



Drug-Free and Alcohol-Free Campus and Workplace Annual Notification

TO: Eastern Florida State College Faculty, Staff, and Students

SUBJECT: Drug-Free and Alcohol-Free Campus and Workplace Annual Notification

DATE: June 30, 2016

Pursuant to Board Policy Governance Manual §800.11 and Procedures Manual §800.11, Eastern Florida State College publishes this Annual Notification to all faculty, staff, and students regarding the College's standards of conduct and disciplinary sanctions associated with the use or possession of alcohol and illegal drugs, as well as applicable federal, state, and local laws and penalties, health risks, and information about prevention and assistance available from the College and in the community.

I. COLLEGE STANDARDS OF CONDUCT AND POSSIBLE DISCIPLINARY SANCTIONS

The use, possession, purchase, solicitation, sale, manufacture, distribution, or delivery of any narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs is prohibited under Florida and Federal law, and is not permitted on College property.

Possession or consumption of alcohol by anyone under the age of 21 is prohibited by Florida law. Possession, consumption, or sale of alcohol is prohibited on all College property unless approved in advance by the President.

The College supports enforcement of Florida and Federal laws by the various law enforcement agencies having jurisdiction over College property. Violators are subject to criminal prosecution, as well as College disciplinary sanctions, up to and including expulsion or termination of employment. Criminal prosecution of alcohol and drug laws may include incarceration, criminal probation, fines, and court costs (see section II. below for possible criminal penalties).

An employee convicted of any offense relating to the possession, purchase, use, sale, manufacture, distribution, or delivery of drugs, alcohol, or controlled substances while on campus or while attending a College-sponsored event or while conducting College business must report such conviction to the Human Resources Office no later than the subsequent work day after the conviction.

See EFSC Board Policy Governance Manual: 800.11; EFSC Procedures Manual: 201.5, Appendix A, Student Code of Conduct #2 and #25; 201.6; 204.4; 302.5; 308.3; 308.4; 308.5; and 800.11.

II. RELEVANT LAWS AND POSSIBLE PENALTIES

a. **Federal Drug Laws**¹

Federal drug laws prohibit the possession, distribution, sale, trafficking, cultivation, and manufacturing of various controlled substances. Prohibited drugs include marijuana, cocaine, methamphetamine, heroin, and a number of narcotic-based drugs such as Oxycodone and Vicodin, and more.

Marijuana Possession and Distribution

Possession / any amount - Punishable by up to 1 year in prison and a fine of \$1,000 for a first conviction; further convictions and greater amounts of marijuana result in stiffer penalties. Sale of less than 50 kilograms is a felony punishable by 5 years in prison and a \$250,000.00 fine; greater amounts of marijuana result in stiffer penalties.

Cocaine and Heroin Possession and Distribution

Possession of cocaine/heroin - Penalties are more severe than those of Marijuana.

Sale or distribution of cocaine/heroin - Penalty may include a life sentence.

Factors that are considered when an individual is being charged with a drug crime such as possession or distribution of heroin or cocaine, include the quantity of drug involved, the prior criminal history of the defendant, the use or possession of weapons by the defendant, and whether minors were involved.

Drug Trafficking

A comprehensive review of federal penalties for drug trafficking can be found under:

<https://www.dea.gov/druginfo/ftp3.shtml>

Penalties for Federal Drug Crimes

Under the Federal Sentencing Guidelines, the penalties for federal drug crimes are mandatory; the judge does not have any discretion to give lighter sentences. Additionally, the federal system provides only limited opportunities for probation following a conviction on a drug crime. There is also no parole in the federal justice system.

Anyone charged with a Federal and State drug charge should be aware that the United States Supreme Court has ruled that a defendant does not face double jeopardy if he or she is convicted of certain drug offenses and can be charged in both state and federal courts for the same act using all the prosecution powers of the two entities.

For a comprehensive review of illicit drugs, including the history of the drug, its uses, short and long term effects, penalties for use, and pertinent legislation, please see:

https://www.dea.gov/pr/multimedia-library/publications/drug_of_abuse.pdf

¹ This list of laws is not exhaustive; there are many other Federal drug-related laws.

b. Florida Drug Laws²

[F.S. § 893.13](#) makes it unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance. Any person who violates this provision can be liable for the following penalties, 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

F.S. § 893.13(1)(d) also prohibits the sale, manufacture, or delivery, or possession with intent to sell, manufacture or deliver, of a Controlled Substance “in, on, or within 1,000 feet of the real property comprising a public or private college, university, or other postsecondary institution.” A conviction may be punishable by imprisonment for up to 30 years and a \$10,000.00 fine.

