or in the vicinity of drugs, drug paraphernalia or drug use is prohibited.

Prescription drugs

The misuse and abuse of any prescription drugs can result in physical and psychological consequences, including addiction, accidental overdose and death. Mixing prescription drugs with alcohol or any other drug increases the likelihood of toxic overdose and death. Sharing prescription drugs is a felony under Florida law and is a violation of University policy. The illegal possession, use or sharing of prescription drugs is also a violation of university policy and may result in conduct sanctions and/or disciplinary action.

Location and paraphernalia

Students found in the vicinity of drug use (e.g., being in the same room) or in possession of marijuana-related or other drug-related paraphernalia, which is defined as, but not limited to, any and all types of equipment, products or materials of any kind that are used, intended for use or designed for using or selling drugs, will face student conduct consequences.

Sanctions

Violation of the Drug and Alcohol Abuse Prevention Policy will result in sanctions. There are University sanctions and legal sanctions under local, State or Federal law. It is the policy of MRU University to comply with federal and State of Florida drug laws.

University:



Students, staff or faculty who engage in conduct prohibited by law in violation of any city ordinances, state criminal laws or federal laws relating to illegal drug use or the university's drug policies may be subject to disciplinary sanctions.

- Students: Sanctions may include warnings, disciplinary probation, suspension from the university, expulsion, campus restrictions, behavioral contracts, community service, financial fines or restitution, referrals to professional counseling, other educational assignments, or the withholding or revocation of a degree. Sanctions that include suspension and/or expulsion from the university may be noted on the student's permanent academic records, including transcripts.

- Staff: The sanction may include any form of progressive discipline or termination as set forth in the Staff Discipline and Corrective Action Policy, including disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as well as possible training and/or referral to counseling.

- Faculty: The sanction may include any form of disciplinary action, including, warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as well as possible training and/or referral to counseling.

- For an employee who is also a student acting within the scope of his/her employment at the time of the incident, the sanction may include any permissible discipline from the university catalog or handbook.

At the discretion of the university, a student or employee found to have violated any city ordinances, state criminal laws or federal laws relating to alcohol or drug use, or university alcohol and drug policies, may be required, in addition to any disciplinary action taken or as an alternative to disciplinary action, to participate in and satisfactorily complete an appropriate counseling, rehabilitation or assistance program. In addition to university sanctions, the affected individual may be subject to criminal penalties under applicable federal and state law (see below). For more information on prohibited student behaviors involving drugs, please refer to the University catalog.

Legal Sanctions and Compliance with Federal and State Drug Laws



Notice of Federal Student Financial Aid Penalties for Drug Law Violations As prescribed in section 484(r) of the Higher Education Act, a student who, during a period of enrollment for which the student was receiving any Federal grant, loan, or work assistance, is convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any additional grant, loan, or work assistance from the date of that conviction for the period of time specified in the following table:

Offense	Ineligibility period Sale of Controlled Substance	Ineligibility period for Possession of Controlled Substance
1 st Offense	2 years from date of conviction	1 year from date of conviction
2 nd Offense	Indefinite period	2 years from date of conviction
3 rd Offense		Indefinite period

(If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.) Students denied eligibility for an indefinite period can regain it only after successfully completing an approved rehabilitation program or if a conviction is reversed, set aside, or removed from the student’s record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine if and when the student regains eligibility.

Student Responsibilities if Convicted During Period of Enrollment

If a student is convicted of a drug offense after receiving Federal aid, they must notify the Office of Financial Aid immediately. If a student has been convicted of a drug offense while applying to receive Title IV Federal financial aid, they are required to report the conviction on item number 23 of the FAFSA.

Parental Notification for Student Violations of the Alcohol and Other Drug Policy

The Family Education Rights and Privacy Act of 1974 authorizes higher education institutions to inform a parent or guardian of any student under age 21, who has been found in violation of any federal, state or local law or any rule or policy of the institution governing the use or possession of alcohol or controlled substances. The Provost will notify parents/guardians of students under 21 years of age when a student is found responsible for a violation of the University’s DAAPP and all appeals have been exhausted.

State Alcohol Laws and Sanctions

Florida Statutes Chapter 562 details the Florida laws on alcoholic beverages and related penalties (misdemeanor, felony). Pursuant to Florida Statute 562.11, it is unlawful for a person under the age of 21, except a person employed under the provisions of F.S. 562.13 acting in the scope of her or his employment within hotels, restaurants and other licensed establishments, to have in her or his possession alcoholic beverages (F.S. 562.111). Violation of this offense is punishable by a definite term of imprisonment of up to 60 days and/or a \$500 fine; a subsequent offense is



punishable by a definite term of imprisonment of up to one year and a fine of \$1,000. Possession of alcoholic beverages by a person under age 21 may also result in curtailment of driving privileges.

