



DRUG-FREE SCHOOLS & COMMUNITIES ACT

Biennial Review
2022–2023 | 2023–2024





INTRODUCTION

The following report was prepared by the Drug-Free Schools and Campus Communities Task Force (Taskforce) at Florida Institute of Technology (Florida Tech) in order to meet the requirements of the Drug-Free Schools and Campus Communities Act. Section 22 of the Drug-Free Schools and Campus Communities Act Amendments of 1989 added section 1213 to the Higher Education Act, which requires institutions of higher education to adopt and implement a drug prevention program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

Florida Institute of Technology is committed to protecting the safety, health and well-being of all students and employees. Alcohol and drug abuse pose a threat to the health and safety of students and employees and the security of our equipment and facilities. For these reasons, the university is committed to the elimination of illegal drug and/or alcohol use and abuse in the workplace.

The following campus units provided data for this report:

- Vice President of Human Resources
- Director of Student Counseling Center
- Vice President of Student Affairs
- Director of Student Conduct
- Director of Residence Life
- Dean of Students
- Director of Security

ALCOHOL AND OTHER DRUGS (AOD) POLICY REVIEW

There are several Florida Tech policies that cover substance use and abuse.

Policy name	Method of distribution	Available online at*
Alcohol/Drug-Free Workplace Policy	Emailed to employees and students annually through Human Resources (HR)	floridatech.edu/policies/human-resources-policies/drug-free-workplace/
Student Standards and Policies: Alcohol Policy	Reviewed during new student orientation, and information is shared with all students annually	floridatech.edu/housing/reslife/university-housing-living-guide/
Student Standards and Policies: Drug Policy	Reviewed during new student orientation, and information is shared with all students annually	floridatech.edu/housing/reslife/university-housing-living-guide/
Student Organization Manual: Alcohol Policy	Shared each semester with students at organization procedures meetings	floridatech.campuslabs.com/engage/organization/studentorganizations/documents
Greek Life Policies and Regulations: Alcohol Policy	Shared each semester with students at Greek Life 101 and Town Hall	floridatech.edu/greeklife/resources

*All documents can be found in appendix.

Annual Notification

An annual notification is sent to all employees and students that includes the following:

1. Standards of conduct
2. Legal penalties for unlawful possession or distribution of illicit drugs and alcohol
3. Health risks associated with AOD abuse
4. AOD programs available to employees and students
5. Disciplinary sanctions for violations of standards of conduct



BIENNIAL REVIEW

In order to certify its compliance with the Part 86 Regulations, an IHE (Institution of Higher Education) must adopt and implement a drug prevention program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by all students and employees both on school premises and as part of any of its activities. Creating a program that complies with the regulations requires an IHE to do the following:

- | | |
|---|---|
| ✓ | A. The annual distribution in writing to each employee, and to each student who is taking one or more classes for any type of academic credit except for continuing education units, regardless of the length of the student's program of study, of: |
| ✓ | 1. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities; |
| ✓ | 2. A description of the applicable legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol; |
| ✓ | 3. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol; |
| ✓ | 4. A description of any drug or alcohol counseling, treatment or rehabilitation or re-entry programs that are available to employees or students; and |
| ✓ | 5. A clear statement that the IHE will impose disciplinary sanctions on students and employees (consistent with local, state and federal law) and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (A)(1) of this section. For the purpose of this section, a disciplinary sanction may include the completion of an appropriate rehabilitation program. |
| ✓ | B. A biennial review by the IHE of its program to: |
| ✓ | 1. Determine its effectiveness and implement changes to the program if they are needed; and |
| ✓ | 2. Ensure that the disciplinary sanctions described in paragraph (A)(5) of this section are consistently enforced. |

CURRENT ALCOHOL AND OTHER DRUGS (AOD) PROGRAMS AND INTERVENTIONS

Employees

The university uses a third party, Resources for Living, an AETNA company, to provide [Employee Assistance Program \(EAP\)](#) services to employees.

The EAP program includes the following services:

- Services are confidential and available 24 hours a day, seven days a week.
- Six (6) professional counseling sessions per issue per year.
- Available to employees, household members and legal dependents who reside outside of the home up to age 26.
- Help available for a range of services including relationship support, stress management, work/life balance, family issues, grief and loss, depression, anxiety, substance misuse and self-esteem and personal development.
- Daily life assistance, including child care and home repair and maintenance.
- Management consultations.
- National provider network.
- Online resources such as articles, video resources, webinars, online apps (e.g., myStrength app), discount center, legal services, financial services and identity theft services.

