



Drug and Alcohol Policy

This policy applies to all employees and students. The School strictly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on School property (or any site during work or scheduled instruction time), or in connection with any school-sponsored activity. Reporting to or remaining at work or school under the influence of or impaired by alcohol or illicit drugs is also prohibited. Violation of this policy by an employee or student is grounds for disciplinary action, up to and including termination from employment and suspension or expulsion from School. Referral to a rehabilitation facility and/or referral for criminal prosecution may occur where appropriate. Any student or employee selling drugs at the aforementioned properties and/or during scheduled instruction time will be immediately dismissed or terminated from the School and referred to the appropriate legal authority for prosecution. This policy also includes other provisions for employees, including but not limited to, Forms 11-205 and 11-206, which help provide a safe and drug-free work environment.

Legal Sanctions

Students must be aware that significant criminal penalties exist under state and federal laws for the unlawful possession or distribution of alcohol and illegal drugs.

Legal sanctions under local, state, and federal laws vary by location, but may include:

- Monetary fines
- Jail time
- Suspension, revocation, or denial of a driver's license
- Property seizure
- Loss of eligibility for federal benefits, including federal financial aid

State law prohibits the possession of alcoholic beverages by persons under age 21. Violation of this offense is punishable by a definite term of imprisonment of up to 60 days and/or a \$500 fine; a subsequent offense is punishable by a definite term of imprisonment of up to one year and a fine of \$1,000. Possession of alcoholic beverages by a person under age of 21 may also result in curtailment of driving privileges. No person may sell, give, serve or permit to be served alcoholic beverages to a person under 21, and it is unlawful for a person under 21 to misrepresent his age in order to obtain alcohol. Violation of either of these offenses is also punishable by a definite term of imprisonment of up to 60 days and a fine of \$500. Misrepresentation of age also will lead to the curtailment of driving privileges.

Under state law, it is a crime for any person to possess or distribute controlled substances/drugs as described in Section 893.03, Florida Statutes, except as authorized by law. Punishment for such crimes ranges from first-degree misdemeanors (up to one-year imprisonment and up to a \$1,000 fine) to first-degree felonies (up to 30 years imprisonment and up to a \$10,000 fine). Specifically, possession of fewer 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. Trafficking (distributing specified large quantities of various controlled substances) is punishable by a term of imprisonment up to life and a fine of \$25,000 to \$500,000, depending on the particular illicit drug and the quantity involved. Thus, possession of fewer than 28 grams of cocaine is a third-degree felony, while possession of more than 28 grams of cocaine trafficking in cocaine is a first-degree felony, punishable with a fine of up to \$250,000 and imprisonment up to life without eligibility for early release. The death penalty may be imposed if a person has brought large quantities of the substances into the state knowing the result would be the death of any person. Individuals who have been convicted of a felony involving the sale of or trafficking in, or conspiracy to sell or traffic in, a controlled substance under certain circumstances may be disqualified from applying for state employment.

Federal penalties for drug trafficking may be found at www.justice.gov/dea/druginfo/ftp3.shtml.

Students who are concerned about specific circumstances should consult applicable local, state, and federal law and/or seek legal counsel.

Federal Student Aid Penalties For Drug Convictions

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student from using federal student aid. Only convictions occurring during a period of enrollment in which the student was receiving federal student aid are counted against students for aid eligibility purposes, as indicated on the Free Application for Federal Student Aid (FAFSA).

The following chart indicates the suspension period for related offenses.

	<u>Possession of Illegal Drugs</u>	<u>Sale of Illegal Drugs</u>
1st Offense	1 year from date of conviction	2 years from date of conviction
2nd Offense	2 years from date of conviction	Indefinite Period
3rd + Offense	Indefinite Period	Indefinite Period

A student may regain eligibility prior to the end of the period of ineligibility if he/she successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests if he/she passes two unannounced drug tests administered by such a program, or if the conviction is reversed, set aside, or otherwise rendered invalid. A rehabilitation program is considered qualified if it meets at least one of the following criteria:

- It is qualified to receive funds directly or indirectly from a federal, state, or local government program.
- It is qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- It is administered or recognized by a federal, state, or local government agency or court.