Florida Statute 562.11 also prohibits persons from selling, giving, serving or permitting to be served alcoholic beverages to a person under 21. It is also unlawful for a person under 21 to misrepresent their age in order to obtain alcohol. This includes the manufacture or use of false identification. Use of altered identification for the purpose of procuring alcoholic beverages is a felony. Violation of either of these offenses is also punishable by a definite term of imprisonment of up to 60 days and a fine of \$500. Misrepresentation of age may also lead to curtailment of driving privileges. See F.S. 775.082 or F.S. 775.083. A person who violates this subparagraph a second or subsequent time within one year after a prior conviction commits a misdemeanor of the first degree, punishable as provided in F.S. 775.082 or F.S. 775.083.

No person in the state shall be intoxicated and endanger the safety of another person or property, and no person in the state shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a public disturbance (F.S. 856.011). Any person violating the provisions of this subsection 856.011 shall be guilty of a misdemeanor of the second degree, punishable as provided in F.S. 775.082 or F.S. 775.083.

Florida law also prohibits public intoxication on a street or public place while within the city limits. A person is guilty of the offense of driving under the influence and is subject to punishment as provided in subsection (2) if the person is driving or in actual physical control of a vehicle within this state and (F.S. 316.193):

- a) The person is under the influence of alcoholic beverages, any chemical substance set forth in F.S. 877.111 or any substance controlled under chapter 893, when affected to the extent that the person's normal faculties are impaired; or
- b) The person has a blood alcohol level of 0.08 or more grams of alcohol per 100 milliliters of blood; or
- c) The person has a breath alcohol level of 0.08 or more grams of alcohol per 210 liters of breath.

(2) (a) Except as provided in paragraph (b), subsection (3) or subsection (4), any person who is convicted of a violation of subsection (1) shall be punished:

1. By a fine of: a. Not less than \$500 or more than \$1,000 for a first conviction; b. Not less than \$1,000 or more than \$2,000 for a second conviction, and
2. By imprisonment for: a. Not more than six months for a first conviction; b. Not more than nine months for a second conviction.

See F.S. 316.193 for additional information.

Florida Drug Laws and Sanctions

The Florida statutes with regard to drug abuse are found in Florida Statutes Chapter 893. This chapter includes definitions of what constitutes illegal drugs, drug paraphernalia, prohibited activities and related penalties. Conviction for the possession or distribution of illegal alcohol or drugs will result in various penalties according to the nature of the offense. These can include imprisonment, fines, confiscation of property and other related penalties.

Per Section 893.11(1), “it is unlawful for any person to sell, purchase, manufacture, or deliver, a controlled substance in, on, or within 200 feet of the real property comprising a public or private college, university, or other postsecondary educational institution.” Punishment for such crimes ranges from first-degree misdemeanors (up to one year imprisonment and up to a \$1,000 fine) to first-degree felonies (up to 30 years imprisonment and up to a \$10,000 fine). Specifically, possession of fewer than 20 grams of marijuana is punishable with imprisonment of up to one year and a fine of up to \$1,000; possession of more than 20 grams of marijuana is a third-degree felony with imprisonment of up to five years and a fine of up to \$5,000. Trafficking (distributing specified large quantities of various controlled substances) is punishable by a term of imprisonment up to life and a fine of \$25,000 to \$500,000, depending on the particular illicit drug and the quantity involved. Thus, possession of fewer than 28 grams of cocaine is a third-degree felony, while possession of more than 28 grams of cocaine, trafficking in cocaine, is a first-degree felony, punishable with a fine of up to \$250,000 and imprisonment up to life without eligibility for early release. The death penalty may be imposed if a person has brought large quantities of the substances into the state knowing the result would be the death of any person.

Florida Controlled Substance List and Schedules can be found under F.S. 893.03. The Florida Precursor Chemical list, which lists chemicals that may be used in manufacturing a controlled substance in violation of Florida Statute, can be found under F.S. 893.033.

Individuals who have been convicted of a felony involving the sale of or trafficking in, or conspiracy to sell or traffic in, a controlled substance under certain circumstances may be disqualified from applying for state employment. Convictions on drug-related charges also may result in disqualification for federal financial aid. Punishments may include a fine of up to \$8 million and life imprisonment.

Federal penalties for illicit drugs

The following federal trafficking penalties for illegal drugs took effect November 18, 1988, under the Controlled Substance Acts (CSA).

