



University Compliance, Ethics, and Risk Office

UNIVERSITY OF CENTRAL FLORIDA

University of Central Florida Draft Policy Submission Cover Memo Form

Policy No. and Title:

Initiating Authority:

Initiating Authority Approval Date:

Date of Submission for Review:

Submitted by:

Department:

New Policy

Existing Policy (5-year Review)

Existing Policy (Out of Cycle
Review)

Summary of Revisions: (For a new policy, please provide a summary of the policy. For an existing policy, please provide a summary of the revisions made to the policy.)

Stakeholders included in the Review Process: (Provide a list of departments involved in the review/revision process.)

Stakeholder feedback must also be requested from the [Faculty Senate](#) and the [College Policy Liaisons](#). By checking the boxes below, you are confirming that feedback from these groups was requested, received, and considered in the draft policy.

College Policy Liaisons

Faculty Senate

Regulatory Requirements (if applicable): (Provide information on regulatory requirements pertaining to the policy, including specific statute or regulation number.)

Presenters: (Provide the name(s), position title(s), and email address(s) for all individuals who will be presenting the policy to the university's Policies and Procedures Committee.)



Draft - Drug-Free Schools and Workplace Policy

Policy Number	2-701. <u>1</u>
Responsible Authority	Assistant Vice President, Compliance and Ethics
Initiating Authority	Vice President, Compliance, Ethics, and Risk
Effective Date	
Date of Origin	5/6/2022

APPLICABILITY/ACCOUNTABILITY

This policy applies to all members of the university community while on university owned or controlled property and/or while in attendance at a university hosted or sponsored event.

BACKGROUND INFORMATION

The Drug-Free Schools and Communities Act was passed in 1986 and amended in 1989 as part of the reauthorization of the Higher Education Act. The Act requires higher education institutions that receive federal funding to execute a drug and alcohol abuse prevention program for its campus community and to conduct a review of such programs every two years. It also requires the university to notify all students and employees on an annual basis about the various university resources, policies, and regulations pertaining to the prohibited use of illicit drugs and alcohol.

Another federal law, the Drug-Free Workplace Act of 1988 requires employees working on a federal grant or contract or receiving federal grant funds to notify their employer within a specific time frame of any drug statute conviction for a violation occurring in the workplace. The employer must also notify the contracting federal agency of such conviction and take appropriate personnel action against the employee or require the employee's satisfactory participation in a drug abuse assistance or rehabilitation program.

Additionally, Florida Statutes Chapter 893 makes all drug trafficking illegal and considers such activity to constitute a felony. Florida law also prohibits the purchase or possession of alcohol by a person under the age of 21, or the furnishing of alcohol to such a person. Driving under the influence of alcohol or other drugs also is illegal. It is against Florida law, under certain circumstances, to walk or be upon a roadway while under the influence of alcohol or other drugs.

POLICY STATEMENT

The University of Central Florida is committed to an environment that protects the health, safety, and welfare of the members of the university community. In accordance with federal and state laws, the unlawful or unauthorized possession, use, consumption, sale, or distribution of illicit drugs and/or alcohol is prohibited in and on UCF owned and controlled property or as part of any of university activities.

As required by federal law, the university will annually distribute a policy notice to all employees and students that provides a description of the health risks associated with the use of illicit drugs and abuse of alcohol, applicable legal sanctions under local, state, or federal law, counseling or treatment programs, and a clear statement of the disciplinary sanctions the institution will impose on students and employees for non-compliance. UCF Human Resources is responsible for sending this notice to all new employees and [University Compliance and Ethics](#) annually [distributes the notice](#) to current employees. Upon receipt of the notice, employees are required to acknowledge receipt. Annual notification to students is accomplished each semester through the online student center. Students must certify receipt of the annual notification materials before they can access their grades. The university will also conduct a biennial review of its drug and alcohol abuse prevention program to determine the effectiveness of the policy and implement changes to the program as necessary, and to ensure that the sanctions developed are enforced consistently.