Utilization 2022–2023

EAP utilization rate: 15.8%

Service Engagement	APR '22–MAR '23	YTD	Prior YTD
Total covered employees	853	853	805
Annualized utilization rate	15.8%	15.8%	23.7%
Total member services requested	133	133	176
Total organizational services and participants	4	4	45

Employees seeking assistance with substance abuse: Zero (0)

Top Presenting Issues	APR '22–MAR '23	YTD	Prior YTD
Other Member/Benefit Inquiry	19.5%	19.5%	19.9%
Anxiety	13.5%	13.5%	29.5%
Relationship: Marital/Significant Other	12.8%	12.8%	13.1%
Stress/Distress	9.8%	9.8%	8.5%
Legal	9.8%	9.8%	3.4%
Depressed Mood	6.8%	6.8%	8%
Undisclosed	6.8%	6.8%	0%
Trauma/PTSD	6%	6%	0%
Self Esteem/Personal Development	3%	3%	3.4%

CURRENT ALCOHOL AND OTHER DRUGS (AOD) PROGRAMS AND INTERVENTIONS

Employees

Utilization 2023–2024

EAP utilization rate: 15.9%

Service Engagement	Q1	Q2	Q3	Q4	YTD
Total covered employees	780	805	917	910	853
Annualized utilization rate	23.1%	13.3%	13.8%	14.3%	15.9%
Total member services requested	44	27	32	31	134
Total organizational services and participants	1	1	0	2	4

Employees seeking assistance with substance abuse: Zero (0)

Top Presenting Issues	Q1	Q2	Q3	Q4	YTD	Prior YTD
Other Member/Benefit Inquiry	20.5%	18.5%	12.5%	29%	20.1%	19.5%
Anxiety	9.1%	22.2%	9.4%	16.1%	13.4%	13.5%
Relationship: Marital/Significant Other	11.4%	11.1%	18.8%	12.9%	13.4%	12.8%
Stress/Distress	2.3%	18.5%	18.8%	3.2%	9.7%	9.8%
Legal	13.6%	7.4%	0%	16.1%	9.7%	9.8%
Depressed Mood	4.5%	7.4%	12.5%	3.2%	6.7%	6.8%
Trauma/PTSD	13.6%	0%	3.1%	3.2%	6%	6%
Undisclosed	9.1%	7.4%	0%	3.2%	5.2%	6.8%
Self-Esteem/Personal Development	4.5%	0%	6.3%	0%	3%	3%
Grief/Loss	2.3%	3.7%	0%	6.5%	3%	2.3%

CURRENT ALCOHOL AND OTHER DRUGS (AOD) PROGRAMS AND INTERVENTIONS

Students

The university offers large-scale programs and small-scale activities throughout the academic year to increase awareness and prevent alcohol and drug abuse on campus. Several campus units provide a variety of campus events each semester to allow students to improve their attitude, knowledge and behavior intentions about alcohol and drugs.

Student Counseling Center

The Student Counseling Center provides awareness, psychoeducation and resources throughout the academic year through a variety of outreach and consultation efforts. Also, the center provides counseling services to students free of charge for substance-related concerns, as well as connects students with other community resources for coordination and comprehensive care.

Student Life

Student Life provides training and programming to promote AOD awareness and prevention each semester to all student organization, club and club sports leaders during the organization training and education sessions. Additionally, AOD information is also provided to student leaders and members each semester and year round through emails and on Florida Tech Engage.

Orientation

Orientation provides educational programming during the new student orientation programs for first-year students, transfer students and graduate students during interactive sessions that include the Dean of Students learning session as well as Residence Life 101. These sessions are used to promote AOD awareness and prevention.

Residence Life

Residence Life provides educational programming to promote AOD awareness and prevention each year to all of our on-campus residents.

Type of Program	2022–2023	2023–2024
Social	18	18
Health promotion	19	19
Academics and career	16	16
Diversity	9	9
Life skills	3	3
Drugs and alcohol awareness	8	8
Sustainability	6	6
Title IX	1	1
TOTAL	80	80

Greek Life

Greek Life provides educational and values programming to promote AOD awareness and prevention each year to all members who are in a fraternity or sorority. Currently, that is 11% of the undergraduate population.

Type of Program	2022–2023	2023–2024
Alcohol awareness	5	5
Drug awareness	4	4
TOTAL	9	9

CURRENT ALCOHOL AND OTHER DRUGS (AOD) PROGRAMS AND INTERVENTIONS

Student Conduct

The following is a summary of student AOD violations for 2022–2023 and 2023–2024 academic years.

There are more students found responsible for alcohol violations than drug violations, and most alcohol violations occur because of underage drinking. Our current alcohol and drug prevention programs specifically address this issue. There has been a decrease in the number of students found responsible for drug violations.

Alcohol and Drug Violations

2022–2023	Not Responsible	Responsible	TOTAL
Alcohol violation	28	111	139
Controlled substance violation	19	42	61
2023–2024	Not Responsible	Responsible	TOTAL
Alcohol violation	31	76	107
Controlled substance violation	9	29	38

Sanction Enforcement Consistency 2022-2023

Student Conduct reviews and publishes a summary of student conduct violations and a sanction summary each academic year for AOD. This annual review ensures the university enforces the disciplinary sanctions for violating standards of conduct consistently from year to year.

