

## 2020-2021 Broward College Annual Drug and Alcohol Disclosure

### Introduction

Broward College recognizes the health risks and costs associated with the use of illicit drugs and the abuse of alcohol and is committed to providing a drug-free and alcohol-free educational environment, which supports the mission of the College. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance at the College is strictly prohibited at any Broward College location or at any Broward College sponsored event. Sanctions are in place for those who violate the applicable policy related to drug and alcohol usage. Broward College also provides counseling to both its students and employees for alcohol and drug abuse.

### Standards of Conduct and Sanctions

In accordance to Broward College Substance Abuse Policy and Procedure [6Hx2-5.18](#), Broward College students may not be impaired by alcohol or drugs or in possession of illegal drugs or alcohol while on College property or while participating in College sanctioned activity. Students whose behavior is impaired by legal drugs are also subject to this policy.

As specified in the Program Guidelines for certain programs at the College, students and applicants to the College may be subject to a drug screening prior to, or if circumstances warrant, during the time of their enrollment at the College.

Students found in violation of drug and/or alcohol laws are subject to discipline in accordance with Broward College Policy [6Hx2-5.02](#) – Student Code of Conduct, up to and including expulsion from the College. If a student is required to submit to a drug screening by the dean of students based on behaviors that indicate the use of drugs or alcohol which impairs their ability to perform in their academic program, refusal to submit to such a drug screening will be treated as a positive test result. The College retains the right to dismiss a student from the College or from a specific program, in accordance with the Program Guidelines for that program.

In addition, Broward College faculty and staff need to abide by the Drug Free Workplace Policy and Procedure [6Hx2-3.05](#). As a condition of employment, employees shall:

1. Refrain from the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace.
2. The use of any legally obtained drug, including alcohol, to the point of intoxication or influence adversely affecting the employee's job performance, is prohibited.
3. No employee shall report to work or be on duty when his or her judgment or physical condition has been impaired by alcohol, medication, or other substances.
4. Notify the immediate supervisor and/or Human Resources of any criminal drug statute conviction no later than 5 days after such conviction.

Any employee who violates the Drug Free Workplace Policy and Procedure [6Hx2-3.05](#) is subject to discipline up to and including termination. The College may require an employee who violates

this policy to successfully and satisfactorily complete a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local agency.

### **Sanctions under Local, State, and Federal Law**

In addition to Broward College sanctions, Broward College students, faculty, and staff should also be aware of the following local, state and federal laws for unlawful possession, use, or distribution of illicit drugs and alcohol.

### **Florida Alcohol Laws**

It is unlawful for any person under the age of 21 years, except a person employed under the provisions of s. [562.13](#) 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. ([F.S. §562.111](#))

The prohibition in this section 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.

A person may not sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or permit a person under 21 years of age to consume such beverages on the licensed premises. ([F.S. §562.11](#)). A person who violates this subparagraph commits a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#). A person who violates this subparagraph a second or subsequent time within 1 year after a prior conviction commits a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

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. ([F.S. §856.011](#))

Any person violating the provisions of this subsection 856.011 shall be guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

Any person who shall have been convicted or have forfeited collateral under the provisions of subsection (1) 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. Any peace officer, in lieu of incarcerating an intoxicated person for violation of subsection (1), may take or send the intoxicated person to her or his home or to a public or private health facility, and the law enforcement officer may take reasonable measures to ascertain the commercial transportation used for such purposes is paid for by such person in advance. Any law enforcement officers so acting shall be considered as carrying out their official duty.

A person is guilty of the offense of driving under the influence and is subject to punishment as provided in subsection (2) if the person is driving or in actual physical control of a vehicle within this state and ([F.S. §316.193](#)):

- (a) The person is under the influence of alcoholic beverages, any chemical substance set forth in s. [877.111](#), or any substance controlled under chapter 893, when affected to the extent that the person's normal faculties are impaired;
- (b) The person has a blood-alcohol level of 0.08 or more grams of alcohol per 100 milliliters of blood; or
- (c) The person has a breath-alcohol level of 0.08 or more grams of alcohol per 210 liters of breath.

(2) (a) Except as provided in paragraph (b), subsection (3), or subsection (4), any person who is convicted of a violation of subsection (1) shall be punished:

- 1. By a fine of:
  - a. Not less than \$500 or more than \$1,000 for a first conviction.
  - b. Not less than \$1,000 or more than \$2,000 for a second conviction; and
- 2. By imprisonment for:
  - a. Not more than 6 months for a first conviction.
  - b. Not more than 9 months for a second conviction.

For additional information on driving under the influence penalties, visit [F.S. §316.193](#)

### **Florida Drug Laws**

Florida Statute [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 penalties, depending on the classification and amount of drug involved. For the most up to date information about State drug penalties, visit [F.S. 893.13](#)

Florida statute 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.” ([F.S. 893.13](#) (1)(d)).

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](#).

For more detailed information about the laws in the Florida Statutes mentioned in this document, please visit that specific statute.

## **Federal Drug Laws**

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.

For the most up to date federal trafficking penalties information, visit the U.S. Drug Enforcement Administration at <https://www.dea.gov/pr/legis.shtml>

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 can be found under:

<https://www.deadiversion.usdoj.gov/>

## **Drug and Alcohol Counseling Programs**

Broward College provides drug and alcohol counseling for students through its [student counseling program](#) with Henderson Behavioral Health. The counseling program offers a 24-hour hotline and six free visits with a licensed mental health professional. For employees, Broward College provides an [Employee Assistance Program](#) (EAP) through Cigna Behavioral Health. Services include telephonic consultations with a trained counselor and referral to a licensed provider with the community at no charge for up to three visits per incident/illness.

In addition to its counseling programs, Broward College also provides educational programs for students regarding drug and alcohol abuse. For more information, contact the [Student Life office](#) on your campus:

- Hugh Adams Central Campus  
Building 19, Room 106      954 201-6756
- North Campus  
Building 46, Room 134      954 201-2325
- Judson A. Samuels South Campus  
Building 68, Room 190      954 201-8316

## **Health Risks Associated with Illicit Drug and Alcohol Use**

There are definite health risks associated with drug and alcohol use. Alcohol or any other drug used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long-term, such as liver deterioration associated with the prolonged use of alcohol. In addition to health-related problems, other concerns relating to substance abuse include the following: People who abuse alcohol and other drugs often have erratic lifestyles which interfere with sleep, nutrition and exercise. Alcohol and substance abuse may lead to financial difficulties, domestic violence, deterioration of the family structure, motor vehicle accident injuries and reduced job performance. Repeated abuse of alcohol can lead to dependence. A description of specific drugs and effects can be found in the U.S. Drug Enforcement Administration's [DEA Drug Fact Sheets](#).