Special Circumstances:

If a person violates any provision of Section 893.13 and the violation results in a serious injury to a state or local law enforcement officer, firefighter, emergency medical technician, paramedic, employee of a public utility or an electric utility, animal control officer, volunteer firefighter engaged by state or local government, law enforcement officer employed by the Federal Government, or any other local, state, or Federal Government employee injured during the course and scope of his or her employment, the person commits a felony of the third degree, punishable as provided above. If the injury sustained results in death or great bodily harm, the person commits a felony of the second degree, punishable as provided above. See F.S. § 893.13(10).

Florida Controlled Substance List and Schedules can be found under [F.S. § 893.03](#).

Florida “Precursor Chemical” list, which are chemicals that may be used in manufacturing a controlled substance in violation of Florida Statute, can be found under [F.S. § 893.033](#).

² This list of laws is not exhaustive; there are many other drug-related laws in Florida.

c. Florida Alcohol Laws³

1. [F.S. § 316.193](#). A person is guilty of the offense of driving under the influence and is subject to punishment if the person is driving or in actual physical control of a vehicle within this state and the person's normal faculties are impaired with a blood-alcohol level of 0.08 or more, or has a breath-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:
 1. Not less than \$500 or more than \$1,000 for a first conviction.
 2. Not less than \$1,000 or more than \$2,000 for a second conviction; and
 - By imprisonment for:
 1. Not more than 6 months for a first conviction.
 2. Not more than 9 months for a second conviction.
2. [F.S. § 316.1936](#). 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. Any person who violates this provision is guilty of a noncriminal moving traffic violation punishable by a \$169.00 fine (in Brevard County).
 3. [F.S. § 322.212](#). It is unlawful for any person to possess a forged, stolen, fictitious, counterfeit, or unlawfully issued driver license or identification card. Any person violating this provision is guilty of a felony of the third degree, punishable by up to 5 years imprisonment and a \$5,000.00 fine.
 4. [F.S. § 322.2616](#). It is unlawful for a person under the age of 21 who has a blood-alcohol or breath-alcohol level of 0.02 or higher to drive or be in actual physical control of a motor vehicle. A violation of this provision is neither a traffic infraction nor a criminal offense, but may lead to administrative action against the person's driver license.
 5. [F.S. § 562.11](#). It is unlawful for any person 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. A person who violates this provision commits a misdemeanor of the second degree, punishable by up to 60 days imprisonment and a \$500.00 fine. A person who violates this provision a second or subsequent time within 1 year after a prior conviction commits a misdemeanor of the first degree, punishable by up to 1 year imprisonment and a \$1,000.00 fine.
 6. [F.S. § 562.11](#). It is unlawful for any person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any licensee or his or her agents or employees to sell, give, serve, or deliver any alcoholic beverages to a person under

³ This list of laws is not exhaustive; there are many other alcohol-related laws in Florida.

21 years of age, or for any person under 21 years of age to purchase or attempt to purchase alcoholic beverages. Anyone convicted of violating this provision is guilty of a misdemeanor of the second degree, punishable by up to 60 days imprisonment and a \$500.00 fine.

7. [F.S. § 562.111](#). It is unlawful for any person under the age of 21 years, except a person employed under the provisions of Florida Statutes acting in the scope of her or his employment within hotels, restaurants and other licensed establishments, to have in her or his possession alcoholic beverages.

The prohibition in section 562.111 against the possession of alcoholic beverages does not apply to the tasting of alcoholic beverages by a student who is at least 18 years of age, who is tasting the alcoholic beverages as part of the student's required curriculum at a postsecondary educational institution that is institutionally accredited by an agency recognized by the United States Department of Education and that is licensed or exempt from licensure pursuant to the provisions of chapter 1005 or is a public postsecondary education institution; if the student is enrolled in the college and is tasting the alcoholic beverages only for instructional purposes during classes that are part of such a curriculum; if the student is allowed only to taste, but not consume or imbibe, the alcoholic beverages; and if the alcoholic beverages at all times remain in the possession and control of authorized instructional personnel of the college who are 21 years of age or older.