CSA I and II penalties

For possession of 10 to 99 grams (g) or 100 to 999 g mixture of methamphetamine or



PCP; 100 to 999 g mixture of heroin; 500 to 4,999 g mixture of cocaine; 5 to 49 g mixture of cocaine base; 1 to 10 g mixture of LSD; 40 to 399 g mixture of fentanyl; 10 to 99 g mixture of fentanyl analogue, the penalty is:

- First offense: not less than five years or more than 40 years of imprisonment; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of not more than \$2 million for individuals or \$5 million for other than individual.
- Second offense: not less than 10 years of imprisonment or more than life; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

For possession of 100 g or more, or 1 kg or more mixture of methamphetamine or PCP; 1 kg or more mixture of heroin; 5 kg or more mixture of cocaine; 50 g or more mixture of cocaine base; 10 g or more mixture of LSD; 400 g or more mixture of fentanyl; 100 g or more mixture of fentanyl analogue; the penalty is:

- First offense: not less than 10 years of imprisonment or more than life; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of not more than \$4 million for individuals, or \$10 million if other than individual.
- Second offense: not less than 20 years of imprisonment or more than life; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$8 million for individuals, \$20 million for other than individual.

For other drugs, not including marijuana, hashish or hash oil, the penalty is:

- First offense: not more than 20 years of imprisonment; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of \$1 million for individuals, \$5 million for other than individual.
- Second offense: not more than 30 years of imprisonment; if death or serious injury occurs, life imprisonment; a fine of \$2 million individuals, \$10 million for other than individual.

CSA III, IV and V penalties

CSA III, IV and V drugs defined as drugs with a moderate to low potential for physical and psychological dependence. For CSA III drugs, not more than five years of imprisonment: a fine of not more than \$250,000 for individuals, or \$1 million for other than individual. Second offense: penalties double that of first offense.

For CSA IV drugs:

First offense: not more than three years of imprisonment; a fine of not more than \$250,000 for individuals, or \$1 million for other than individual.

Second offense: penalties double that of first offense.



For CSA V drugs:

First offense: not more than one year of imprisonment; a fine of not more than \$100,000 for individuals, or \$250,000 for other than individual.

Second offense: penalties double that of first offense.

Marijuana, hashish and hashish oil

For possession of 1,000 kilograms (kg) or more, or 1,000 or more plants, of marijuana or mixture containing discernible quantity:

- First offense: not less than 10 years of imprisonment, not more than life imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.
- Second offense: not less than 20 years of imprisonment or not more than life imprisonment; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$8 million for individuals, \$20 million for other than individual.

For possession of 100 kg to 1,000 kg, or 100–999 plants, of marijuana or mixture containing discernible quantity:

- First offense: not less than five years of imprisonment, not more than 40 years of imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of not more than \$2 million for individuals, \$5 million for other than individual.
- Second offense: not less than 10 years of imprisonment or more than life imprisonment; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

For possession of 50 to 100 kg, or 50–99 plants, of marijuana; 10 to 100 kg hashish; or 1 to 100 kg hashish oil:

- First offense: not more than 20 years of imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of \$1 million for individuals, \$5 million for other than individual.
- Second offense: not more than 30 years of imprisonment. If death or serious injury occurs, life imprisonment, a fine of \$2 million for individuals and \$10 million for other than an individual.

For possession of under 50 kg of marijuana, less than 10 kg of hashish, less than 1 kg of hashish oil:

- First offense: not more than five years of imprisonment; a fine of not more than \$250,000 for individuals, \$1 million for other than individual.
- Second offense: not more than 10 years of imprisonment; a fine of not more than \$500,000 for individuals, \$2 million for other than individual.

Drug-related overdoses; medical assistance; immunity from prosecution (F.S. 893.21)

1. A person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose may not be charged, prosecuted or penalized pursuant to this chapter for possession of a controlled substance if the evidence for possession of a controlled substance was obtained as a result of the person's seeking medical assistance.
2. A person who experiences a drug-related overdose and is in need of medical assistance may not be charged, prosecuted or penalized pursuant to this chapter for possession of a controlled substance if the evidence for possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.
3. Protection in this section from prosecution for possession offenses under this chapter may not be grounds for suppression of evidence in other criminal prosecutions.

Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

The use, misuse and abuse of alcohol and other drugs, both legal and illegal, can have serious consequences to health and well-being. Alcohol and other drug use can lead to psychological and/or physiological dependence and addiction. Information on specific health risks associated with alcohol and other drugs is summarized below.

Alcohol is a central nervous system depressant that can impair coordination, inhibitions, self-control, memory, judgment, and reflexes. Large quantities may produce staggering, slurred speech, mood changes, unconsciousness and possibly death. Prolonged use can damage many organs of the body, including the heart, liver, stomach and pancreas.

