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DAYTONA COLLEGE

**Drug Prevention Program in
compliance with The Drug Free
Schools and Communities Act
Amendments of 1989 (P.L. 101-
226)**



DAYTONA COLLEGE
DRUG AND ALCOHOL ABUSE PREVENTION INFORMATION
FOR STUDENTS AND EMPLOYEES
Updated October 1, 2014

I. Prohibited Conduct

In compliance with the Drug Free Schools and Campuses Act of 1989, Daytona College prohibits the illegal use, purchase, sale, distribution, manufacture, or possession of drugs and alcohol on its campus or at any college-related activities. This policy applies to all employees and students. Employees, students and job applicants are required to receive information on our drug policies from the time of admission to the College.

When Daytona College learns or, based on observation or reliable information, suspects that a student or employee has committed a controlled dangerous substance or alcohol offense on school property, school administration shall refer the matter to an appropriate law enforcement authority for further investigation and prosecution.

II. Legal Sanctions Under Federal, State and Local Laws

Federal, Florida and local law prohibits the possession, use, or distribution of illicit drugs. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses. Penalties are doubled for any subsequent drug conviction.

A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to 5 years for a first conviction, 10 years for a second conviction. Persons convicted on federal charges of drug trafficking within 1000 feet of a University face penalties of prison terms and fines that are twice as high as the regular penalties for the offense with a mandatory prison sentence of at least 1 year. Persons convicted on federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 and up to a maximum of \$100,000. Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine of up to \$250,000 or both.

Florida (Title XLVI, Chapter 893) and local statutes impose penalties for any controlled substance, except as lawfully sold, manufactured, or delivered. Any person who violates this statute must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law. A person may be charged with a felony of the second degree or third degree, which could result in fines up to \$10,000, and a term of imprisonment of up to 15 years.

Please note: The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$8 million dollars if an individual and \$20 million dollars if other than an individual.

III. Drug and Alcohol Counseling

Early detection can minimize or prevent the devastating consequences of substance abuse. Daytona College maintains a listing of all local agencies that specialize in helping those people with drug and alcohol abuse. A copy is available to students and employees through the Director of the School or a School Advisor.

IV. Health Risks

Substance abuse (alcohol and drugs) is now recognized as the number one public health problem in the United States. Approximately 30% of all admissions to general hospitals and 50% to psychiatric hospitals have detectable substance abuse. Substance abuse accounts for approximately 150,000

deaths annually. This includes deaths from stroke, diseases of the heart and liver, and all alcohol and drug related suicides, homicides, and accidents.

V. Disciplinary Sanctions

Daytona College may take appropriate legal action, including but not limited to issuance of no access citations or institution of trespass proceedings against any individual found in violation of this policy. The College will enforce sanctions that are consistent with state, local, and federal laws. These sanctions may include, but are not limited to, expulsion, termination from employment, loss of financial aid and referral to an appropriate counseling program.

VI. Student Referrals

Any student who voluntarily seeks help for an alcohol/drug problem from Daytona College will be referred to the proper agency and will be given, if possible and practical, the option of returning to school upon documented successful completion of treatment. Any re-occurrence after completion of a treatment may result in expulsion.

HEALTH RISKS

ALCOHOL EFFECTS:

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 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 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 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 the 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 than other youngsters of becoming alcoholics.

DRUG EFFECTS:

The following page provides links to the Department of Justice, Drug Enforcement Administration site with information on the effects of various drugs.

WEBSITE RESOURCE:

Florida DUI laws and Penalties

<http://www.hsmv.state.fl.us/ddl/duilaws.html>

Florida State Substantive Laws (Chapter 893)

http://archive.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&URL=0800-0899/0893/0893ContentsIndex.html&StatuteYear=2012&Title=%2D%3E2012%2D%3EChapter%20893

Foundation for a Drug-Free World

Update 09/30/2014

The foundation for a Drug-Free World is a nonprofit benefit corporation that empowers youth and adults with factual information about drugs so they can make informed decision and live drug-free.

United States Department of Justice
Drug Enforcement Administration

Drugs of Abuse Uses & Effects

Here you will find a list of drugs and there affects.