Any person under the age of 21 who is convicted of a violation of 562.111 is guilty of a misdemeanor of the second degree, punishable by up to 60 days imprisonment and a \$500.00 fine. Any person under the age of 21 who has been convicted of a violation of this subsection and who is thereafter convicted of a further violation of this subsection is, upon conviction of the further offense, guilty of a misdemeanor of the first degree, punishable by up to 1 year imprisonment and a \$1,000.00 fine.

8. [F.S. § 856.011](#). No person in the state shall be intoxicated and endanger the safety of another person or property, and no person in the state shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a public disturbance. Any person violating this provision is guilty of a misdemeanor of the second degree, punishable by up to 60 days imprisonment and a \$500.00 fine. Any person who has been convicted or has forfeited collateral under this provision three times in the preceding 12 months shall be deemed a habitual offender and may be committed by the court to an appropriate treatment resource for a period of not more than 60 days.
9. [F.S. § 856.015](#). A person having control of any residence may not allow an open house party to take place at the residence if any alcoholic beverage or drug is possessed or consumed at the residence by any minor where the person knows that an alcoholic beverage or drug is in the possession of or being consumed by a minor at the residence

and where the person fails to take reasonable steps to prevent the possession or consumption of the alcoholic beverage or drug. Any person violating this provision is guilty of a misdemeanor of the second degree, punishable by up to 60 days imprisonment and a \$500.00 fine. A person who violates this provision a second or subsequent time commits a misdemeanor of the first degree punishable by up to 1 year imprisonment and a \$1,000.00 fine. If a violation of this provision causes or contributes to the death or serious bodily injury of another as a result of a minor's consumption of alcohol or drugs at the open house party, a person commits a misdemeanor of the first degree punishable by up to 1 year imprisonment and a \$1,000.00 fine.

d. Local Ordinances Relating to Drugs and Alcohol

Brevard County Ordinances

[Sec. 6-2. - Restriction on consumption, possession of open containers.](#)

[Sec. 6-4. - Open containers in motor vehicles.](#)

[Sec. 74-47 to 74-65 – Rave Club Regulations.](#)

[Sec. 74-131 to 74-135 – Synthetic Drugs.](#)

City of Cocoa Ordinances

[Sec. 4-5. - Drinking on streets, in public areas.](#)

[Sec. 4-6. - Drinking on city property.](#)

[Sec. 4-8. - Open containers of alcoholic beverages in motor vehicles.](#)

[Sec. 14-4. - Glue sniffing.](#)

[Sec. 14-6. - Parks; loitering, alcoholic beverages, etc., prohibited.](#)

[Sec. 14-20 to 14-40 – Dance Halls.](#)

City of Melbourne Ordinances

[Sec. 6-7. - Possession of open container, consumption in public places.](#)

[Sec. 8-67 to 8-84 – Rave Clubs.](#)

City of Palm Bay Ordinances

[36.19 – INTOXICATING BEVERAGES AND DRUGS](#)

[70.20 – 70.22 ALCOHOLIC BEVERAGE RESTRICTIONS](#)

[91.03 – OPERATION OF WATERCRAFT WHILE UNDER INFLUENCE OF ALCOHOL OR DRUGS](#)

[111.05 - CONSUMPTION, IN PUBLIC AND THE LIKE PROHIBITED.](#)

City of Titusville Ordinances

[Sec. 4-3. - Distance restrictions.](#)

[Sec. 4-8. - Possession of open containers.](#)

[Sec. 4-9. - Purchase, sale, possession, etc., in parks, playgrounds, recreational areas or public parking lots, exceptions.](#)

[Sec. 4-10. - Possession or consumption on streets, sidewalks, alleys or other city property prohibited; exceptions.](#)

[Sec. 4-11. - Sale and consumption restricted to licensed building; exceptions.](#)

[Sec. 4-12. - Removal of alcoholic beverages in open or unsealed container from licensed premises.](#)

[Sec. 11-601 to 11-622 – Rave Club Ordinance.](#)

[Sec. 12-28. - Synthetic drugs.](#)

III. HEALTH RISKS OF DRUGS AND ALCOHOL⁴

Alcohol: Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood of an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol severely alter a person's ability to learn and remember information. Very high doses, or low doses combined with other depressants of the central nervous system, cause respiratory depression and death. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, may permanently damage vital organs such as the brain and liver. Mothers who drink while pregnant may give birth to infants with fetal alcohol syndrome. These infants have

⁴ This list of health risks is not exhaustive; there may be other health risks related to drug and/or alcohol use.

irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Anabolic Steroids: Anabolic steroids are powerful compounds closely related to the male sex hormone testosterone. Developed in the 1930s, steroids may be taken orally or injected. Current legitimate medical uses are limited to certain kinds of anemia, severe burns and some types of breast cancer. When combined with a program of muscle-building exercise and diet, steroids may contribute to increases in body weight and muscular strength. Athletes have used steroids since the 1950s, hoping to enhance performance. Today, many young people use steroids to accelerate physical development. Steroid users may develop more than 70 side effects, ranging in severity from liver cancer and sterility to acne. Psychological effects include very aggressive behavior, known as “roid rage,” and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years. Signs of steroid use include quick weight and muscle gains; behavioral changes, particularly increased aggressiveness and combativeness; jaundice; purple or red spots on the body; swelling of feet or lower legs; trembling; darkening of the skin; and persistent, unpleasant breath odor.

Cannabis (Marijuana): Cannabis has negative physical and mental effects. Physical effects include elevated blood pressure, a dry mouth and throat, bloodshot and swollen eyes, decrease in body temperature, and increased appetite. Frequent and/or long-time users may develop chronic lung disease and damage to the pulmonary system. Use of marijuana is also associated with impairment of short-term memory and comprehension, an altered sense of time, and a reduction in the ability to perform motor skills such as driving a car. Marijuana use also produces listlessness, inattention, withdrawal and apathy. It also can intensify underlying emotional problems and is associated with chronic anxiety, depression, and paranoia.

Cocaine: Cocaine stimulates the central nervous system, and long-term use can lead to psychological dependence. Its immediate effects include dilated pupils, elevated blood pressure and body temperature, and increased heart rate. Chronic use can cause ulceration of the mucous membrane in the nose. Injecting cocaine with unsterilized equipment can transmit AIDS, hepatitis and other infections. Preparation of freebase, which involves the use of highly volatile solvents, can result in fire or explosion. Crack or freebase rock, a concentrated form of cocaine, is extremely potent. Its effects are felt within 10 seconds of administration. The drug produces the same physical effects as cocaine, as well as insomnia, loss of appetite, tactile hallucination, paranoia and seizures. Cocaine use may lead to death through disruption of the brain’s control of heart and respiration.

Depressants: Barbiturates and benzodiazepines are two of the most commonly used groups of these drugs. Barbiturates include Phenobarbital, Seconal and Amytal;

benzodiazepines include Ativan, Dalmane, Librium, Xanax, Valium, Halcion and Restoril. These drugs are frequently used for medical purposes to relieve anxiety and to induce sleep. Physical and psychological dependence can occur if the drugs are used for longer periods of time at higher doses. Benzodiazepine use can cause slurred speech, disorientation, and lack of coordination. If taken with alcohol, abuse can lead to coma and possible death.

Designer Drugs: Illegal drugs are defined in terms of their chemical formulas. To circumvent these legal restrictions, underground chemists modify the molecular structure of certain illegal drugs to produce analogues known as designer drugs. These drugs can be several times stronger than the drugs they imitate. Many can cause severe neurochemical damage to the brain. The narcotic analogues can cause uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogues of amphetamines and methamphetamines cause nausea, blurred vision, chills, or perspiration and faintness. Psychological effects include anxiety, depression, and paranoia. As little as one dose can cause brain damage. The analogues of phencyclidine cause illusions, hallucinations, and impaired perception.

Hallucinogens: This category includes phencyclidine (PCP or “angel dust”), and amphetamine variants which have mind-altering effects. Perception and cognition are impaired, and muscular coordination decreases. Speech is blocked and incoherent. Chronic users of PCP may have memory problems and speech difficulties lasting 6 months to a year after prolonged daily use. Depression, anxiety, and violent behavior also occur. High psychological dependence on the drug may result in taking large doses of PCP. Large doses produce convulsions, comas, and heart and lung failure. Lysergic acid diethylamine (L.S.D. or “acid”), mescaline and psilocybin (mushrooms) cause illusions, hallucinations and altered perception of time and space. Physical effects include dilated pupils, elevated body temperature, increased heart rate and blood pressure, decreased appetite, insomnia and tremors. Psychological reactions include panic, confusion, paranoia, anxiety and loss of control. Flashbacks, or delayed effects, can occur even after use has ceased.