Violation	Issue	Fines	Disciplinary Warning	Disciplinary Probation	Suspension in Absence	Suspension	Expulsion	Educational Programming	Parental Notification	Educational Sanctions	Persona Non Grata	Community Service	Additional Sanctions
2	Alcohol	8	54	23	2			61	47	24		6	3
4	Controlled substances			20				14	10				4

Sanction Enforcement Consistency 2023-2024

Violation	Issue	Fines	Disciplinary Warning	Disciplinary Probation	Disciplinary Suspension	Expulsion	Suspension in Absence	Removal from Residence Hall	Removal from University	Alternative Action							
										Apology	Parental Notification	Persona Non Grata	Community Service	Educational Programming	Poster	Educational Sanctions	Additional Sanctions
2	Alcohol	8	58	48			5			10	55		18	68	10	20	5
4	Controlled substances	5		38	8	1			1		18		12	22			8

CURRENT ALCOHOL AND OTHER DRUGS (AOD) PROGRAMS AND INTERVENTIONS

Student Conduct

Student Conduct uses the following education-based programs for students to comply with the Drug-Free Schools and Communities Act (DFSCA):

- The Alcohol eCheckup To Go (e-CHUG) is an evidence-based, personalized online alcohol intervention designed by university counseling centers and psychologists.
- The Cannabis eCheckup To Go is an evidence-based, online prevention and intervention program designed to reduce cannabis use among college students. It is designed to help motivate students to reduce their level of cannabis use using personalized information about their behavior and risk factors.

Students who have been found responsible for violating the alcohol and drug policy are required to complete the online prevention and intervention program.

2022–2023 Program Completion

eCheckup To Go — Alcohol	
SEX:	
Male: 53% (35)	Female: 44% (19) : Non-Binary: 1% (1)
STUDENT AFFILIATION:	
Florida Tech: 100% (65)	
YEAR LEVEL:	
Freshman: 64% (42)	Sophomore: 24% (16)
Junior: 9% (6)	Senior: 1% (1)
ARE YOU A MEMBER OF A FRATERNITY/SORORITY?	
Yes: 20% (13) : No: 80% (52)	
ARE YOU A STUDENT-ATHLETE?	
Yes: 12% (8) : No: 87% (57)	
ARE YOU CURRENTLY TAKING PRESCRIPTION MEDICATIONS?	
Yes: 32% (63) : No: 3% (2)	
DO YOU CURRENTLY LIVE ON CAMPUS/IN-RESIDENCE?	
Yes: 96% (63) : No: 3% (2)	

2023–2024 Program Completion

eCheckup To Go — Alcohol	
SEX:	
Male: 66% (52)	Female: 33% (26)
STUDENT AFFILIATION:	
Florida Tech: 100%	Nonstudent: 0%
YEAR LEVEL:	
Freshman: 56% (44)	Not Applicable: 5% (4)
Junior: 28% (2)	Sophomore: 1% (4)
	Senior: 10% (8)
ARE YOU A MEMBER OF A FRATERNITY/SORORITY?	
Yes: 15% (12) : No: 85% (66)	
ARE YOU A STUDENT-ATHLETE?	
Yes: 1% (5) : No: 99% (73)	
ARE YOU CURRENTLY TAKING PRESCRIPTION MEDICATIONS?	
Yes: 23% (18) : No: 77% (60)	
DO YOU CURRENTLY LIVE ON CAMPUS/IN-RESIDENCE?	
Yes: 81% (63) : No: 19% (15)	

eCheckup To Go — Marijuana	
SEX:	
Male: 88% (22)	Female: 12% (3)
STUDENT AFFILIATION:	
Florida Tech: 100% : Nonstudent: 0%	
YEAR LEVEL:	
Freshman: 52% (13)	Not Applicable: 0% (0)
Junior: 16% (4)	Sophomore: 20% (5)
	Senior: 12% (3)
ARE YOU A MEMBER OF A FRATERNITY/SORORITY?	
Yes: 20% (5) : No: 80% (20)	
ARE YOU A STUDENT-ATHLETE?	
Yes: 12% (3) : No: 88% (22)	
ARE YOU CURRENTLY TAKING PRESCRIPTION MEDICATIONS?	
Yes: 20% (5) : No: 80% (20)	
DO YOU CURRENTLY LIVE ON CAMPUS/IN-RESIDENCE?	
Yes: 88% (22) : No: 12% (3)	

eCheckup To Go — Marijuana	
SEX:	
Male: 92% (12)	Female: 7% (1)
STUDENT AFFILIATION:	
Florida Tech: 100%	Other college student: 0%
YEAR LEVEL:	
Freshman: 23% (3)	Not Applicable: 0% (0)
Junior: 23% (3)	Sophomore: 23% (3)
	Senior: 30% (4)
ARE YOU A MEMBER OF A FRATERNITY/SORORITY?	
Yes: 100% (13) : No: 0% (0)	
ARE YOU A STUDENT-ATHLETE?	
Yes: 30% (4) : No: 69% (9)	
ARE YOU CURRENTLY TAKING PRESCRIPTION MEDICATIONS?	
Yes: 7% (1) : No: 92% (12)	
DO YOU CURRENTLY LIVE ON CAMPUS/IN-RESIDENCE?	
Yes: 92% (12) : No: 7% (1)	

EVALUATION AND RECOMMENDATIONS OF ALCOHOL AND OTHER DRUGS (AOD) PROGRAMS

Program Strengths

The AOD Prevention Program strengths include:

- The university provides clear and comprehensive policies for students, faculty and staff regarding its alcohol and other drug policies and communicates the information annually to all.
- All university policies for students, faculty and staff are consistently reviewed annually.
- The university maintains accurate records of student violations and sanctioning processes. Policy enforcement and sanctioning is consistently implemented.
- Numerous events are hosted throughout the year by many different departments and areas. AOD prevention and education is a large focus of the campus.
- Strong and ongoing enhanced working relationships are maintained between Campus Security, Greek Life, Residence Life, Student Involvement and Student Counseling Center to ensure prevention awareness.