The following outlines the policy requirements, health risks, applicable legal sanctions, counseling and treatment programs, and disciplinary sanctions contained in the university's drug and alcohol abuse prevention program:

I. Alcoholic Beverages

The sale, service, possession, and consumption of alcoholic beverages on university owned or controlled property must comply with applicable laws, university regulations and policies. The following outlines the requirements regarding the sale, service, possession, and consumption of alcoholic beverages on campus:

1. The sale or service of alcoholic beverages to persons younger than 21 years of age is illegal and therefore prohibited.
2. Possession or consumption of alcoholic beverages by persons younger than 21 years of age is illegal and prohibited.
3. Possession or consumption of alcoholic beverages in open or unsealed containers on university owned or controlled property is prohibited, except in designated areas or as approved for special events.
4. The serving, possession, or consumption of alcohol by individuals of legal age may be permitted in private residential rooms in the residence halls and other on-campus housing in accordance with UCF Housing and Residence Life Community Living Guide Regulations, unless otherwise prohibited by the governing organization. Consumption of alcoholic beverages in public or common areas within on-campus residential units must follow guidelines provided by Housing and Residence Life and/or their governing organization.

5. The sale of alcoholic beverages on campus is only permitted in licensed areas by licensed on-campus distributors. The sale or service of alcoholic beverages to individuals of legal age will be permitted at other select campus locations for catered functions by properly authorized distributors.
6. Licensed alcohol vendor(s) must maintain documentation of responsible server training for all staff.

Student organizations may develop more stringent policies regarding alcohol use.

Additional information regarding specific procedures on alcoholic beverages on campus are found in [UCF Policy 3-115 Alcoholic Beverages on Campus](#).

II. Illicit and Other Drugs

The unlawful possession, use, manufacture, purchase, distribution, or sale of prohibited and controlled substances-including, without limitation, illegal drugs or drug paraphernalia, or prescription drugs without a prescription, is prohibited and is cause for disciplinary action. The University Police Department is authorized to investigate alleged violations of state, federal, or local laws concerning the possession, use, manufacture, purchase, or sale of drugs.

Florida's Medical Marijuana Law

The term medical marijuana refers to using the whole, unprocessed marijuana plant or its basic extracts to treat symptoms of illness and other conditions. The U.S. Food and Drug Administration (FDA) has not recognized or approved the marijuana plant as medicine.

The State of Florida has adopted legislation addressing the use of medical marijuana. However, the law does not limit the ability of an employer to establish, continue, or enforce a drug-free workplace program or policy. Florida's law does not require an employer to accommodate the medical use of marijuana in any workplace or any employee working while under the influence of marijuana. Further, the law does not create a cause of action against an employer for wrongful discharge or discrimination.

In short, Florida's law does not change any of UCF's expectations that employees report to work fit for duty. It also does not dilute UCF's drug-free workplace policy in any way. This section does not limit the ability of an employer to establish, continue, or enforce a drug-free workplace program or policy.

III. Health Risks

According to the [National Institute on Drug Abuse Commonly Abused Drugs](#) many drugs can alter a person's thinking and judgment, and can lead to health risks, including addiction, infectious disease, and adverse effects on pregnancy. The following health risks may be associated with the use of illicit drugs or abuse of prescription drugs, over-the-counter drugs, or alcohol:

A. Alcohol

Alcohol consumption causes several marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely,

increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including sexual assault, and spousal and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses of alcohol cause respiratory depression and/or death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described above. Drinking too much, on a single occasion or over time, has been linked to cardiomyopathy, stroke, high blood pressure, fibrosis, cirrhosis, pancreatitis, and cancer.

Repeated use of alcohol can lead to dependence. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Sudden cessation of alcohol intake may produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions, which may be life-threatening. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and intellectual disabilities. In addition, research indicates that children of alcoholic parents are at greater risk of developing alcoholism than are other children.

B. Drugs

The use of illegal drugs and the misuse of prescription and other over-the-counter drugs also pose a serious threat to health. The following lists the possible effects and health risks associated with the use of common illicit drugs and controlled substances:

1. Stimulants

Stimulants are drugs that stimulate the central nervous system.

