



TO: Florida Institute of Technology Students, Faculty, and Staff  
SUBJECT: Drug-Free Schools & Communities Act Annual Notification  
DATE: September 2019

In accordance with the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, all students and employees of Florida Institute of Technology must be advised of their required compliance as a condition for them to be engaged in employment or in the performance of any contract or grant or pursuit of a degree.

The Drug-Free Workplace Act of 1988 requires recipients of federal grants and certain federal contracts to certify that they will provide a drug-free workplace and establish an ongoing drug-free awareness program. The Drug-Free Schools and Communities Act Amendments of 1989 requires employers receiving federal financial assistance to adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol for students and employees.

Students and employees must receive information annually regarding standards of conduct, a statement of the disciplinary sanctions that the university will impose for a violation of the standards set forth of conduct, a description of applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol, a description of health risks associated with the use of illicit drugs and the abuse of alcohol, and a description of available drug or alcohol counseling or treatment programs that are available.

## **I. STANDARDS OF CONDUCT**

Florida Institute of Technology is committed to protecting the safety, health and well-being of all students and employees. All students and employees are expected to comply with applicable local, state and federal laws and university policies regarding the possession, use or sale of alcohol and drugs.

The university prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of any illicit drugs and alcohol by its students or employees on university premises or property or as part of any university activity.

1. Students and employees are prohibited from the illegal use of drugs or alcohol on or off campus.
2. Any employee or student under the influence of alcohol and/or drugs will not be allowed on the job while in that condition.
3. The sale of alcoholic beverages or consumption of alcoholic beverages outdoors and in public areas is prohibited, except at scheduled events approved by the Office of the Dean of Students.

### **Reasonable Cause Drug and Alcohol Testing**

A student or employee may be required to submit to an alcohol/drug test if reasonable suspicion exists to believe that they are under the influence of alcohol or illegal drugs. An employee will be immediately dismissed should they be directed to submit to such a test and refuse or fail to report to the testing facility within the required time allowed. Students and employees who test positive for alcohol or illegal drugs may be referred to Counseling and Psychological Services (CAPS) or the Employee Assistance Program (EAP) for professional assistance. Employees

that refuse such assistance or who fail to follow the treatment outlined for their recovery are subject to dismissal. Students who are directed to submit to such test and refuse or fail to do so when asked are subject to suspension from the university.

Employees who are required to drive university vehicles as an essential job function must notify the Associate Vice President of Human Resources no later than five business days after any conviction for a criminal alcohol driving offense.

Employees should notify their supervisor when they are under medically prescribed treatment with a controlled substance that may limit their ability to perform their job. Verification of required medication may be requested by the Office of Human Resources. Failure to provide requested verification may subject the employee to dismissal.

Each employee, as a condition of employment, will abide by the policy. In addition, any employee engaged in the performance of a federal grant or contract will, as a condition of employment, notify his or her supervisor no later than five (5) days after any conviction under a criminal drug statute for a violation that occurred in the workplace. When a supervisor is notified by an employee of such a conviction, he or she shall immediately notify the Associate Vice President of Human Resources and the Vice President of the Office of Research and Sponsored Programs. The Office of Research and Sponsored Programs will notify the appropriate federal agency within ten (10) days of receiving notice of such conviction.

## **II. UNIVERSITY DISCIPLINARY PROCEDURES/SANCTIONS**

Any university student or employee who violates the alcohol or drug policy is subject to both the university's sanctions and to criminal sanctions provided by federal, state and local law.

Violations of university policy by students are addressed through the Student Code of Conduct.

[Alcohol Policy-Student Handbook](#)

[Drug Policy-Student Handbook](#)

When a student is found responsible for violating university policies, the following actions may be taken:

1. Disciplinary Hold—A change in student status that may preclude student from attendance, registering, altering an academic schedule, receiving transcripts or graduating.
2. Fines—A mandatory restitution and/or fines may be levied for any infraction.
3. Disciplinary Warning—Issued to indicate that behavior is in violation of university regulations and that continued misconduct or repetition of the behavior may bring more serious consequences.
4. Alternative Action—Alternative action may be required as part of a penalty and includes, but is not limited to, sanction in abeyance, educational programming and training, counseling assessment, restriction or loss of privileges, restitution, apology, residential relocation and/or community service. Community service will be unpaid and benefit a charitable or nonprofit organization, including Florida Tech.
5. Removal from University Housing—A student's housing contract is voided and he/she is required to vacate university residential facilities permanently or for a specified period of time. The student receives no refund of housing charges and forfeits the housing deposit.

6. Disciplinary Probation—A serious warning that defines a situation where further disciplinary action may result in either suspension or expulsion from the university.
7. Disciplinary Suspension—Separation from Florida Tech for a specified period of time and requires leaving the university. Return to campus may occur only with prior notification and approval of the Dean of Students.
8. Expulsion—Permanent separation from the university without opportunity for readmission at anytime and required to leave the university within the time determined and cannot be on university property without the prior notification and permission of the Dean of Students.