Program Weaknesses

- We are still working to obtain sufficient student response and longitudinal data to develop reliable trend data. However, we have continued to deploy an annual climate survey inquiring into these issues (rather than the standard biennial campus climate survey) to advance this objective.
- While there is significant optional training opportunities through residential life, wellness, etc., there is no mandatory training from which to make evidence-based assessments that would be considered reliable.

Program Recommendations

The AOD Prevention Program recommendations include:

- Through the ACHA-National College Health Assessment II, the university will annually implement and analyze a survey to provide a comprehensive picture on student health behaviors and perceptions of health, and identify prevalent health issues on campus.
- Offering a comprehensive, education-based program to the campus community. Beginning fall 2020, the university has added the following AOD prevention and intervention program for students:
 - » SafeColleges Training on Alcohol and Drug Abuse Prevention are powerful, evidence-based courses that stimulate change in students' attitudes and behaviors by presenting students with the many risks of abusing alcohol or drugs and detrimental effects that these can have on their lives. The list of courses is as follows:
 - Alcohol and Other Drugs
 - Marijuana: What You Should Know
 - Prescription Addiction Suite: Opioids, Stimulants and Depressants
- Expanding Biennial Review Committee to other campus units and the student population to address high-risk consumption in all student populations.
- Utilizing our efficient collaboration with Campus Security, improve partnership with Brevard County, Palm Bay Police and Melbourne Police to further increase awareness and educational opportunities for students.
- Continuing to review all policies and conduct standards to ensure uniformity across campus.

Through all policies and reviews, Florida Tech meets all requirements as outlined in the DFSCA. However, the dissemination of information can be enhanced through comprehensive programming instead of programming completed in departmental silos.

Conclusion

The university organized a cross-departmental committee for the purpose of completing the biennial review of compliance with the Drug-Free Schools and Communities Act and conducted that review in order to summarize and evaluate the effectiveness of the university's programs and activities related to alcohol and drug prevention during the 2020–2021 and 2021–2022 academic years.

After review, Florida Tech is in compliance with the requirements of the Drug-Free Schools and Communities Act. Florida Tech has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs by our students and employees. Florida Tech is committed to protecting the safety, health and well-being of all students and employees and further is committed to the elimination of illegal drug and/or alcohol use and abuse in the workplace.

APPENDIX: DRUG AND ALCOHOL POLICIES

Alcohol/Drug-Free Workplace Policy

Effective Date Jan. 3, 2017

Applicable Employee Classes:	Revised Date:	Approved by:
All Florida Tech employees and students	February 3, 2022	Dwayne McCay, President

5.7 Drug and Alcohol Policy

Policy Purpose

Florida Institute of Technology is committed to protecting the safety, health and well-being of all students and employees. Alcohol and drug abuse pose a threat to the health and safety of students and employees and to the security of our equipment and facilities. For these reasons, the university is committed to the elimination of illegal drug and/or alcohol use and abuse in the workplace. This policy outlines the practice and procedures designed to correct instances of identified alcohol and/or illegal drug use in the workplace.

Policy Scope

Florida Institute of Technology has established a drug-free awareness program to inform students and employees about:

1. The dangers of drug abuse in the workplace, communicated through the provision of educational literature and materials.
2. The university's policy of maintaining a drug-free workplace, communicated through distribution of this policy and other related statements to all students and employees.
3. The availability of drug counseling and rehabilitation programs, provided through confidential counseling within the university's Employee Assistance Program (EAP) and the Student Counseling Center.
4. The university's intention that penalties will be imposed upon students and employees for violations of the prohibitions concerning involvement with unlawful drugs.

Each student and employee will be given an electronic copy of the Drug and Alcohol Policy annually. The policy will also be clearly displayed on the website of the Office of Human Resources. The Office of Human Resources will ensure notification of this policy to all employees on an annual basis. The Dean of Students will ensure notification to all students.

Policy Statement

Whenever employees are working, are operating any university vehicle, are present on university premises, or are conducting university related work off-site or as part of any university activity they are prohibited from:

- » using, possessing, buying, selling, manufacturing or distributing, dispensing illegal drugs or drugs not lawfully prescribed for the individual (to include possession of drug paraphernalia);
- » being under the influence of alcohol or an illegal drug as defined in this policy, and
- » possessing or consuming alcohol.
- » Reporting for work after a meal or other break period under the influence of alcohol or illegal drugs is also prohibited.