Examples include: Amphetamine, Dextro-Amphetamine, Methamphetamine, Nicotine, Cocaine, Adderall, Ritalin

Symptoms of Use: restlessness, anxiety, nervousness, irritability, mood swings

Hazards of Use: addiction, sleeplessness, anxiety, loss of appetite, brain damage, hallucinations, strokes, cardiac arrest

2. Depressants

Depressants are drugs that slow down the central nervous system.

Examples include: Barbiturates, Pentobarbital, Secobarbital, Quaalude, Sopor, Alcohol, Marijuana, Xanax

Symptoms of Use: drowsiness, confusion, impaired judgement, slurred speech

Hazards of Use: addiction with severe withdrawal symptoms

3. Narcotics

Narcotics are drugs that stimulate the central nervous system.

Examples include: Demerol, Dilaudid, Methadone, Percodan, Codeine, Heroin, Morphine, Fentanyl

Symptoms of Use: drowsiness, lethargy, nausea, confusion, constipation

Hazards of Use: addiction, impaired memory and perception, problems breathing, unconsciousness

4. **Hallucinogens**

Hallucinogens are drugs that alter the perception of reality.

Examples include: PCP, LSD, Mushrooms, Ketamine, Ecstasy

Symptoms of Use: slurred speech, blurred vision, lack of coordination, confusion, aggression, paranoia, sleeplessness, impulsiveness

Hazards of Use: anxiety, depression, impaired memory, increased heart rate

5. **Inhalants**

Inhalants are substances abused by inhalation.

Examples include: Gasoline, Glue, Paint Thinner, Dry Cleaning Fluid, Nitrous Oxide, Amyl Nitrate, Butyl Nitrate

Symptoms of Use: impaired judgement, poor motor coordination, impaired vision, memory, and thought

Hazards of Use: addiction, organ failure, muscular damage

IV. **Counseling, Treatment, or Rehabilitation and/or Re-entry Programs**

A variety of counseling services and treatment centers are available throughout UCF and the state for anyone experiencing problems related to substance abuse.

A. Students

Student Development and Enrollment Services (SDES) offers a broad range of alcohol and other drug programs services, including screening and assisting students with non-academic problems that negatively affect their performances.

Wellness and Health Promotion Services offers a variety of prevention and intervention programs which can be found at <https://whps.sdes.ucf.edu/alcohol-and-other-drugs/>. UCF Cares student resources can be found at <https://cares.sdes.ucf.edu/students/>.

The Student Health Center offers treatment programs for students struggling with addiction or in recovery from substance or process addictions. Available programs can be found at <https://studenthealth.ucf.edu/recovery/> or by contacting the Behavioral Health Clinic in Student Health Services at (407) 823-2924 for more information.

Additionally, the Recreation and Wellness Center also provides substance-free programs and activities to enhance students' health and wellbeing. A list of programs can be found at <https://rwc.sdes.ucf.edu/programs/>.

B. Employees

The UCF Employee Assistance Program (EAP) provides services to personnel employed at all campuses. It is confidential and free to all faculty and staff (excluding OPS student employees) and immediate family who live in their household as defined by the State Employee's Group insurance. EAP services offered or referred address a broad range of issues that trouble employees and/or dependents and include the illegal use of drugs and/or alcohol abuse. For additional information regarding substance abuse contact the Employee Relations & HR Compliance at (407) 823-2771 or contact the Employee Assistance Program offered by Health Advocate for information about counseling and treatment resources for employees and eligible family members. Health Advocate may be reached at 877-240-6863 or by visiting their website at HealthAdvocate.com/members.

V. Enforcement and Disciplinary Sanctions

Individuals are responsible for their own actions, regardless of whether their mental or physical state may be affected by mind-altering chemicals such as alcohol and other drugs. Any UCF employee or student determined to have violated this policy will be subject to disciplinary action, which may include termination or expulsion and referral for criminal prosecution.

No employee or student will report to work, class, or any university activity while under the influence of illegal drugs or alcohol. In addition, violation of this policy by an employee, volunteer, or student will be reason for evaluation and possible intervention or treatment for alcohol and other drug abuse or dependency disorders.

