

Federal Drug-Free Schools and Campuses Regulations  
[Edgar Part 86]

Florida Atlantic University  
Spring 2024  
Notification

For students and staff members who are dependent on or who abuse the use of alcohol and/or other drugs. Help is available both on campus and within the community. Students may contact FAU Counseling and Psychological Services (561-297-3540) and faculty and staff may contact Horizon Behavioral Health (1-800-865-3200). These and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. Owls Care Health Promotion provides educational and awareness programming, information, and prevention resources.

## 2. Policies – Tobacco Products

Smoking and tobacco use are prohibited on, in or about all university property. This prohibition includes, without limitation, smoking and tobacco use in any vehicles while parked, stopped or traversing university property. The promotion, distribution or sale of all tobacco and nicotine products is also prohibited on all university property, without exception. Violations of this policy by faculty, staff and students may be grounds for disciplinary action up to and including termination or expulsion in accordance with applicable university and Florida Board of Governors regulations and/or collective bargaining agreements. Such disciplinary actions may also include reprimand, suspension, or other sanctions. Violations of this policy by visitors, contractors, guests and other third parties may be grounds for terminating or suspending their access to and/or use of university property. The university community is encouraged to respectfully remind others of the provisions of this policy, as appropriate. Violations of this policy must be reported through the Environmental Health and Safety Hazard Reporting Link or via e-mail at [ehs@fau.edu](mailto:ehs@fau.edu).

### RESPONSIBILITIES:

- i. Office of the Provost: Responsible for faculty compliance with this policy.
- ii. The Office of Human Resources: Responsible for educational

Federal Drug-

Federal Drug-Free Schools and Campuses Regulations  
[Edgar Part 86]

- ii. Completion of between fifteen (15) and thirty (30) hours of Community/University Service.
  - iii. Student Conduct Probation for a minimum of three (3) months.
  - iv. Deferred Termination of University Housing Contract (for residential students only).
- c. Third Violation or Incident of an Elevated Level of Severity - May include any or all the sanctions listed above, in addition to:

- i. Completion of up to fifty (50) hours of Community/University Service

areas. Students will be financially responsible for obligations under their Housing Contract (for residential students only).

ii. Probation for the duration of the student's current academic program.

iii. Suspension for a



Federal Drug-Free Schools and Campuses Regulations  
[Edgar Part 86]

- a. Selling of alcohol person under the age of 21
  - i. First Offense: Second Degree Misdemeanor – FL Statute 562.111
  - ii. Second Offense: First Degree Misdemeanor – FL Statute 562.111
- b. Possession of a fake identification card
  - i. First Offense: Third Degree Felony – FL Statute 322.212
- c. Sharing an identification card
  - i. First Offense: Third Degree Felony – FL Statute 322.212
- d. Fictitious or unlawfully altered identification card
  - i. First Offense: Third Degree Felony – FL Statute 322.212
- e. Misrepresenting or misstating age of self or another for alcohol consumption underage of 21
  - i. First Offense: Second Degree Misdemeanor – FL Statute 562.11
- f. Penalties
  - i. First Degree Misdemeanors are punishable with a definite term of imprisonment not exceeding 1 year
  - ii. Second Degree Misdemeanors are punishable with a \$500 fine and a definite term of imprisonment not exceeding 60 days.
  - iii. Third Degree Felonies are punishable with a \$5,000 fine, license suspension, and a term of imprisonment not exceeding 5 years.

Florida Penalties for Driving Under Influence for Persons Under Age 21





Violation of below is a felony of the second degree

delivering drug paraphernalia to a person under 18 years of age

Specific to Palm Beach County

According to Palm Beach County Ordinance 2015-048 Adults who possess 20 grams or less of marijuana or marijuana drug paraphernalia. May be considered a misdemeanor and declared a civil infraction.

[https://library.municode.com/fl/palm\\_beach\\_county/ordinances/code\\_of\\_ordinances?nodeId=748425](https://library.municode.com/fl/palm_beach_county/ordinances/code_of_ordinances?nodeId=748425)

Although Palm Beach County has the ordinance, marijuana or marijuana drug paraphernalia is still prohibited on FAU campuses. According to FAU Policy 1.6 Drug Free environment, "No employee or student is to report to work, class, or any University activity while under the influence of illegal drugs. The possession and use of controlled drugs by members of the University community must always be in accordance with the provisions of federal and state law, and the regulations and policies of the Florida Board of Governors and the University." A student or employee that violates university policies can be subject to disciplinary action that includes but it not limited to termination or expulsion. <https://www.fau.edu/policies/files/1.6%20Drug-Free%20Environment.pdf> .It should also be noted that medical marijuana is also prohibited under the FAU Student Code of Conduct.

## 6. Federal Drug Laws

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

Denial of Federal Aid (20 USC 1091)

Under the Higher Education Act of 1998, students convicted under federal or state law for the



Federal Drug-Free Schools and Campuses Regulations  
[Edgar Part 86]

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine Base (Schedule II)	28–279 grams mixture	First Offense: 5 yrs. imprisonment and not more than 40 yrs. If death or serious injury, not more than 30 yrs.	280 grams or more mixture	First Offense: 10 yrs. imprisonment and not more than 30 yrs. If death or serious injury, not more than 40 yrs.
Fentanyl (Schedule II)	40–399 grams mixture	First Offense: 5 yrs. imprisonment and not more than 40 yrs. If death or serious injury, not more than 30 yrs.	400 grams or more mixture	First Offense: 10 yrs. imprisonment and not more than 30 yrs. If death or serious injury, not more than 40 yrs.