The university may occasionally sponsor an event or permit employees to attend a university-related function, at which alcohol is served. Although employees are not prohibited from drinking at such events, they are expected to comport themselves professionally and must always maintain compliance with all university rules and regulations. Under no circumstances should an employee drive home from such an event if he or she is impaired.

The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system while performing university business or while in a university facility is prohibited.

APPENDIX: DRUG AND ALCOHOL POLICIES

Procedures/Guidelines

Standards Of Conduct

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 President.

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.

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 the Student Counseling Center 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 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. If the use of a medication could compromise the safety of the employee, co-workers, or the public, it is the employee's responsibility to use appropriate personnel procedures (call in sick, use leave, request change of duty, notify supervisor, notify the Office of Human Resources) to avoid unsafe workplace practices. The Vice President for Student Affairs should be notified about concerns for student behavior.

All applicants for employment and applicants for admission to the university may be tested, at the university's discretion, for the presence of alcohol and/or illegal drugs. An applicant who refuses or fails to take the required test, or who tests positive for the presence of alcohol and/or illegal drugs, will be disqualified from further consideration.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful and appropriate use and possession of prescribed medications during work hours. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and the employee must promptly disclose any work restrictions to Human Resources. Employees should not, however, disclose underlying medical conditions warranting the prescribed medications.

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 Vice President of Human Resources and the Senior Associate Provost for Research. The Office of Research and Sponsored Programs will notify the appropriate federal agency within ten (10) days of receiving notice of such conviction.

Compliance Reference

The Drug-Free Workplace Act of 1988

The Drug-Free Schools and Communities Act Amendments of 1989

APPENDIX: DRUG AND ALCOHOL POLICIES

Florida Alcohol Laws

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

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.

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

APPENDIX: DRUG AND ALCOHOL POLICIES

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 |
|--|--|---|

First Offense: 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. **Second Offense:** Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.

Responsibilities

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.

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: 877-398-5816 or resourcesforliving.com

For Students: Student Counseling Center. The Student Counseling Center provides a variety of 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 floridatech.edu/student-counseling-center

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 floridatech.edu/health

General Addiction Resources

National Institute on Drug Abuse (NIDA): drugabuse.gov

Substance Abuse and Mental Health Services Administration (SAMHSA): samhsa.gov

Treatment Resources

Find Treatment: findtreatment.gov

Support Groups

Alcoholics Anonymous (AA): aa.org

AA on the Spacecoast: aaspacecoast.info

Al-Anon/Alateen: al-anon.org

Al-Anon/Alateen on the Spacecoast: spacecoastal-anon.org

Narcotics Anonymous (NA): na.org

NA on the Spacecoast: spacecoastna.org

Nar-Anon: nar-anon.org

Nar-Anon on the Spacecoast: naranonspacecoast.weebly.com

Enforcement

University Disciplinary Procedures And Sanctions

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

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.

floridatech.edu/policies/student-handbook/standards-and-policies

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 is required to leave the university. Return to campus may occur only with prior notification and approval of the Vice President of Student Affairs.
8. Expulsion—Permanent separation from the university without opportunity for readmission at any time and required to leave the university within the time determined and cannot be on university property without the prior notification and permission of the Vice President of Student Affairs.

Legal Sanctions

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

Drug-Free Workplace

Applicability

It shall be the responsibility of the principal investigator (PI) to ensure that all employees engaged in the performance of a respective contract or grant are provided with a copy of this policy. The Office of Human Resources will ensure notification of this policy to all employees on an annual basis. The Dean of Students will ensure notification to all students.

Policy Requirements

Florida Institute of Technology is committed to protecting the safety, health and wellbeing of all students and employees. Therefore, the university prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of any illicit drug by its faculty, staff and student employees in its workplace.

An employee or student 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. Employees and students who test positive for alcohol or illegal drugs may be referred to Student Counseling Services 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 director 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. The supervisor may request verification of required medication. Failure to provide requested verification will subject the employee to dismissal. The Vice President for Student Affairs should be notified about concerns for student behavior.

Legal Sanctions

Pursuant to state, federal and local law, it is unlawful for any person to sell, purchase, manufacture, deliver or possess with intent to sell, purchase, manufacture, deliver or use a controlled substance. Any person who violates the prohibitions under this policy or who is convicted under a criminal drug statute for a violation whether occurring in the workplace or outside the workplace will be subject to the university's disciplinary procedures up to and including dismissal and/or referral for prosecution. If the employee is not discharged under this policy, he/she may be required as a condition of continuing employment to participate to the university's satisfaction in a drug abuse assistance or rehabilitation program approved by the university.

Additionally, Florida Institute of Technology is committed to protecting the safety, health and wellbeing of all students and employees. Alcohol and drug abuse pose a threat to the health and safety of students and employees and to the security of our equipment and facilities. For these reasons, the university is committed to the elimination of illegal drug and/or alcohol use and abuse in the workplace. The university's Drug and Alcohol policy outlines the practice and procedure designed to correct instances of identified alcohol and/or illegal drug use in the workplace. The link to the university's Drug and Alcohol Policy is floridatech.edu/policies/human-resources-policies/discipline-and-rules/drug-and-alcohol-policy.