A. Student Misconduct

The University of Central Florida's student conduct regulations prohibit the unlawful possession, use, or distribution of alcohol and other drugs by students and student organizations. In addition, student organizations sponsoring events where alcohol is present are subject to the requirements and guidelines of the Fraternity and Sorority Life (FSL) Social Events policy and registration form located in the FSL Policy Handbook. Sanctions for violations of these student conduct regulations may include alcohol and/or other drug education, mandated evaluation and treatment, community service, suspension, and/or expulsion.

The Family Educational Rights and Privacy Act (FERPA) have given colleges/universities the option to notify parents/guardians about specific types of information from a student's judicial record. Parental Notification Policy: The University of Central Florida will notify parents or guardians of dependent students, defined in F.S. 228.093 under the age of 21, when the student is found responsible for violating university alcohol or other drug policies as found in the student handbook, The Golden Rule.

In accordance with university regulations UCF-5.007 Student Conduct and Academic Integrity; Scope; Student Conduct Records; Medical Emergencies (Alcohol & Drug) and UCF-5.011 Scope; Authority; Principles of Student Group Responsibility; Violations of Law and Rule of Conduct Violations; Records; Medical Emergencies (Alcohol & Drug) the university highly urges students to call for medical assistance whenever an individual experiences severe intoxication or serious injury after

consuming alcohol and/or drugs. If a student seeks medical assistance for themselves or others due to the use of alcohol or drugs, the student seeking assistance or the student needing aid may be exempt from disciplinary action under this university regulation.

The sanctions which may be imposed on students for violation of any of the Rules of Conduct include the sanctions listed under informal disposition or any of the following:

- i. **Disciplinary Warning:** An official warning that the student's behavior is in violation of the UCF Rules of Conduct, and that if the student is subsequently found in violation of this rule; subsequent action may be more severe.
- ii. **Disciplinary Probation:** Disciplinary probation status will be for a specific length of time extending from a week to several semesters. Restrictive conditions may be imposed and vary according to the severity of the offense. Restrictive conditions may include, but may not be limited to the following: loss of good standing, which may become a matter of record; ineligibility to receive any university award, scholarship, loan, honorary recognition, or initiation into any local or national organizations, and denial of the privilege to occupy a position of leadership or responsibility in any university student organization, publication, or activity, or ability to represent the university in an official capacity or position. Under disciplinary probation, the student may continue to attend classes and is given a chance to show capability and willingness to live in accordance with university rules. However, if the student is subsequently found in violation of a rule while on disciplinary probation, the university may suspend or expel the student from the university.
- iii. **Disciplinary Suspension:** A student involved in an offense warranting consideration of action more serious than disciplinary probation or one involved in repeated misconduct may face suspension. The length of the suspension period will be defined and may extend from days to several semesters. During the period of suspension, a student may not attend classes and may not otherwise be present on university premises unless authorized in writing in advance under conditions approved by the director of the Office of Students Rights and Responsibilities. Further, an overlay will be placed on a student's record during the period of suspension. In determining if and to what extent suspended students will be authorized to be on university premises, the director of the Office of Student Rights and Responsibilities or designee will consider whether the suspension creates an undue hardship on the suspended student in regard to considerations that include, but are not limited to, the medical needs of the student.
- iv. **Disciplinary Expulsion:** When an offense is of such severity that the university will not allow the student to re-enroll, the student will be expelled. When a student has been expelled from the university for disciplinary reasons, a full report will be placed in the permanent record of the individual concerned. Further, an overlay will be permanently placed on the student's records.
- v. **Disciplinary Sanction Review Request:** A student may request a review of their disciplinary status after they have completed a portion of their sanction as specified in Regulation [UCF-5.010 Student Conduct Appeals](#). This request can only be submitted once a semester. Such a review will allow the student the opportunity to

discuss what they have done to proactively address their behavior. In considering this request a student's good behavior will assume that the student is performing above and beyond the basic requirements of their sanction(s). Students that simply fulfill the minimum requirements of their sanction(s) will not have their probation re-evaluated. If the student decides to use this procedure, they must follow the steps outlined in Regulation UCF-5.010 Student Conduct Appeals to request such a review.

For additional information regarding the university's policies on alcohol and other drugs as they pertain to students, contact Student Conduct and Academic Integrity at (407) 823-4638.