<http://www.justice.gov/dea/index.shtml>

Federal Trafficking Penalties

The link provides you with the standard penalties that are placed to those people that are involved in some form of Drug Trafficking.

http://www.justice.gov/dea/druginfo/ftp_chart1.pdf

Federal Trafficking Penalties – Marijuana

The link provides you with the standard penalties that are placed to those people that are involved in Drug Trafficking of Marijuana.

http://www.justice.gov/dea/druginfo/ftp_chart2.pdf

Regulatory Requirements – Controlled Substances

This list describes the basic or parent chemical and does not describe the salts, isomers and salts of isomers, esters, ethers and derivatives which may also be controlled substances

<http://www.dea/diversion.usdoj.gov/schedules>

Local Treatment Centers

This link will direct you a list of drug treatment centers in the Greater Daytona Beach Area. All other locations should type into their browser: Name of City and State – then Drug Treatment Centers.

<http://www.treatment-centers.net/directory/florida/daytona-beach.html>

STUDENTS CONVICTED OF POSSESSION OR SALE OF DRUGS

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for FSA funds.

Convictions only count against a student for aid eligibility purposes if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when she was a juvenile, unless she was tried as an adult.

The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

Possession of illegal drugs	Sale of illegal drugs	
1st offense	1 year from date of conviction	2 years from date of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	

Florida Drug Possession – Penalties

The following penalties apply to drug possession charges in FL:

Possession of Marijuana (20 grams or less)

Possession of 20 grams or less of marijuana is a **First Degree Misdemeanor**.

A 1st degree misdemeanor has a maximum penalty of 1 year in jail and a \$1000 fine.

(See My FL Marijuana possession page for more info)

Ref: Florida Criminal Statute – §893.13(6) (b)

Possession of Marijuana (more than 20 grams)

Possession of more than 20 grams of marijuana is a **Third Degree Felony**.

A 3rd degree felony has a maximum penalty of 5 year in jail and a \$5000 fine.

(See My FL Marijuana possession page.)

Ref: Florida Criminal Statute – §893.13(6) (a)

Possession of a Controlled Substance (Heroin, Cocaine, Ecstasy)

Possession of a Controlled Substance, which could be **cocaine, heroin, meth, ecstasy**, or other illegal drugs, is a 3rd Degree Felony.

A Third degree penalty carries a maximum penalty of 5 years in jail and up to a \$5000 fine. For more info, see our pages on heroin possession, cocaine possession, and meth possession laws.

Ref: Florida Criminal Statute – §893.13(6) (a)

Possession of More than 10 grams of Heroin

Possession of more than 10 grams of Heroin (and/or most Schedule I drugs and related opiate substances as listed in §893.03(1) (a) or (1) (b)) is a 1st Degree Felony. A first degree felony has a maximum penalty of 30 years in prison and fines of up to \$10,000.

Ref: Florida Criminal Statute – §893.13(6) (c)

Possession of an Unlawful Chemical

Possession of a listed chemical with the intent to unlawfully manufacture a controlled substance is a 2nd Degree Felony. These chemicals may include ingredients to make methamphetamines, ecstasy, GHB, or other drugs. A second degree felony has a maximum penalty of 15 years in jail and a \$10,000 fine.

Ref: Florida Criminal Statute – §893.149

Possession of Drug Paraphernalia

The use, possession, manufacture, delivery or advertisement of **drug paraphernalia** is a 1st Degree Misdemeanor.

Drug paraphernalia as defined under Florida law may include pipes, bongs, other smoking devices, spoons, needles, syringes, scales, measuring or preparation devices, containers, bags, and other items. A first degree misdemeanor has a maximum penalty of 1 year in jail and a \$1000 fine.

See §893.147, Fla. Stat.

Possession of Prescription Drugs

You can be charged with illegal possession of prescription drugs if you don't have a legitimate doctor's prescription for any pills in your possession.

Penalties depend on the exact substance you have, but many prescriptions are either opiates (pain killers) or stimulants, and could be a third degree felony.

Florida has long been lax in enforcement of the prescription drug trade, although recent legislation looks to change that. But there are still significant penalties for illegal possession of prescription drugs, and especially distribution or trafficking of prescription drugs.

Driving under the influence of prescription drugs while impaired is also a fast growing criminal charge. You can absolutely be charged with a DUI if you are thought to be impaired by drugs, even your own legal prescriptions.

Federal Trafficking Penalties for Schedules I,II, III, IV, and V (except Marijuana)

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

Penalty

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II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 10-999 grams mixture		LSD 10-999 grams mixture	