Florida Atlantic University
Student Government
Boca Raton House of Representatives
5th Legislative Session
BRHB-11-28

“Give Students a Voice on Sensible Cannabis Policies”

Author(s): Elizabeth Hodapp
            Sabrina Koramblyum
            David Aarons

Sponsor(s): David Aarons
            Boris Bastidas

WHEREAS: Alcohol and marijuana are the two most popular recreational substances among the college student population. Every objective study on marijuana has concluded that marijuana is safer than alcohol both for the user and for society. Marijuana is far less toxic, far less addictive, and causes far less harm to the body than alcohol, and — unlike alcohol — it has not been found to contribute to violent, aggressive, or reckless behavior, and;

WHEREAS: Substantial research has concluded that the use of alcohol directly contributes to incidences of: fatal overdose, injury, fighting, physical abuse, sexual assault, and date rape, as well as destructive behavior, vandalism and property damage. There has never been a substantiated marijuana overdose death in recorded history, and the substance is widely accepted as virtually non-toxic, and;

WHEREAS: The National Institute on Alcohol Abuse and Alcoholism (NIAAA) estimates that each year, there are approximately 1,700 alcohol-related student deaths, 600,000 alcohol-related student injuries, 700,000 alcohol-related assaults involving students, and 100,000 reported cases of sexual assault involving alcohol. No such statistics are associated with student marijuana use, and;

WHEREAS: If students are caught with cannabis, there is currently a two strike system in place. The first violation includes termination of Housing Contract (yet students are still financially responsible), being placed on Student Conduct Probation for one year, mandatory completion of evaluation and treatment from the Counseling Center, parental notification, mandatory completion of 25 hours of Community/University service and completion of an educational program and a fine to pay the administrative costs for providing this program. The second violation includes the completion of 50 hours of Community/University service, deferred suspension for one academic year, completion of an educational program and a fine to pay the administrative costs for providing this program, and;

WHEREAS: Students caught illegally consuming alcohol currently have a much more lenient system in place. The first violation includes the completion of an educational program and a fine

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to pay the administrative costs for providing this program, five to fifteen hours of community service, and the parents of the student may or may not be notified. The second violation includes the completion of evaluation and recommended treatment from Counseling Center, deferred termination of University Housing Contract/Assignment for a period of one year, parental notification, Student Conduct Probation for at least 1 semester, Completion of 15 - 30 hours of Community/University Service, and completion of an educational program and a fine to pay the administrative costs for providing this program. The third violation includes the termination of Housing Contract/Assignment, parental notification, Student Conduct Probation for 1 year, completion of up to 50 hours of Community/University Service and completion of an educational program and a fine to pay the administrative, and;

WHEREAS: The penalties currently in place for students caught in possession of cannabis are improperly severe and much harsher than those in place in respect to illegal alcohol use. The three strike system associated with alcohol violations cannot result in suspension or expulsion from the University, while students can be expelled for marijuana use, and;

WHEREAS: Students caught in possession of marijuana can be kicked out of housing on their first strike, while those illegally drinking alcohol are only at risk of incurring the same penalty on their third violation, and;

WHEREAS: Possession of alcohol by a minor is a misdemeanor, and possession of under twenty grams of marijuana is also a misdemeanor, and;

WHEREAS: Students are penalized much more harshly for marijuana, a drug so benign that no one has died from its use, yet, under aged drinking, a far more dangerous activity, has much more lenient punishments. These policies are unjust because they do not accurately reflect the crimes committed, and;

WHEREAS: The Boca Raton Campus House of Representatives recently passed a resolution in favor of changing FAU’s drug policy so that the punishment of marijuana would be equal to that of alcohol as it is now in the student code of conduct, NOW;

THEREFORE BE IT RESOLVED: That a two question on amending the FAU Student Code of Conduct be placed on the fall 2011 Boca Raton Campus poll ballot, and;

THEREFORE BE IT FURTHER RESOLVED: That the questions reads: “Do you agree that the sanctions imposed by Florida Atlantic University for the use and possession of marijuana should be no greater than the sanctions imposed for the use and possession of alcohol?" and students “Should students face immediate suspension or removal from student housing for the use and possession of up to twenty grams of marijuana?” with the responses being “yes” and “no,” and;

THEREFORE BE IT FURTHER RESOLVED: That the Boca Raton House of Representatives will support the results of this poll and respect it as the opinion of the students they represent and that he poll results are delivered to the office of the University President and the Board of Trustees.

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Aarons - Yes
Allen - Absent
Anastasi - Absent
Arsoño - Absent
Boydman - No
Dunne - Yes
Joseph - Yes
Lambert - Yes
Lupo - Yes
Maceus - Absent
Maher - No
McCoy - Yes
Montes - Yes
Nicota - Yes
Phillips - No
Rattray - Absent
Rosario - Yes
Sosa - No
Varela - Yes
Wu - Yes
Bastidas - Yes

BRHB-11-28 PASSED on this 29th day of July, 2011 by a vote of 12 YES and 4 NO

Signature – House Speaker

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Legislation Signature Sheet

This Bill / Resolution #BH#-11-28 PASSED / FAILED on this 29th day of July, 2011 by a vote of 12 YES, 4 NO, 0 ABSTAIN

moved by Aarons and seconded by Varela

Signature – House Speaker: 

This Bill / Resolution is hereby ENACTED / VETOED on this 4th day of August, 2011

Signature – Campus Governor: Ryan Ebanks

This Bill / Resolution is hereby ENACTED / VETOED on this 4th day of August, 2011

Signature – Student Body President: Ayden Maher

Veto overridden 8/15/11

For All Legislation, Pursuant to University Regulation 4.006:

This Bill / Resolution is APPROVED / SENT BACK FOR RECONSIDERATION on this day of August, 2011

Signature – Vice President for Student Affairs: Dr. Charles Brown

This Bill / Resolution is Received and Recorded by the Student Government Student Court on this 19th day of April, 2011.