APPENDIX: DRUG AND ALCOHOL POLICIES

Student Standards and Policies: Drug Policy

Effective Date Oct. 30, 2018

The use, consumption, possession, sale, manufacture, trafficking or transfer of any illegal drug or controlled substance, as defined by Florida state and Federal law, for which the individual does not have a legal license or valid prescription is strictly prohibited. Use, display and/or possession of drug paraphernalia are prohibited. This includes but is not limited to bongs, pipes, hookahs, water pipes or any item modified or adapted for planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body.

Drugs are defined as compounds that are illegal except when taken under a doctor's prescription for the individual named on the prescription.

The university may take action against a student for off-campus conduct if it is required by law to do so, if the conduct arises from university activities, if the conduct poses a significant threat to the safety or security of the university community, or if the conduct poses a significant threat of undermining the university's educational process.

Florida Tech is an educational institution, not a law enforcement agency, and therefore does not apply sanctions of the law. However, Florida Tech will not disregard the law and will not shield individuals from legal consequences of their actions, should they violate the law. In addition, individuals who violate the law are also subject to disciplinary action by the university.

Student Standards and Policies: Alcohol Policy

Effective Date Aug. 14, 2014

Consistent with Florida and Federal law, the minimum legal drinking age on or off the Florida Tech campus is 21. Underage possession or consumption of alcoholic beverages, public intoxication, driving or operating a motor vehicle or other mode of transportation while under the influence of alcohol or other substance, distribution or sale of alcohol, possession of a common source container, or excessive or rapid consumption of alcohol are violations of the alcohol policy.

Possession, consumption or distribution of alcohol by any person who is under the age of 21 is prohibited. Possession, consumption or distribution of alcohol in any common space including but not limited to a hallway, stairwell, lounge or bathroom is prohibited.

A student who is 21 years of age or older may possess and/or consume the permissible amount of alcohol in his/her residence hall room or apartment provided that no other individual under the age of 21 is present, unless that individual is the roommate. The door to the room or apartment must be closed when in possession or consuming alcohol. No guest under the age of 21 is allowed in the residence hall room of a 21-year-old student while alcohol is being consumed.

An individual who is 21 years of age or older may possess and/or consume alcohol in the room of another 21-year-old student provided that no one under the age of 21 is present. Abiding by the alcohol policy is the responsibility of all students.

Public intoxication is the appearance on campus or at a university activity in a state of intoxication. Facilitating, arranging or participating in any alcohol consumption activity that facilitates or encourages competitive, rapid or excessive consumption of alcohol regardless of age is prohibited. Examples include without limitation, keg standing, alcohol luges and drinking games. Containers of alcoholic beverages over 40 ounces including but not limited to wine, beer, liquor, mini-kegs, beer balls, trash cans, tubs or punch bowls are prohibited. Individual possession of alcohol is limited to either one six-pack of beer or 40 ounces of liquor or wine per student who is at least 21 years old and is a resident of the room or apartment. Displays of alcohol beverages, funnels, empty alcohol boxes or containers, or shot glasses are prohibited.

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 President.

Additionally, Florida Institute of Technology is committed to protecting the safety, health and wellbeing of all students and employees. Alcohol and drug abuse pose a threat to the health and safety of students and employees and to the security of our equipment and facilities. For these reasons, the university is committed to the elimination of illegal drug and/or alcohol use and abuse in the workplace. The university's Drug and Alcohol policy outlines the practice and procedure designed to correct instances of identified alcohol and/or illegal drug use in the workplace. View the university's Drug and Alcohol Policy at floridatech.edu/policies/human-resources-policies/discipline-and-rules/drug-and-alcohol-policy.

APPENDIX: DRUG AND ALCOHOL POLICIES

Student Organization Manual: Events with Alcohol

Student Life recommends that all events where alcohol is present take place at an insured and certified third-party vendor. However, clubs and organizations who wish to host closed events where alcohol may be present at a private residence or other location where invited guests may be in attendance, the following rules must be followed. Additionally, all events are subject to compliance with state and federal law, local ordinances, and University regulations.

It is the event host's responsibility to implement a sound risk management plan and ensure all social events taking place where alcohol is present conform to the following standards as well as the Florida Tech Alcohol Policy stated in the Student Code of Conduct/Handbook.

