

PRESIDENTIAL MEMORANDUM #78
1st Revision

Original Issue Date: April 28, 1989

SUBJECT: Drug-Free Workplace

DATE: May 9, 1995

POLICY

It is the policy of Florida Atlantic University to prohibit the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in or on Florida Atlantic University owned or controlled property.

Florida Atlantic University is committed to providing a campus environment free of abuse of alcohol and the illegal use of alcohol and drugs. To strengthen that commitment, Florida Atlantic University has adopted and implemented a program that seeks to prevent the abuse of alcohol and drugs by the University community, which includes its employees and students. Outlined in this Statement are the University's policies concerning the use of alcohol and drugs. This Statement is provided in response to the federal **DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENTS OF 1989** (Public Law 101-226).

STANDARDS OF CONDUCT

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance (drugs) and the unlawful possession, use, or both, of alcohol, is prohibited in and on property owned or controlled by Florida Atlantic University. That property is located within several cities and two counties in southeastern Florida.

No employee or student is to report to work, to attend class or to participate in an University activity while under the influence of one or more illegal drugs or alcohol.

The possession and use of alcoholic beverages by members of the Florida Atlantic University community is at all times subject to the alcoholic beverage laws of the State of Florida, as well as, applicable city ordinances within our service area, and the University Alcohol Policy (Policy Memorandum #19, 5th Revision, Subject: "Possession or Use of Alcoholic Beverages on Campus," dated September 27, 1990). That Policy is also incorporated by reference in Rule 6C5-7.007(m), of the Florida Administrative Code, which applies to the University. The possession and use of controlled substances (drugs) by members of the Florida Atlantic University community must at all times be in accordance with the provisions of federal and Florida law, the rules of the Board of Regents and the rules of Florida Atlantic University. Under Florida law, no

person may possess a substance regulated under the provisions of Chapter 893, Florida Statutes (controlled substances and "designer drugs"), unless dispensed and used pursuant to prescription or otherwise authorized by law. Sale and delivery of such substances is prohibited unless authorized by law.

FLORIDA ATLANTIC UNIVERSITY SANCTIONS

Violation of the policies and laws referenced above by an employee or student will be grounds for disciplinary action up to and including termination or expulsion in accordance with applicable Florida Atlantic University and Board of Regents rules, collective bargaining agreements or both. Student organizations also may be sanctioned for violation of these policies and laws. Additionally, a violator may be required to undergo evaluation, treatment or both for a drug or alcohol-use disorder or referral for prosecution consistent with local, state and federal criminal laws. Disciplinary action taken against a student or employee by the University does not preclude the possibility of criminal charges being filed against that individual. The filing of criminal charges similarly does not preclude action by the University.

OTHER SANCTIONS

State law prohibits the possession of alcoholic beverages by persons under age 21. No person may sell, give, serve or permit to be served alcoholic beverages to a person under age 21, and it is unlawful for a person under age 21 to misrepresent his or her age in order to obtain alcohol. Violation for the first of any such offenses is punishable by a definite term of imprisonment of up to 60 days, or a \$500 fine or both; a subsequent offense is punishable by a definite term of imprisonment of up to one year and a fine of \$1,000.

Under state law, it is a crime for any person to possess or distribute a controlled substance (drug) as described in Section 893.03, Florida Statutes, except as authorized by law. Depending upon the offense, such crimes range from first-degree misdemeanors (punishment of up to 60 days imprisonment, or up to a \$500 fine or both) to first-degree felonies (punishment of up to 30 years imprisonment, or up to a \$10,000 fine or both). Specifically, for example, possession of less than 20 grams of marijuana is punishable with imprisonment of up to one year and a fine of up to \$1,000; possession of more than 20 grams of marijuana is a third-degree felony with imprisonment of up to five years and a fine of up to \$5,000. Possession of less than 28 grams of cocaine is a second-degree felony and punishable with imprisonment of up to 15 years and a fine of up to \$10,000. Possession of more than 28 grams of cocaine is punishable with a minimum of three years of imprisonment and a fine of up to \$50,000.

Trafficking (distributing specified quantities of various controlled substances) is punishable by a minimum term of imprisonment of 3 to 25 years and a fine of \$25,000 to \$500,000, depending on the particular drug and the quantity involved.

Federal trafficking penalties for first offenses range from up to 1 year of imprisonment and a fine of up to \$100,000 to 40 years to life imprisonment and a fine of up to \$4 million, depending upon the illicit drug involved. Second offense penalties range from up to two years of imprisonment and a fine of up to \$200,000 to not less than life imprisonment and a fine of up to \$8 million.

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

Alcohol consumption causes a number of marked changes in behavior. Even low doses of alcohol significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. The use of even small amounts of alcohol by a pregnant woman can damage the fetus. Low to moderate doses of alcohol also increase the likelihood of a variety of aggressive acts.

Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Heavy use may result in chronic depression and suicide and may also be associated with the abuse of other drugs. Very high doses can cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce effects described above for very high doses.

Long-term heavy alcohol use can cause digestive disorders, cirrhosis of the liver, circulatory system disorders and impairment of the central nervous system, all of which may lead to early death.

Repeated use of alcohol can lead to dependence, and at least 15-20 percent of heavy users eventually will become problem drinkers or alcoholics if they continue drinking. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions, which can be life-threatening. The use of illegal drugs and the misuse of prescription and other drugs pose a serious threat to health. For example, the use of marijuana (cannabis) may cause impairment of short-term memory, comprehension and ability to perform tasks requiring concentration. The use of marijuana also may cause lung damage, paranoia and possible psychosis. The use of narcotics, depressants, stimulants and hallucinogens may cause nervous system disorders and possible death as the result of an overdose. Illicit inhalants can cause liver damage.

There are significant risks associated with the use of alcohol and drugs. These risks include impaired academic or work performance; lost potential; financial problems; poor concentration; blackouts; conflicts with friends and others; vandalism, theft and murder; sexual assault and other unplanned sexual relationships; spouse and child abuse; sexually transmitted diseases; and unusual or inappropriate risk taking which may result in physical or emotional injury or death.

More detailed information concerning alcohol consumption and use of illegal drugs and the misuse of prescription and other drugs may be obtained by calling: Campus Drug and Alcohol Counseling Center at 367-2233.

AVAILABLE DRUG AND ALCOHOL COUNSELING AND REHABILITATION AND RE-ENTRY PROGRAMS

Employees may seek assistance through the University's Employee Assistance Program (EAP): Just call 367-3071 for an appointment. The Employee Assistance Program is a service program designed to provide University employees with the opportunity to receive assistance and referral to confidential counseling.

FEDERAL DRUG-FREE WORKPLACE ACT REQUIREMENTS

The following are required of Florida Atlantic University and its employees:

1. An employee shall notify his or her supervisor or other appropriate management representative of any criminal drug statute conviction for a violation occurring in the work place no later than five days after such conviction.
2. The University shall notify any federal contracting agency within ten days of having received notice that an employee engaged in the performance of such contract or grant has had a criminal drug statute conviction for a violation occurring in the work place.
3. The University will take appropriate personnel action against any employee who is convicted for a violation occurring in the work place or will require the employee's satisfactory participation in a drug abuse assistance or rehabilitation program

Anthony James Catanese
President and Professor

Distribution: Vice Presidents, Deans, Directors and Departmental Chairs