- It is administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

Please see the Frequently Asked Questions (FAQ) Sheet from the U.S. Department of Education’s Office of National Drug Control Policy for more information at www.whitehouse.gov/sites/default/files/ondcp/recovery/fafsa.pdf.

Health Risks

Various health risks are associated with the use of illicit drugs. Some of the more common risks are cited below and may be found at www.justice.gov/dea/druginfo/factsheets.shtml.

Drug	Health Risks
Narcotics (e.g., heroin, oxycodone, morphine)	Drowsiness, slow and shallow breathing, confusion, muscle weakness, nausea, convulsions, coma, death
Stimulants (e.g., crack/ cocaine, amphetamines, methamphetamine)	High fever, agitation, panic, headache, dizziness, tremors, convulsions, cardiac arrest, stroke, death
Depressants (e.g., Valium, Xanax, Rohypnol)	Loss of motor coordination, weakness, headache, blurred vision, dizziness, nausea, low blood pressure, slow breathing, coma, death
Hallucinogens (e.g., LSD,MDMA, PCP)	Seizures, muscle cramps, nausea, liver kidney and cardiovascular failure, coma, death
Inhalants	Muscle weakness, disorientation, nausea, nervous system and organ damage, asphyxiation, death
Marijuana	Unknown Moderate Dizziness, nausea, dry mouth, loss of motor-coordination, panic attacks

Alcohol

For those students who choose to use alcohol, Florida Education Institute encourages students to drink responsibly and following applicable rules and the law; and to never drink and drive. Consuming alcohol has many risk factors and can lead to dependency. With excessive use, liver, brain, heart, and stomach damage can occur without apparent warning signs. Alcohol is one of the leading causes of preventable deaths in the United States.

Counseling, Treatment, And Rehabilitation

Drug and alcohol counseling, treatment, and rehabilitation programs for employees and students are available from a variety of community sources. Anyone who recognizes a personal drug or alcohol problem, who is concerned about a student or coworker, or who wishes to know more about drug and alcohol abuse may contact the Human Resources Department or services@fei.edu for more information. Community resources near a student or employee’s respective campus or location may also be found by contacting the Human Resource Department or services@fei.edu.

Assistance may be sought at:

Addiction Treatment Program South Miami Hospital

7401 SW 62nd Avenue

Miami FL, 33143

1-800-YES-HOPE or 786-662-8118

<http://baptisthealth.net/en/facilities/south-miami-hospital/addiction-treatment-recovery-center/pages/default.aspx>

Additional help for all members of the School community is available through Alcoholics Anonymous at 305-261-1221, 2215 SW 67 Avenue, Miami, FL 33155-1839 and Narcotics Anonymous at (305) 265-9555. Additional places where one can get treatment are listed in Google and the Miami-Dade telephone directory under the headings "Alcoholism Information and Treatment Centers" and "Drug Abuse and Addiction Information and Treatment."

National Resources

Florida Education Institute also encourages anyone dealing with substance abuse issues to contact the following national agencies for guidance and assistance in identifying counseling, treatment, or rehabilitation programs.

Alcohol/Drug Helpline: (800) 821-4357

Substance Abuse and Mental Health Services Administration (SAMHSA) Hotline: (800) 662-HELP

Employee Resources

Florida Education Institute provides an employee assistance program (EAP) as a benefit to all employees regardless of if they opt in to other benefits through the School. This service provides referrals and treatment sessions as needed and can connect employees to additional outpatient or inpatient services that could be eligible for coverage through the employee healthcare plan. Information about contacting the EAP can be obtained through the Human Resource Department.

Biennial Review

Florida Education Institute conducts a biennial review of its program to determine the effectiveness of the program and implement changes as needed. This review also ensures that disciplinary sanctions are uniformly enforced.