- Clubs and/or organizations at Florida Tech may not host, financially support, or participate in any event open to the general public where alcohol is permitted. Any exception must be reviewed in consultation with the Dean of Students at least 72 hours prior to the beginning of the event.
- All social events where alcohol is present will be private invite-only events and must be registered 72 hours before the event. A private invite is limited to the members of the host organization and their invited guests. The event must also be BYOB (bring your own beverage) or closed functions using a third-party vendor to handle the alcohol. The host organization cannot purchase alcohol with organizational funds or participate in the purchase of alcohol in any other manner (no bar tabs, use of personal checking accounts, pooling of funds or "passing the hat," etc.).
- Alcohol products above 15% ABV are **PROHIBITED** in any facility or at any organization/club event, except when served by a licensed third-party vendor.
- The total number of persons present may not exceed three times the membership of one host organization. Any exception must be reviewed in consultation with the Dean of Students at least 72 hours prior to the beginning of the event.
- The event, on or off campus, must be registered with Student Life at least 72 hours prior to the beginning of the event.
- Guest lists must be submitted 24 hours prior to the start of the event. Guest lists will only be accepted for approved events.
- A sign shall be clearly displayed at all entrances indicating the event is restricted to members and invited guests and stating the event's ending time.
- If alcohol and invited guests are present at an event, the host organization must provide adequate identifiable security personnel or other security measures to ensure the safety of others in attendance, including the 30-minute allowance for crowd dispersion at the end of the event.
- Advertising on campus or social media of a social event where alcohol may be present is prohibited.
- Each person attending the event is responsible for bringing his/her own alcohol for personal consumption (no more than one six-pack of beer per person). Underage persons may not bring alcohol to any social event. The organization/club must ensure that individuals bring in and consume only their own alcohol.
- Clubs/Organizations are responsible for taking steps necessary to prevent uninvited guests and noticeably intoxicated people from entering the event; to prevent underage persons from bringing alcohol into the event; to prevent persons from leaving the event to drink, then being readmitted to the event; and to make certain individuals do not leave the event with open containers of alcohol.
- All common source containers of alcohol, including but not limited to, kegs, community coolers (cooler shared with others), punch bowls, bathtubs, bulk quantities, and any other container that may be shared with others, are prohibited.
- All entrances and exits to the event must always be monitored. ALL registered organizations hosting a private party are responsible for checking IDs of all those attending to assure compliance with the State of Florida's legal drinking age requirements.
- Glass bottles are strictly prohibited at any social event, unless provided by a third-party vendor.
- The host organization is responsible for ensuring that a safe means of transportation is available for its member and guests, such as cabs or designated drivers.
- All social event forms are to be turned into Student Life. Compliance with these policies is the responsibility of the host social organization. Failure to comply with this policy may result in referral of the student organization to the Dean of Students Office. Any questions should be directed to the Director of Student Involvement or his/her designee.

APPENDIX: DRUG AND ALCOHOL POLICIES

- No individual, group, or organization may charge in any way at an event where alcohol is present.
- No organization may co-sponsor/host events with an alcohol distributor, charitable organization or tavern (tavern is defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present.
- Host Responsibility—The host of a registered event at which alcohol is present is responsible for the safety and behavior of all guests. The host is the individual, group or organization that holds the party or sponsors the event.
 - » It is expected that hosts of social functions will have per 50 guests a minimum of one non-drinking member at the door, two non-drinking members as sober monitors and one non-drinking 21-years old or older member (or hire a person in place thereof) to distribute alcohol at a BYOB event.
 - » If a group's (inter)national organization requires additional sober monitors, they must follow those requirements as well.
 - » In addition, enough food and nonalcoholic beverages other than water must be provided. These must be visible and readily available to all guests and displayed with the same prominence as the alcoholic beverages.

Greek Life Policies and Regulations: Alcohol Policy

Students are subject to the university's Drug and Alcohol Policy. Additionally, students living in university housing are subject to the terms of the housing contract and the requirements and guidelines in the University Housing Living Guide.

Alcohol Policy

- Consistent with Florida and Federal law, the minimum legal drinking age on or off the Florida Tech campus is 21. Possession, consumption or distribution of alcohol by any person who is under the age of 21 is prohibited. Possession, consumption or distribution of alcohol in any common space including but not limited to a hallway, stairwell, lounge or bathroom is prohibited.
- Florida Institute of Technology is committed to protecting the safety, health and wellbeing of all students and employees. Alcohol and drug abuse threaten the health and safety of students and employees and the security of our equipment and facilities. For these reasons, the university is committed to the elimination of illegal drug and/or alcohol use and abuse in the workplace.
- The use, consumption, possession, sale, manufacture, trafficking or transfer of any illegal drug or controlled substance, as defined by Florida state and Federal law, for which the individual does not have a legal license or valid prescription is strictly prohibited. Use, display and/or possession of drug paraphernalia are prohibited. This includes but is not limited to bongs, pipes, hookahs, water pipes or any item modified or adapted for planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body.
- Drugs are defined as compounds that are illegal except when taken under a doctor's prescription for the individual named on the prescription.
- The university may take action against a student for off-campus conduct if it is required by law to do so, if the conduct arises from university activities, if the conduct poses a significant threat to the safety or security of the university community, or if the conduct poses a significant threat of undermining the university's educational process.
- Florida Tech is an educational institution, not a law enforcement agency, and therefore does not apply sanctions of the law. However, Florida Tech will not disregard the law and will not shield individuals from legal consequences of their actions, should they violate the law. In addition, individuals who violate the law are also subject to disciplinary action by the university.

