



BOARD *of* GOVERNORS

State University System of Florida

Drugs & Alcohol Tools in the Toolkit Part 1: Laws & Policies

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Laws

❖ Federal Laws

- Prevention programs
(Higher Education Act 20 U.S.C. § 1011i)
- Controlled Substance Act (Title 21)



❖ State Laws

- Drug-Free Workplace Act (112.0455)
- Drug abuse, possession & control (Ch 893)
- Minimum age for alcohol (562.11(1)(a)(1))
- Drinking & driving (316.193)

❖ Local Ordinances



Medical Amnesty in State Law

- ❖ **FL Good Samaritan Act (768.13)**
 - Immunity from civil liability for individuals who provide medical assistance in good faith (e.g., CPR)

- ❖ **FL Drug Overdose Immunity (893.21)**
 - A person who overdosed &/or a person who helps can not be charged, prosecuted or penalized for possession of a controlled substance if the only evidence for the offense is obtained as a result of seeking medical assistance – but they could be arrested

- ❖ **Florida is one of 10 states WITHOUT protective laws for underage & intoxicated persons in need of medical assistance or for those who help**
(<https://www.medicalamnesty.org/>)





University Policies

- ❖ **Consistent with federal & state laws**
- ❖ **Codes of conduct, disciplinary procedures**
- ❖ **Applies to**
 - **Individual students, student organizations, employees**
 - **On-campus & university-sponsored off-campus events**
 - **Possession, use, distribution**



Source: Annual Security & Fire Safety Reports as published by SUS institutions



Medical Amnesty: University Policies

- ❖ **Amnesty for violations of university code of conduct or other university policies, not for federal or state laws**
- ❖ **Available for those who need medical assistance due to drug/alcohol use & for those who seek help for others**
- ❖ **Students receiving medical treatment**
 - **May only be granted amnesty once; subsequent situations evaluated on a case-by-case basis**
 - **Required to meet with staff & complete educational/treatment measures**
- ❖ **Call from a member of host organization favorably considered in determining sanctions for the organization**





Looking Back

- ❖ **2009 Board's Student Affairs and Campus Life Committee & Council for Student Affairs (CSA) focused on excessive alcohol use**
 - Egregious drink specials in Florida's university communities contribute to high-risk alcohol consumption.
 - Regulating marketing practices is an effective strategy, but authority to regulate drink specials remains at the state level
 - January 2010 CSA recommended the Board support state laws that prohibit unlimited or all-you can drink specials & restrict advertisement of drink specials





Review

- ❖ **Laws & university policies appropriate & necessary**
- ❖ **For further consideration**
 - Florida is one of ten states that does not provide medical amnesty for underage or intoxicated individuals
 - Drug overdose immunity law does not explicitly protect against arrest
 - Enable local ordinances that address drink specials, advertising, location





Looking Ahead to September

Tools in the Toolkit: Part 2

- ❖ Education & prevention
- ❖ Treatment, continuum of care
- ❖ Promoting available resources
- ❖ Supporting recovery





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