When an employee is found responsible for violating university policies, the following actions may be taken:

1. Mandatory referral to the Employee Assistance Program or requirement to complete a rehabilitation program
2. Disciplinary Warning
3. Suspension
4. Termination

### III. LEGAL SANCTIONS

#### Florida Alcohol Laws

The following summarizes some of the Florida state laws relating to alcohol:

- It is unlawful to sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or to permit a person under 21 years of age to consume such beverages on the licensed premises. [Florida Statute 562.11](#)
- It is unlawful for any person to possess an open container of an alcoholic beverage or consume an alcoholic beverage while operating a vehicle in the state or while a passenger in or on a vehicle being operated in the state. [Florida Statute 316.1936](#)
- It is unlawful for a person under the age of 21 who has a blood-alcohol level of 0.02 or higher to drive or be in actual physical control of a motor vehicle. [Florida Statute 322.2616](#)

[Florida Statute 316.193](#)-Driving Under the Influence: A person is guilty of the offense if the person is driving or in actual physical control of a vehicle and has a blood-alcohol level of 0.08 or more.

Any person who is convicted of a violation of 316.193 shall be punished:

By a fine of:

- Not less than \$500 or more than \$1,000 for a first conviction.
- Not less than \$1,000 or more than \$2,000 for a second conviction; and

By imprisonment for:

- Not more than 6 months for a first conviction.
- Not more than 9 months for a second conviction.

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Brevard County Ordinances- [Alcoholic Beverages](#)

City of Melbourne Ordinances-[Alcoholic Beverages](#)

[Florida Statute 562.111 Possession of Alcoholic Beverages](#)

### Florida Drug Laws

Under [Florida Statute 893.13](#), it is unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance.

The following penalties are involved for violators depending on the classification and amount of drug involved:

Felony in the first degree	Up to 30 years imprisonment and a \$10,000.00 fine
Felony in the second degree	Up to 15 years imprisonment and a \$10,000.00 fine
Felony in the third degree	Up to 5 years imprisonment and a \$5,000.00 fine
Misdemeanor in the first degree	Up to 1 year imprisonment and a \$1,000.00 fine
Misdemeanor in the second degree	Up to 60 days imprisonment and a \$500.00 fine
Non-criminal charge	Other fines and civil penalties determined by court

Florida controlled substance list and schedules can be found under [Florida Statute 893.03](#).

### Cannabis (Marijuana) Trafficking Thresholds

Under [Florida Statute 893.135 \(1\)\(a\)](#), the crime of trafficking in cannabis is committed when a person knowingly possesses, sells, purchases, manufactures, delivers, or transports 25 pounds or more of cannabis or 300 or more cannabis plants.

If a person is caught trafficking in cannabis, the minimum penalties they face are determined by the following cannabis trafficking thresholds:

- 3 years prison / \$25,000 fine  
25 to 1,999 pounds of cannabis
- 7 years prison / \$50,000 fine  
2,000 to 9,999 pounds of cannabis
- 15 years prison / \$200,000 fine  
10,000 pounds or more of cannabis

### Cocaine Trafficking Thresholds

Under [Florida Statute 893.135 \(1\)\(b\)](#), the crime of trafficking in cocaine is committed when a person knowingly possesses, sells, purchases, manufactures, delivers, or transports 28 grams or more of cocaine.

If a person is caught trafficking in cocaine, the minimum penalties they face are determined by the following cocaine trafficking quantity ranges:

- 3 years prison / \$50,000 fine  
28 to 199 grams of cocaine
- 7 years prison / \$100,000 fine  
200 to 399 grams of cocaine
- 15 years prison / \$250,000 fine  
400 grams to 149 kilograms of cocaine

Federal Trafficking Penalties for Schedules I, II, III, IV, and V

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 years, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 years, and not more than life. If death or serious injury, life imprisonment.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 years and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 years, and not more than life. If death or serious injury, life imprisonment.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	

PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture	Fine of not more than \$8 million if an individual, \$50 million if not an individual.	100 gm or more pure or 1 kg or more mixture	Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
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#### PENALTIES

Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) Flunitrazepam (Schedule IV)	Any amount    1 gram	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprison- ment. Fine \$2 million if an individual, \$10 million if not an individual.
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

## Federal Trafficking Penalties-Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

Source: US Dep't of Justice, Drug Enforcement Agency, Drugs of Abuse: A DEA Resource Guide (2017)

### IV. HEALTH RISKS ASSOCIATED WITH THE ABUSE OF ALCOHOL AND USE OF ILLICIT DRUGS

The use of every drug, including alcohol, carries with it potential health risks. Drug use can have a wide range of

short- and long-term, direct and indirect effects and can include mental and physical impairment. The abuse of alcohol or drugs can affect a person's academic, professional and personal life.

For more information, see [Health Consequences of Drug Misuse](#).

## Alcohol

Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgement, coordination, and abstract mental functioning.

### Short-Term Health Risks:

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns
- Violence, including homicide, suicide, sexual assault, and intimate partner violence
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV
- Miscarriage and stillbirth or fetal alcohol spectrum disorders among pregnant women

### Long-Term Health Risks:

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems
- Cancer of the breast, mouth, throat, esophagus, liver, and colon
- Learning and memory problems, including dementia and poor school performance
- Mental health problems, including depression and anxiety
- Social problems, including lost productivity, family problems, and unemployment
- Alcohol dependence, or alcoholism

Source-CDC Centers for Disease Control and Prevention [Alcohol Use and Your Health](#).