Inhalants: A variety of psychoactive substances have been inhaled as gases or volatile liquids. Many popular commercial preparations such as paint thinners and cleaning fluids are mixtures of volatile substances making it difficult to be specific about their various effects. Immediate negative effects of inhalants may include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays may also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrate cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage, weight loss, fatigue, electrolyte imbalance, and muscle weakness. Repeated sniffing of concentrated vapors over time can lead to permanent damage of the nervous system.

Narcotics: Narcotics include heroin, methadone, morphine, codeine, OxyContin, Vicodin, and opium. After an initial feeling of euphoria, usage causes drowsiness, nausea, and vomiting. Effects of overdose include slow and shallow breathing, clammy skin, convulsions, coma and possible death. Physical and psychological dependence is high, and severe withdrawal symptoms include watery eyes, runny nose, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating. Use of contaminated syringes may cause AIDS and hepatitis.

Stimulants: Amphetamines and other stimulants include “ecstasy” and “ice” as well as prescription drugs such as Adderall and Ritalin. The physical effects produced are elevated heart and respiratory rates, increased blood pressure, insomnia, and loss of appetite. Sweating, headaches, blurred vision, dizziness, and anxiety may also result from use. High dosage can cause rapid or irregular heartbeat, tremors, loss of motor skills and even physical collapse. Long-term use of higher doses can produce amphetamine psychosis which includes hallucinations, delusions and paranoia.

IV. PREVENTION AND ASSISTANCE

Eastern Florida State College recognizes illegal drug or alcohol use and/or dependency to be a health, safety, and security problem. Students and employees who need assistance with problems related to drug or alcohol abuse are encouraged to use any available resources.

- a. [EFSCares](#) is a confidential, free student counseling service available to all part and full-time enrolled EFSC students and employees that provides 24-hour counseling seven days a week. The service is a College partnership with BayCare Behavioral Health, a Florida community-based health care organization.

[Student Assistance Program \(SAP\)](#): Today’s college students often face challenges which were pretty much non-existent when their parents were in school. Balancing a variety of roles and responsibilities can be overwhelming. The BayCare Student Assistance Program (SAP) provides a variety of resources to help students meet challenges which might otherwise interfere with a productive and successful college experience. When any enrolled EFSC student calls the toll free telephone number, 1-800-878-5470, a BayCare Life Management operator will explain how to access the EFSCares counseling service, also referred to as the Student Assistance Program (SAP). You'll be connected to a licensed mental health provider who will assess your personal situation and refer you to local face-to-face counseling providers, if needed.

EFSC students are eligible to receive unlimited free telephone assessments, and a limited number of individual face-to-face counseling sessions per year.

[Employee Assistance Program \(EAP\)](#): For more than 20 years, BayCare's Employee Assistance Program has been helping employees manage the stresses of work and everyday life by providing a confidential support system. From work issues to problems

at home, issues affecting an employee's personal or professional life can be addressed with our short-term assistance services. We provide an initial assessment, assist with problem resolution and initiate referral services for the employee or their family members if necessary.

EFSC employees are eligible to receive unlimited free telephone assessments, and a limited number of individual face-to-face counseling sessions per year.

Confidential help is just a phone call away: 1-800-878-5470.

EFSC does not track your information.

- b. [Brevard 211](#): 2-1-1 Brevard Inc. is a private, not-for-profit organization serving Brevard County, Florida. For more than 40 years, 2-1-1 Brevard has operated a telephone-based helpline offering crisis intervention and information and referral services, 24 hours a day.

By dialing 2-1-1, help is just a phone call away. Trained specialists provide information and assistance in times of emotional, financial and community crisis. 2-1-1 has been evaluated and found to meet the Professional Standards for Professional Information and Referral by the Alliance of Information and Referral Systems. The agency also has been evaluated and found to meet all the criteria established by the American Association of Suicidology for Certification as an approved Crisis Intervention Program.

Simply **Dial 2-1-1** or 321-632-6688 to get an actual person who is trained to listen to your situation and connect you with the services you need.

- c. [SAMHSA](#): The U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration's (SAMHSA) National Drug and Alcohol Treatment Referral Service provides free and confidential information in English and Spanish for individuals and family members facing substance abuse and mental health issues. 24 hours a day, 7 days a week.
- **SAMHSA's Toll-Free Treatment Referral Helpline:** 1-800-662-HELP (4357)
 - [Online Treatment Facility Locator](#)
- d. Florida Certified Recovery Residences: Click [here](#) for a list of Florida Certified Recovery Residences.