Marijuana can increase heart rate, interfere with sexual development, may cause a reduction in male fertility and disrupt the female menstrual cycle. It can increase the risk of disease/damage to the body's respiratory system and impair eye-hand coordination and other essential functions needed to operate a motor vehicle safely. It can also impair the body's immune system.

Cocaine can cause feelings of depression, inability, impatience and pessimism. It can also cause severe weight loss, anxiety, hallucinations, increased heart rate and blood pressure. Cocaine has caused death by convulsion, failure of the respiratory system and by heart attack.



Over-the-counter and prescription drugs can also cause drug tolerance, dependence and addiction. The potential for misuse and abuse is increased with these drugs as they are easily obtainable and safe as far as ingredients and manufacturing, and the user may tend not to follow specific instructions for dosage and frequency. Many legal drugs also have a long shelf life, leading to their use after they are no longer needed or for self-medication without medical supervision.

Interaction between various drugs, legal and illegal, may have serious consequences for the user. Various combinations of drugs may work at cross purposes within the body, and the combined effects of two or more drugs may be more potent than the effect of a single drug.

Club drugs such as MDMA (Ecstasy), GHB, LSD, Rohypnol, Ketamine and Methamphetamine can cause serious health problems and possibly death. Many of these drugs are tasteless and odorless. The chemicals, drug sources and pharmacological agents used to manufacture these drugs often vary, making it difficult to determine all of the effects, symptoms and health risks associated with club drugs. Confusion, depression, impaired motor function, amnesia, psychotic behavior, cardiac failure and permanent neurological and organ damage are some known effects associated with the use of these drugs.

Drug or alcohol counseling, treatment or Educational Resources:

Help for all members of the MRU community is available through WellConnect for students and New Horizons (MRU Employee Assistance Program).

Students can get assistance through WellConnect :

Free and Confidential Counseling is Available 24/7 through WellConnect website:

<https://wellconnect.personaladvantage.com/portal/landing>

Phone Number: 866-640-4777

School Code: email ycabrera@mru.edu for school code

Employees can get assistance through

New Directions Employee Assistance Program

eap.ndbh.com School Code MRU

800-624-5544

Alcoholics Anonymous (AA)

Phone: **(305) 461- 2425**

www.aa.org

AA offers a way to stop drinking to individuals who feel they have a problem with alcohol. AA groups are located in most cities and rural communities throughout the country. Look up "Alcoholics Anonymous" in a local telephone directory for a contact in your area.



AlcoholScreening.org

www.alcoholscreening.org

This free, confidential website lets individuals privately assess their own drinking habits and receive personalized feedback to help them determine if they need help to change those habits. Individuals can also find out about facilities in their communities that offer drug and alcohol abuse treatment and consultations with qualified health professionals regarding alcohol problems.

Al-Anon/Alateen

Phone: 888-4AL-ANON

<https://al-anon.org/>

Al-Anon provides information on the effects of alcohol abuse and refers friends and families of alcohol abusers to nearby support groups. Al-Anon's purpose is to help families and friends of alcoholics recover from the effects of living with a relative or friend with a drinking problem. Alateen is the organization's program for young people whose lives have been affected by someone else's drinking.

American Council on Alcoholism

Phone: 800-527-5344

<http://acaap.us/>

This service provides referrals to alcoholism treatment programs nationwide and distributes written materials on alcohol abuse problems.

Cocaine Anonymous

Phone: 800-347-8998

www.ca.org

Cocaine Anonymous provides support for people dependent on cocaine and other mind-altering substances. Callers are referred to local helplines.

Nar-Anon

Phone: 800-477-6291

<https://naranonfl.org/>

This worldwide program provides support for friends and families of individuals with substance abuse problems.

Educational Resources

MRU will have educational information available to the MRU community through

- student orientation program
- employee onboarding



- on campus awareness campaigns
- workshops, seminars and training – virtual or on campus
- employee annual training during annual kick off meeting
- employees on campus through the MRU Health & Wellness Center

Rehabilitation and re-entry programs available to students

- Students whose eligibility has been suspended under paragraph (1) **Suspension of Eligibility for Drug-Related Offenses** of Sec. 484 of Title IV of the Higher Education Act of 1965, may resume eligibility before the end of the ineligibility period determined under such paragraph if:
 - the student satisfactorily completes a drug rehabilitation program that—
 - complies with such criteria as the Secretary shall prescribe in regulations for purposes of this paragraph; and
 - includes two unannounced drug tests;
- the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with such criteria as the Secretary shall prescribe in regulations for purposes of sub paragraph (A)
 - or the conviction is reversed, set aside, or otherwise rendered nugatory.