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## **DRUG AWARENESS AND SUBSTANCE ABUSE POLICY**

The federal Drug-Free Schools and Communities Act of 1989 requires institutions receiving Title IV funding and other financial assistance to implement and enforce drug prevention programs and policies. Students shall receive a copy of the Drug-Free Schools/Drug-Free Workplace Annual Disclosure upon enrollment, and thereafter annually. The disclosure is also made available to all campus employees. These policies are reviewed and published annually at the Piberry Institute website: [www.piberry.edu](http://www.piberry.edu). For additional information, contact Marion Carberry, Campus President, at (305-245-2581 or [mcarberrypiberry.edu](mailto:mcarberrypiberry.edu)).

Illegal drug use and substance abuse affects all communities. Therefore, all members of the academic community, students, faculty, administrators, and other academic support staff share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct. The illegal use, possession, sale, delivery, and/or manufacture of drugs will not be tolerated and may be grounds for immediate suspension and/or dismissal of students, faculty members, administrators, and other employees.

Piberry policies and programs are intended to emphasize: 1) The incompatibility of the use or sale of illegal drugs with the goals of the Institute, 2) The legal consequences of involvement with illegal drugs, 3) The medical implications of the use of illegal drugs, and 4) The ways in which illegal drugs jeopardize an individual's accomplishments Domestic Violence is a Crime!

### **DRUG-FREE-CAMPUS AND WORKPLACE**

The Drug Schools and Communities Act (DFSCA) of 1989 requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

#### ***Drug-Free Campus and Workplace Statement***

Piberry Institute, Inc. is committed to providing a learning and working environment free of the abuse of alcohol and the illegal use of drugs and the abuse of alcohol by any Piberry Institute, Inc. employee. The policies and laws described in this statement apply to all employees and students of Piberry Institute.

#### ***Alcohol & Substance Abuse Policy***

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or the unlawful possession and use of alcohol are harmful and prohibited in and on

property owned and/or controlled by Piberry Institute, Inc. No employee or student is to report to work, class, or any school or school sponsored activity (whether on or off-campus) while under the influence of illegal drugs or alcohol. The use of alcoholic beverages by employees and students by any Piberry Institute, Inc. employee are subject to the alcoholic beverage laws of the State of Florida, applicable county and city regulations. Such employee also must abide by the Employee Code of Conduct policies outlined in the Staff and Faculty Handbook. The possession and use of controlled drugs by members of the Piberry Institute, Inc. community is prohibited and must at all times be in accordance with the provisions of Florida law, federal law, and school policies. Under Florida law, no person may possess substances regulated under the provisions of Chapter 893, Florida Statutes (controlled substances and “designer drugs”), unless dispensed and used pursuant to prescription or otherwise authorized by law. Sale and delivery of such substances is prohibited unless authorized by law.

Violation of the policies and laws described in this policy statement by an employee or student is grounds for disciplinary action up to and including termination or expulsion. Such disciplinary actions may also include reprimand or suspension. Student organizations may be sanctioned for violation of these policies and laws. Sanctions may range from written reprimand to revocation of recognition as a student organization. Additionally, a violation may be reason for evaluation and treatment of a drug-and/or alcohol-use disorder or referral for prosecution consistent with local, state, and federal criminal law. Disciplinary action by Piberry Institute, Inc., does not preclude the possibility of criminal charges against a student or employee. Similarly, the filing of criminal charges does not preclude further action by Piberry Institute, Inc.

Employees must notify the School Campus Director in writing of a conviction of a criminal drug statute occurring within the workplace within five days after receiving the conviction.

Disciplinary action will take place within 30 days of notification. For reporting purposes, each year the campus must determine the number of drug and alcohol-related violations and fatalities that occur on campus or as part of any of the Institute’s activities as well as the number of arrests, and number and type of sanctions that are imposed by the campus. Those statistics are sent to the Department of Education and published by October 1st as part of the annual crime statistics.

Note: Students who are convicted of drug related charges are subject to losing Title IV federal financial aid. The Institute must provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties in a clean and written notice that notifies the student of the loss and advises the ways in which to regain eligibility. The student must successfully pass two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the United States Department of Education Secretary to determine whether or not the student may be eligible to regain eligibility of Federal funds.

## **Legal Sanctions**

Students/employees are reminded that unlawful possession, distribution or use of illicit drugs or alcohol may subject individuals to prosecution. Piberry Institute refers violations of prescribed conduct to appropriate authorities for prosecution.

