

FLORIDA	OFFICIAL
POLYTECHNIC	UNIVERSITY
UNIVERSITY	POLICY

Subject/Title: Drug-Free Environment
FPU Policy Number: FPU-1.0036P
<input checked="" type="checkbox"/> New Policy <input type="checkbox"/> Major Revision of Policy <input type="checkbox"/> Minor Technical Revision of Policy
Date First Adopted: January 10, 2017
Date Revised:
Responsible Division/Department: General Counsel
Initiating Authority: Regina DeLulio, VP & General Counsel

A. APPLICABILITY/ACCOUNTABILITY:

This policy is to establish and maintain a drug-free campus and workplace. This policy is applicable to all students, faculty, staff, visitors, contractors and guests to the University (“University Community”).

B. POLICY STATEMENT:

Florida Polytechnic University (“University”) abides by the requirements of the Drug-Free Schools and Communities Act Amendment of 1988 and the Drug-Free Workplace Act of 1988. Accordingly, the University prohibits the unlawful manufacture, alteration, possession, use, distribution, or dispensation of a controlled substances or use of any illicit drugs by the University Community on its property, or as part of any University-sponsored activity.

VIOLATION OF POLICY:

1. *Violation by a student:* Any student who violates this policy will be subject to discipline up to and including expulsion, as outlined in the Student Code of Conduct.
2. *Violation by an employee:* Any University employee who violates this policy will be subject to discipline up to and including termination, as outlined in the Employee and Faculty Handbooks, applicable University policy, applicable University regulation, or applicable Collective Bargaining Agreement, if any.

REFERRAL TO AUTHORITIES:

Any violation of this policy by an employee will be referred to the appropriate federal, state or local authorities for prosecution. As noted in University policy, a student calling 911 for assistance for themselves or another will not receive punitive sanctions for the related incident involving alcohol or illegal substances.

C. DEFINITIONS:

Drugs: For the purposes of this policy, drugs are defined in Chapter 893 of the Florida Statutes and include but are not limited to any: stimulant; intoxicant (other than alcohol); nervous system depressant; hallucinogen; other chemical substance, compound or combination when used to induce an altered state; including any otherwise lawfully available product (such as over the counter or prescription drugs) used for any purpose other than its intended use, including the use of prescription drugs by a person other than the individual the drug was prescribed for.

D. PROCEDURES:

FOR FACULTY MEMBER, STAFF MEMBER OR STUDENT WORKER:

An employee must notify his or her supervisor in writing, of any criminal drug conviction within five days of the conviction. An appeal of the criminal drug conviction does not preclude the employee from the requirement to notify his or her supervisor. A failure to report such a conviction, in writing, within the specified five days is a violation of this policy.

FOR SUPERVISOR:

A supervisor who receives an employee's notification or who is otherwise aware of or informed of a criminal drug conviction is required to notify the Director of Human Resources within two business days of receiving the notification.

ON BEHALF OF THE UNIVERSITY:

The Director of Human Resources must notify, if applicable, the appropriate federal contracting or grant agency of the employee's criminal drug conviction, within ten days of receiving the notification. The notification must be in writing and contain the employee's title and the identification number of the award or contract the employee was working on.

POLICY APPROVAL	
Policy No.: FPU-1.0036P	
<u>Regina DeSantis</u>	<u>12.14.16</u>
Initiating Authority	Date
<u>Buster W. Wain</u>	<u>1-10-17</u>
Policies & Procedures Review Committee Chair	Date
<u>Mark</u>	<u>12/21/16</u>
President/Designee	Date
Approved by FPU BOT, if required	_____
	Date