Source: dea.gov: [https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20\\_0.pdf](https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20_0.pdf)

Federal Drug-Free Schools and Campuses Regulations  
 [Edgar Part 86]

Trafficking Penalties for Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana, mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other.	Not less than 20 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$75 million if other than an individual.

Source: dea.gov: [https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20\\_0.pdf](https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20_0.pdf)

Federal Drug-Free Schools and Campuses Regulations  
[Edgar Part 86]

7. Drugs/ Substances and effects on health

Drug/ Substance

Federal Drug-Free Schools and Campuses Regulations  
 [Edgar Part 86]

	Feed, Crank, Crystal, Glass, Go-Fast, Hiropon, Ice, Meth, Methlies Quick, Poor Man's Cocaine, Shabu, Shards, Speed, Stove Top, Tina, Trash, Tweak, Uppers, Ventana, Vidrio, Yaba, and Yellow Bam	Psychotic features including paranoia, aggression, visual and auditory hallucinations, mood disturbances, and delusions, death
Depressants	Barbs, Benzos, Downers, Georgia Home Boy, GHB, Grievous Bodily Harm, Liquid X, Nerve Pills, Phennies, R2, Reds, Roofies, Rophies, Tranks, and Yellows, barbiturates, Benzodiazepines, Rohypnol	Amnesia, reduce reaction time, impair mental functioning and judgment, and cause confusion  Slurred speech, loss of motor coordination, weakness, headache, lightheadedness, blurred vision, dizziness, nausea, vomiting, low blood pressure, and slowed breathing, suicidal ideation, death

Hallucinogens

Cid, Blotter, Blotter Acid, Cubes, Doses, Fry, Mind Candy, Mushrooms, Shrooms, Special K, STP, X, and XTC, MDMA, Ecstasy LSD, ketamine, acid, peyote, mescaline, psilocybin

Elevated heart rate, increased blood pressure, and dilated pupils, involuntarily rapid eye movement, dilated pupils, salivation, tear secretions, **and** stiffening of the muscles, tremors, weakness impaired motor coordination, nausea, confusion, anxiety, depression, paranoia, sleep problems, and druie422 236.8

Federal Drug-Free Schools and Campuses Regulations  
 [Edgar Part 86]

	Mary Jane, Mota, Pot, Reefer, Sinsemilla, Skunk, Smoke, Weed, and Yerba	dizziness, nausea, tachycardia, facial flushing, dry mouth, and tremor Disinhibition, relaxation, increased sociability, and talkativeness, time distortion illusions, delusions increased appetite
Steroids	Arnolds, Juice, Pumpers, Roids, Stackers, and Weight Gainers	Depression, dramatic mood swings, stunt growth, reduced sperm count, increased risk of coronary heart disease, strokes, heart attacks. Risk for viral infections such as HIV/AIDS. Hepatitis B, C or bacterial infections at injection sites, endocarditis
Inhalants	Gluey, Huff, Rush, and Whippets	Paint or stains on body or clothing; spots or sores around the mouth; red or runny eyes or nose; chemical breath odor; drunk, dazed, or dizzy appearance; nausea; loss of appetite; anxiety; excitability; and irritability, nervous system damage, rapid heart rhythms, Weight loss, muscle weakness, disorientation, inattentiveness, lack of coordination, irritability, depression, " Sudden sniffing death", asphyxiation
Designer Drugs	Bath salts, k2/spice, synthetic opioids  Bliss, Blue Silk, Cloud Nine, Drone, Energy-1, Ivory Wave, Lunar Wave, Meow Meow,	Rapid heartbeat; hypertension; hyperthermia; prolonged dilation of the pupil of the eye; breakdown of muscle fibers that leads to release of muscle fiber





Notwithstanding any penalty provided in this subsection, any person convicted under this subsection for the possession of flunitrazepam shall be imprisoned for a maximum of 3 years, shall be fined as otherwise provided in in the US Code, or both. The minimum sentence is mandatory.

A person that violates the code will have to pay for reasonable costs of the investigation and prosecution unless it has been determined that the defendant does not have the ability to pay.

#### 21 U.S. Code § 841. Distribution or manufacturing in or near schools and colleges

A person cannot distribute or possess with intent to distribute controlled substances in or within a thousand feet of public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a [playground](#), or housing facility owned by a public housing authority, or within 100 feet of a public or private [youth center](#), public [swimming pool](#), or [video arcade facility](#).

For a first offense

(1) Punishable by twice the maximum punishment authorized by 21 US Code section 841 (b); and (2) at least twice any term of supervised release authorized by [section 841\(b\) of this title](#) for a first offense. A fine up to twice that authorized by 21 US Code section 841 (b) may be imposed in addition to any term of imprisonment authorized by this subsection. Except to the extent a greater minimum sentence is otherwise provided by 21 US Code section 841 (b) a person shall be sentenced under this subsection to a term of imprisonment of not less than one year. The mandatory minimum sentencing provisions of this paragraph shall not apply to offenses involving 5 grams or less of [marihuana \(marijuana\)](#).

For a second offense

- (a) Punishable by a term of imprisonment of not less than three years and not more than life imprisonment or (B) three times the maximum punishment authorized by 21 US Code section 841 (b) for a first offense, and (2) at least three times any term of supervised release authorized by 21 US Code section 841 (b) for a first offense.
- (b) A fine up to three times that authorized by 21 US Code section

Federal Drug-Free Schools and Campuses Regulations  
[Edgar Part 86]

CAPS understands that undergraduate and graduate students are experiencing many stresses



Federal Drug-

Federal Drug-Free

Federal Drug-Free Schools and Campuses Regulations  
[Edgar Part 86]

Student Financial Aid  
777 Glades Road  
Bldg SU80 Room #233  
Boca Raton, FL 33431