Federal and state sanctions for illegal possession of controlled substances range from up to four years' imprisonment and up to \$20,000 in fines for each offense. Under federal laws, possession of drugs such as heroin or cocaine may result in sanctions of not less than five years and up to life imprisonment for a first offense involving 100 grams or more. Offenses involving lesser amounts, 10–99 grams, may result in sanctions up to and including 20 years' imprisonment and a fine of up to \$4 million.

Under Florida law, any person who knowingly sells, purchases, manufactures, delivers, or brings into Florida any controlled substance shall be punished pursuant to sentencing guidelines and punished by a fine of not less than \$25,000 nor more than \$250,000. Any person who possesses more than 10,000 pounds of a controlled substance must serve a mandatory sentence of 15 years and pay a \$200,000 fine. If they transport a controlled substance into Florida, they have committed a capital felony and shall be imprisoned for life and shall be fined \$250,000, the maximum fine under the guidelines.

Local sanctions range from \$500 to \$1,000 in fines or from 60 days to six months in jail, or both, plus civil forfeiture of property for possession.

The State of Florida may impose a wide range of sanctions for alcohol-related offenses. For example, any person who is convicted of driving under the influence of alcohol shall be punished by a fine of not less than \$250 or more than \$500 for a first offense. For a first conviction, a person shall be imprisoned for no more than six months and suspension of his or her driver's license for a minimum of six months.

The term "controlled substance" as used in this policy means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. 812, and as further defined by regulation 21 CFR 1208.01 et seq. The term does not include the use of a controlled substance pursuant to a valid prescription or other use authorized by law.

## **Drinking Age**

The legal drinking age in Florida is 21. Selling, giving or serving alcohol to persons under 21 is unlawful. In Florida, this law extends to possession of alcohol by anyone under 21. It is unlawful for anyone to misrepresent or misstate his or her age. This includes the manufacture or use of false identification. Use of altered identification for the purpose of procuring alcohol is a felony.

## **Open Container Law**

It is unlawful for any person to consume or to induce, assist or aid another to consume any beverage containing more than 1% alcohol by weight upon any street, sidewalk or in any alley within the City of Miami/Homestead. It is unlawful to have an open container of alcohol in a vehicle. (Section 316.1936, F.S.) Florida Law.

Under Florida law, driving under the influence of alcoholic beverages or any controlled chemical substance (DUI) is an offense evidenced by the impairment of normal faculties or an unlawful blood or breath alcohol level of .08 or higher. For a first conviction, the following sentencing guidelines apply:

- Payment of a fine of \$250 to \$500 and imprisonment for up to six months for a first conviction.
- If the blood or breath alcohol level is .20 percent or higher, the fine is \$500 to \$1,000 and imprisonment for up to nine months.
- Monthly probation reporting and mandatory completion of substance abuse course.
- Probation for up to one year which will include a minimum of fifty hours of public service for a community work project.
- Impoundment of vehicle for ten days unless owner or family has no other means of transportation.
- Serious bodily injury of another, property damage or death while driving under the influence will result in additional sentences.

## **Sale or Possession of Illegal Drugs**

It is unlawful to be in the possession of illicit drugs and/or to sell or intend to sell illicit drugs.

## **Selling and Purchasing Controlled Substances Within 1,000 Feet of School**

It is unlawful for any person to sell, purchase, manufacture, deliver or possess with the intent to sell a controlled substance in, on or within 1,000 feet of the real property comprising a public or private elementary, middle, secondary school, community or state college or university.

## ***Local Counseling, Treatment, and Rehabilitation Programs***

Piberry Institute, Inc., is required to notify current/perspective students and employees of local counseling, treatment, and rehabilitation programs, and as such states that any drug or alcohol abuse education programs as required under Section 120(a) through (d) of the HEA (otherwise known as the Drug-Free Schools and Communities Act of 1989). For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with Section 120(a) through (d) of the HEA.