APPENDIX: DRUG AND ALCOHOL POLICIES

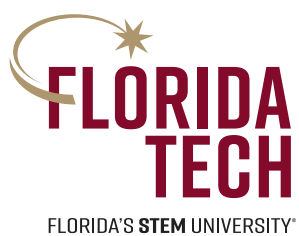
Events with Alcohol

Greek Life recommends that all events where alcohol is present take place at an insured and certified third-party vendor. It is the event host's responsibility to implement a sound risk management plan and ensure all social events taking place where alcohol is present conform to the following standards as well as the Florida Tech Alcohol Policy stated in the Student Code of Conduct/Handbook:

- Social fraternities and sororities at Florida Tech may not host, financially support or participate in any event open to the general public where alcohol is permitted. Any exception must be reviewed in consultation with the Director of Student Life at least 72 hours prior to the beginning of the event. Fraternities and sororities may host closed events where alcohol may be present and where invited guests may be in attendance, subject to compliance with state and federal law, local ordinances, and University regulations.
- All social events where alcohol is present will be private invite-only events and must be registered 72 hours before the event. A private invite is limited to the members of the host organization and their invited guests. The event must also be BYOB (bring your own beverage) or closed functions using a third-party vendor to handle the alcohol. The host organization cannot purchase alcohol with organizational funds or participate in the purchase of alcohol in any other manner (no bar tabs, use of personal checking accounts, pooling of funds or "passing the hat," etc.).
- Alcohol products above 15% ABV are **PROHIBITED** in any chapter facility or at any chapter event, except when served by a licensed third-party vendor.
- The total number of persons present may not exceed three times the membership of one host organization. Any exception must be reviewed in consultation with the Director of Student Life at least 72 hours prior to the beginning of the event.
- The event, on or off campus, must be registered with Greek Life at least 72 hours prior to the beginning of the event.
- Events taking place during the summer break must also be registered if attendance is over double the number of people living in the facility or housing location.
- Guest lists must be submitted 24 hours prior to the start of the event. Guest lists will only be accepted for approved events.
- A sign shall be clearly displayed at all entrances indicating the event is restricted to members and invited guests and stating the event's ending time.
- If alcohol and invited guests are present at an event, the host organization must provide adequate identifiable security personnel or other security measures to ensure the safety of others in attendance during the entire event, including the 30-minute allowance for crowd dispersion at the end of the event.
- Advertising on campus or social media of a social event where alcohol may be present is prohibited.
- Each person attending the event is responsible for bringing his/her own alcohol for personal consumption (no more than one six-pack of beer per person). Underage persons may not bring alcohol into any social event a fraternity or sorority hosts. The fraternity or sorority ensures individuals bring in and consume only their own alcohol.
- Greek Village/Panther Bay: Guests are only permitted in the chapter room apartment. People cannot congregate outside or in the landings of any of the floors. Only those who live on the other floors of the apartments associated with the chapter are permitted to be in those spaces. Guests are permitted at a 3:1 ratio inside those apartments.
- Fraternities and sororities are responsible for taking steps necessary to prevent uninvited guests and noticeably intoxicated people from entering the event; to prevent underage persons from bringing alcohol into the event; to prevent persons from leaving the event to drink, then being readmitted to the event; and to make certain individuals do not leave the event with open containers of alcohol.
- All common source containers of alcohol, including but not limited to, kegs, community coolers (cooler shared with others), punch bowls, bathtubs, bulk quantities, and any other container that may be shared with others, are prohibited.
- All entrances and exits to the event must always be monitored. ALL registered organizations hosting a private party are responsible for checking IDs of all those attending to assure compliance with the State of Florida's legal drinking age requirements.
- Glass bottles are strictly prohibited at any social event, unless provided by a third-party vendor.
- The host organization is responsible for ensuring that a safe means of transportation is available for its member and guests such as cabs or designated drivers.

APPENDIX: DRUG AND ALCOHOL POLICIES

- Fraternities and sororities must also conform to all standards established by their respective (inter)national organizations regarding social events with alcohol present.
- All social event forms are to be turned into Greek Life. Compliance to these policies is the responsibility of the host social organization. Failure to comply with this policy may result in referral of the student organization to Judicial Affairs. Any questions should be directed to the Director of Student Involvement or his/her designee.
- No individual, group or organization may charge in any way at an event where alcohol is present.
- No organization may co-sponsor/host events with an alcohol distributor, charitable organization or tavern (tavern is defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present.
- Host Responsibility—The host of a registered event at which alcohol is present is responsible for the safety and behavior of all guests. The host is the individual, group or organization that holds the party or sponsors the event.
 - » It is expected that hosts of social functions will have per 50 guests a minimum of one non-drinking member at the door, two non-drinking members as sober monitors and one non-drinking 21-years old or older member (or hire a person in place thereof) to distribute alcohol at a BYOB event.
 - » If a group's (inter)national organization requires additional sober monitors, they must follow those requirements as well.
 - » In addition, enough food and nonalcoholic beverages other than water must be provided. These must be visible and readily available to all guests and displayed with the same prominence as the alcoholic beverages.



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