B. Faculty/Staff Misconduct

UCF Employees are prohibited from the abuse or misuse of alcohol and/or drugs while performing work for UCF, representing UCF, or at a university sponsored event. Employees who violate this policy may be subject to disciplinary action up to and including termination and referral for criminal prosecution. Disciplinary actions can include, but are not limited to, oral or written reprimand, satisfactory participation in a drug abuse assistance or rehabilitation program, demotion, payment of fines, loss of future salary increases, reassignment, paid or unpaid suspension, or termination. The employee shall be given written notice of any proposed disciplinary action followed by a notice of final action per the BOT-UFF Collective Bargaining Agreement (Article 16) or university regulation [UCF-3.0124 Discipline and Termination for Cause of Non-Unit Faculty and Non-Unit A&P Staff Members](#) or [UCF-3.0191 Disciplinary Action - USPS](#).

Employees must notify Human Resources within 48 hours of any arrest and/or conviction, including those for drug or alcohol related charges. [Human Resources will coordinate with the Research Compliance Office to identify](#) ~~For employees working on a federal grant or contract, The Research Compliance Office Human Resources will~~ forward the report of [any such](#) conviction(s) to the respective federal contracting agency. The federal contracting agency must be notified within 10 calendar days of the initial notice to Human Resources. Within 30 days after receiving notice of a conviction, the university will take appropriate personnel action against the employee, up to and including termination, and/or require the employee's satisfactory participation in a drug abuse assistance or rehabilitation program.

C. Volunteers, Vendors/Contractors, and Visitors

Violation of this policy by a university volunteer will result in termination of the volunteer services agreement with the university and the volunteer may not be eligible for future volunteer opportunities or employment by the university.

Vendors/Contractors who fail or refuse to comply with this policy may be asked to leave the university, may be in breach of contract, or may be trespassed from the university if non-compliance continues.

Visitors who are found in violation of this policy will be subject to removal from university property and may be trespassed indefinitely from the university at the discretion of the University Police Department.

Criminal Sanctions

Under Florida and federal law, it is a crime to possess, manufacture, sell, or distribute illegal drugs. Violations of this policy may be referred to the University Police Department for criminal prosecution. Sanctions may include:

- imprisonment;
- civil fines;
- forfeiture of real and personal property;
- denial of federal benefits such as student loans, grants, contracts, and professional and commercial licenses;
- successful completion of a drug treatment program;
- community service; and
- ineligibility to receive or purchase a firearm.

RELATED DOCUMENTS

[~~Drug-free Schools and Communities Act~~34 CFR Part 86 Drug and Alcohol Abuse Prevention](#)

[https://uscode.house.gov/view.xhtml?req=\(title:41%20chapter:81%20edition:prelim\)%2041 USC Ch. 81 Drug Free Workplace](https://uscode.house.gov/view.xhtml?req=(title:41%20chapter:81%20edition:prelim)%2041 USC Ch. 81 Drug Free Workplace)

[UCF Policy 3-115 Alcoholic Beverages on Campus](#)

[Regulation UCF-3.0124 Discipline and Termination for Cause of Non-Unit Faculty and Non-Unit A&P Staff Members](#)

[Regulation UCF-3.0191 Disciplinary Action – USPS](#)

[Regulation UCF-4.0292 Potentially Hazardous Events](#)

[Regulation UCF-4.035 Alcoholic Beverages on Campus](#)

[Regulation UCF-5.006 Student Rights and Responsibilities](#)

[Regulation UCF-5.007 Student Conduct and Academic Integrity; Scope; Student Conduct Records; Medical Emergencies \(Alcohol & Drug\)](#)

[Regulation UCF-5.008 Rules of Conduct](#)

[Regulation UCF-5.010 Student Conduct Appeals](#)

[Regulation UCF-5.011 Scope; Authority; Principles of Group Responsibility; Violations of Law and Rule of Conduct Violations; Records; Medical Emergencies \(Alcohol & Drug\)](#)

[Fraternity and Sorority Life Policy Handbook](#)

[UCF Housing and Residence Life Community Living Guide](#)

FORMS

[SAFE Form](#)