Local Drug and Alcohol Counseling facilities:

- 1) Florida Drug Rehab Center  
Miami, Florida  
(786) 563-4432
  
- 2) Drug and Alcohol Rehab of Miami  
Miami, Florida  
(305) 290-4820 or (800) 537-2334
  
- 3) Alcoholics Anonymous  
Miami, Florida  
(305) 759-6362

***Health Risks Associated with 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 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 spouse 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 cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

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, can also lead to permanent damage to vital organs such as the brain and liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

***Health Risks Associated with Drug Usage***

<b>Drug</b>	<b>Physical Dependence</b>	<b>Psychological Dependence</b>	<b>Effect</b>
<b>NARCOTICS</b>			
Heroin	<b>Yes</b>	<b>Yes</b>	Narcotics Euphoria
Morphine	<b>Yes</b>	<b>Yes</b>	Drowsiness

Codeine	<b>Yes</b>	<b>Yes</b>	Respiratory Depression
Hydrocodone	<b>Yes</b>	<b>Yes</b>	Nausea
Oxycodone	<b>Yes</b>	<b>Yes</b>	
Methadone & LAAM	<b>Yes</b>	<b>Yes</b>	
Fentanyl & Analogs Other	<b>Yes</b>	<b>Yes</b>	
Narcotics	<b>Yes</b>	<b>Yes</b>	
<b>DEPRESANTS</b>			
Chloral Hydrate	Yes	Yes	Slurred Speech Disorientation Drunken Behavior Without odor of Alcohol Increased Alertness Euphoria Increased Pulse Rate and Blood Euphoria Relaxed inhibitions Increased appetite & Disorientation
Barbituates	<b>Yes</b>	<b>Yes</b>	
Benzodiazepines	<b>Yes</b>	<b>Yes</b>	
Glutethimide	<b>Yes</b>	<b>Yes</b>	
Stimulants	<b>Yes</b>	<b>Yes</b>	
Cocaine	<b>Yes</b>	<b>Yes</b>	
Amphetamine	<b>Yes</b>	<b>Yes</b>	
Methamphetamine	<b>Yes</b>	<b>Yes</b>	
Other Stimulants	Unknown	Unknown	
Tetrahyrocannabinol	Unknown	Unknown	
Hashish	Unknown	Unknown	
<b>Hallucinogens</b>			
LSD	<b>None</b>	<b>Unknown</b>	Illusions/hallucinations
Mescaline & Peyote	<b>None</b>	<b>Unknown</b>	
Amphetamine Variants		<b>Yes</b>	
Phencyclidine/Analog			Altered perceptions
Other Hallucinogens			
Anabolic Steroids	<b>Unknown</b>	<b>Unknown</b>	Virilization Testicula Atrophy Gynecomastia Aggressive behavior Oxymetholone Adema
Anabolic Steroids	<b>Unknown</b>	<b>Unknown</b>	
Testosterone			
Nandrolone			
Oxymetholone	<b>Unknown</b>	<b>Unknown</b>	

There are classic danger signals that could indicate the first sign of drug use. The primary ones could call attention to one's use of drugs are:

- Abrupt changes in mood or attitude
- Continuing slump at work or in school.
- Continuing resistance to discipline at home or school
- Inability to get along with family or friends
- Regular temper flare-ups
- Increased borrowing of money

- Heightened secrecy / isolation
- Acquiring a whole new set of friends.

It is recommended that any person observing any of the above changes in either students or staff behavior immediately notify the School Campus Director. Caution must be observed, however, to avoid wrongful accusation of a person suspected of taking drugs as an improper accusation could lead to embarrassment to both individual and the Institution. Once it has been determined by management that assistance to overcome the problem is indicated, the individual and his/her family should be counseled on the need for assistance. Records must be maintained of any such counseling provided to an individual. If the individual is in immediate danger of harming himself/herself or others, local law authorities should be contacted immediately.

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require institutions of higher education to document its efforts related to the prevention of alcohol abuse and the use/distribution of illegal drugs by both employees and students. At a minimum, schools must annually distribute the following in writing to all students and employees:

- Standards of conduct prohibiting the unlawful possession, use or distribution of illicit drugs or alcohol by students and/or employees
- A description of the legal sanctions under local, state, or federal law related to the unlawful possession or distribution of illicit drugs and alcohol
- A description of any drug or alcohol counseling, treatment or rehabilitation or re-entry programs available to students and/or employees
- A clear statement that the institution will impose sanctions on students and employees, a description of those sanctions, up to and including expulsion/termination of employment, for violations of these standards of conduct
- The law further requires institutions to conduct a biennial review of its alcohol/other drug prevention efforts with the following objectives:
- Determining the effectiveness of the policy and implementing changes to the Alcohol and Other Drug (AOD) program if needed
- Ensuring that sanctions are consistently and evenly applied

**Biannual Review:**

A biennial review of these policies/guidelines will be conducted to ensure their effectiveness, consistent enforcement, and to implement any necessary changes. The biennial review also includes information related to the number of AOD-related violations and fatalities occurring on the campus, as well as the number and type of sanctions imposed on students and employees for violations of the standards of conduct.