

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda--underwritten by global corporations--includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
- centerpoint360
- UPS
- Bayer Corporation
- GlaxoSmithKline
- Energy Future Holdings
- Johnson & Johnson
- Coca-Cola Company
- PhRMA
- Kraft Foods, Inc.
- Coca-Cola Co.
- Pfizer Inc.
- Reed Elsevier, Inc.
- DIAGEO
- Peabody Energy
- Intuit, Inc.
- Koch Industries, Inc.
- ExxonMobil
- Verizon
- Reynolds American Inc.
- Wal-Mart Stores, Inc.
- Salt River Project
- Altria Client Services, Inc.
- American Bail Coalition
- State Farm Insurance

For more on these corporations, search at www.SourceWatch.org.

& MEETINGS

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

Home → Model Legislation → Public Safety and Elections

Drug-Free Post-Secondary Education Act

Did you know the NRA--the National Rifle Association--was the corporate co-chair in 2011?

Summary

This Act would require all public post-secondary educational institutions to suspend for one semester (or quarter) any student convicted of any drug offense. The Act further requires the suspension of state financial aid to students convicted of any drug offense. The Act does not prohibit public and non-public post-secondary educational institutions from enforcing additional or more severe sanctions.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Title.} This Act shall be known and may be cited as the Drug-Free Post-Secondary Education Act.

Section 2. {Definitions.} As used in this Act:

(A) "Authority" means the [insert state] student finance authority created pursuant to [cite state code].

(B) "Controlled substance" means any drug, substance, or immediate precursor included in the definition of the term "controlled substance" in [cite state controlled substance act].

(C) "Convicted" or "conviction" refers to a plea of guilty, a finding of guilty by a court of competent jurisdiction, or the acceptance of a plea of nolo contendere or affording of first offender treatment by a court of competent jurisdiction, irrespective of pendency or availability of any appeal or application for collateral relief.

(D) "Dangerous drug" means any drug or substance defined as such in [cite state controlled substance act].

(E) "Date of conviction" means the date that the trial court determines guilt and enters judgment thereon or the date on which the court accepts a plea of nolo contendere or formally allows a person to receive first offender treatment.

(F) "Marijuana" shall have the same meaning as such term as defined in [cite state controlled substance act].

(G) "Non-public educational institution" means any post-secondary educational institution not established, operated, or governed by [insert state].

(H) "Public educational institution" means:

(1) any two-year college, college, university, or other institution of higher learning under the management and control of the Board of Regents of the University System of [insert state]; and

(2) any post-secondary technical school under the management and control of the State Board of Technical and Adult Education.

(I) "Student" means any person who is enrolled as a student in courses for academic credit on a full-time, part-time, temporary, or intermittent basis in any public or non-public educational institution.

Section 3. {Suspension from a public educational institution.}

(A) Any student of a public educational institution who is convicted, under the laws of this state, the United States, or any other state, of any offense involving the manufacture, distribution, sale, possession, or use of marijuana, a controlled substance, or a dangerous drug shall as of the date of conviction be suspended from the public educational institution in which such person is enrolled.

(B) Except for cases in which the institution has previously taken disciplinary action against a student for the same offense, such suspension shall be effective as of the date of conviction, even though the educational institution may not complete all administrative actions necessary to implement such suspension until a later date. Except for cases in which the institution has already imposed disciplinary sanctions for the same offense, such suspension shall continue through the end of the term, quarter, semester, or other similar period for which the student was enrolled as of the date of conviction. The student shall forfeit any right to any academic credit otherwise earned or

earnable for such term, quarter, semester, or other similar period; and the educational institution shall subsequently revoke any such academic credit which is granted prior to the completion of administrative actions necessary to implement such suspension.

Section 4. {Suspension of state financial aid used to attend a non-public educational institution.}

(A) Any student of a non-public educational institution who is convicted, under the laws of this state, the United States, or any other state, of any offense involving the manufacture, distribution, sale, possession, or use of marijuana, a controlled substance, or a dangerous drug shall as of the date of conviction be denied state funds for any loans, grants, or scholarships administered under the authority of [cite state student finance authority laws]. The authority is authorized to define such terms and prescribe such rules, regulations, and procedures as may be reasonable and necessary to carry out the purposes of this article.

(B) Such denial of state funds shall be effective as of the first day of the term, quarter, semester, or other similar period for which the student is enrolled immediately following the date of conviction or the date on which the court accepts a plea of nolo contendere or formally allows a student to receive first offender treatment and shall continue through the end of such term, quarter, semester, or other similar period for which the student was enrolled.

(C) Any non-public educational institution operating within this state that receives state funds shall agree to comply with this article in order to be eligible for its students to receive state funds through scholarships, grants, or loan programs.

Section 5. {Right of educational institution to enforce additional sanctions.} The suspension sanctions and sanctions involving denial of state funds as prescribed in this Act are intended as minimum sanctions, and nothing in this Act shall be construed to prohibit any educational institution from establishing and implementing additional or more stringent sanctions for felony offenses and other conduct involving the unlawful manufacture, distribution, sale, possession, or use of marijuana, a controlled substance, or a dangerous drug.

Section 6. {Administrative procedures.} Administrative procedures for the implementation of this Act shall be promulgated for the educational institutions under their respective management and control by the Board of Regents of the University System of [insert state] and the State Board of Technical and Adult Education or the individual non-public educational institutions. Such procedures shall provide for relief from sanctions previously imposed under this Act against a person whose conviction is subsequently overturned on appeal or through collateral relief.

Section 7. {Severability clause.}

Section 8. {Repealer clause.}

Section 9. {Effective date.}

ALEC's Sourcebook of American State Legislation 1995

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECExposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

Center for Media and Democracy's quick summary:

This bill is part of a set of 1995 bills that perpetuated the failed "War on Drugs." This bill would suspend any student convicted of a drug offense and allow suspension of their financial aid, which would often cause students to drop out of school and push them onto an unproductive path. Recreational drug use in higher education is nothing new and has had little documented negative impact on society or public safety, especially compared with lawful drugs or behavioral modifiers like alcohol. This bill would do little to change drug use on college campuses. However, because drug enforcement is most often directed at people of color, this bill would likely disproportionately affect students of color, who need financial aid as a result of continuing socio-economic disparities in earning and employment opportunities.