## Marijuana

The use of marijuana may impair or reduce short-term memory and comprehension and reduce coordination and energy level. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

For more information, see [Marijuana Research](#).



#### Short-Term Health Risks:

- Enhanced sensory perception and euphoria followed by drowsiness/relaxation
- Slowed reaction time
- Problems with balance and coordination
- Increased heart rate and appetite
- Problems with learning and memory
- Anxiety

#### Long-Term Health Risks:

- Mental health problems
- Chronic cough
- Frequent respiratory infections

#### Cocaine

Cocaine is a strong central nervous system stimulant that interferes with the reabsorption process of dopamine, a chemical messenger associated with pleasure and movement. The health effects associated with cocaine use include elevated body temperature and blood pressure, increased heart rate, nausea, tremors and muscle twitches, and restlessness.

For more information, see [Effects of Cocaine Use](#).

#### Short-Term Health Risks:

- Narrowed blood vessels
- Dilated pupils
- Headache
- Increased body temperature, heart rate, and blood pressure
- Insomnia
- Anxiety
- Heart attack
- Stroke
- Seizure

#### Long-Term Health Risks:

- Nasal damage
- Loss of sense of smell
- Poor nutrition and weight loss
- Paranoia
- Lung damage from smoking

## Heroin

Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

For more information, see [Heroin Facts](#).

### Short-Term Health Risks:

- Dry mouth
- Feeling a "rush" (a surge of pleasure, or euphoria)
- Warm flushing of the skin
- Heavy feeling in the arms and legs
- Nausea and vomiting
- Clouded mental functioning

### Long-Term Health Risks:

- Insomnia
- Collapsed veins for people who inject the drug
- Damaged tissue inside the nose for people who sniff or snort it
- Infection of the heart lining and valves
- Liver and kidney disease
- Lung complications, including pneumonia
- Mental disorders such as depression and antisocial personality disorder

## Prescription Opioids

Opioids can cause euphoria and are often used nonmedically, leading to overdose deaths.

For more information, see [Misuse of Prescription Drugs Research](#).

## Tobacco/Nicotine

Tobacco contains numerous chemicals that alter internal functions, including brain activity. Nicotine is a stimulant drug found in cigarettes, cigars, pipe tobacco, and smokeless tobacco. Nicotine is highly addictive. Nicotine produces an increase in heart and respiration rates, blood pressure, adrenaline production and metabolism. Tobacco smoking can lead to lung cancer, chronic bronchitis, and emphysema.

For more information, see [Nicotine Facts](#) and [Tobacco Facts](#).

Additional information on commonly abused drugs can be found here: [Commonly Abused Drug Chart](#).

## V. RESOURCES RELATED TO ALCOHOL AND DRUG ABUSE PREVENTION AND ASSISTANCE

The university recognizes that alcohol and drug abuse and addictions are treatable and that early intervention and support improve the success of rehabilitation. Available resources can be found on campus and within the community for students and employees who are dependent on, or who abuse the use of alcohol or drugs.

Marijuana <https://interwork.sdsu.edu/echeckup/usa/mj/coll/index.php?id=FIT&hfs=false>

Alcohol <https://interwork.sdsu.edu/echeckup/usa/alc/coll/index.php?id=FIT&hfs=false>

### For Employees:

Employee Assistance Program (EAP). The EAP provides professional counseling, consultation and information to all benefit-eligible employees and members of their household. Employees may visit with a counselor face to face, online with televideo or get in-the-moment support by phone. Services are free and confidential.

Phone: 1-877-398-5816 or [www.resourcesforliving.com](http://www.resourcesforliving.com)

### For Students:

Counseling and Psychological Services (CAPS). The student counseling center provides a variety of confidential high-quality mental health and wellness services to assist students with their overall health, so they can successfully reach their own personal, academic, and career goals.

Phone: 321-674-8050 or <https://www.fit.edu/counseling-and-psychological-services/>

Holzer Health Center. The student health center maintains, educates and improves the health and well-being of students with recognition and consideration of cultural differences and developmental level.

Phone: 321-674-8078 or <https://www.fit.edu/health/>

### Additional Resources:

National Institute on Drug Abuse: <https://www.drugabuse.gov/>

Alcoholics Anonymous <http://www.aa.org/>

Brevard Intergroup [www.aaspacecoast.org](http://www.aaspacecoast.org) 24 hour hotline (321) 724-2247

Al-Anon Family Groups <https://al-anon.org/>

Narcotics Anonymous <https://www.na.org/>

SMART Recovery <https://www.smartrecovery.org/>

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E-mail [hr@fit.edu](mailto:hr@fit.edu) • [www.fit.edu/hr](http://www.fit.edu/hr)

FL Certified Recovery Residences:

<http://www.dcf.state.fl.us/programs/samh/docs/FARR%20Certified%20Recovery%20Residences.pdf>

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