

	Florida Gulf Coast University Policy Manual	Policy: 4.002 <i>FKA 2.33</i> <i>Approved: 06/20/08</i>
	Title Alcohol Policy	Responsible Executive: <i>VP Student Affairs</i> Responsible Office: <i>Counseling and Student Health Services</i>

POLICY STATEMENT

Introduction/ Philosophy

As an institution of higher education, the University strives to create an environment conducive to learning, safety, personal and professional growth. In keeping with Florida Gulf Coast University’s Guiding Principles that “Student success is at the center of all University endeavors”, FGCU discourages the irresponsible consumption of alcoholic beverages. All members of the FGCU community share responsibility to create an environment that limits dangerous drinking behaviors and the negative outcomes that may be associated. The exercise of personal responsibility expected of members of the Florida Gulf Coast University community includes the obligation to make sound judgments regarding alcoholic beverages. The University recognizes that individuals and groups assume the risk and liability associated with alcoholic beverages.

DEFINITION OF TERMS

None

PROCEDURES

All possession, consumption, and distribution of alcohol at Florida Gulf Coast University will be in accordance with all Florida state laws. Florida State Laws are reviewed in Section 4 of this document. All persons or groups involved in the distribution or consumption of alcoholic beverages are responsible for knowing and abiding by federal, state, local, and club, organization, or other applicable University guidelines. This policy is incorporated into University Regulation FGCU-PR9.002 Use of Alcoholic Beverages on University Premises. Violation of this Policy is a violation of FGCU-PR9.002. In the event of conflicts of interpretation between this policy and the University Regulation, the University Regulation will be the guiding document.

- A. The consumption of alcohol will only be allowed in areas designated by University officials. Information about these

locations is available from Campus Reservations.

- B.** Only beer and wine may be served in the approved areas. Any exceptions to this policy will be made by the President or the President's designee. This does not prohibit the lawful use of alcoholic beverages other than beer and wine in residences, consistent with Florida law.
- C.** The organization hosting the event must take proper precautions to restrict the distribution and consumption of alcohol to persons of legal drinking age.
- D.** The University shall require all campus events that include alcohol service to use a licensed vendor. The list of such vendors is maintained by Campus Reservations.
- E.** Those persons working/volunteering for the event may not consume alcohol before, during, or immediately following an event while still in the location.
- F.** Advertisements for events at which alcoholic beverages will be served, shall not refer to the quantity that will be available, nor shall the reference to alcoholic beverages be prominently displayed. The presence of food and non-alcoholic drink shall be included in advertising at least as prominently as any reference to alcohol.
- G.** Alcoholic beverages may not be used as prizes or awards for any event nor shall there be any competitions or contests at an event which involve alcoholic beverages. Exceptions to this provision must be approved by the President or the President's designee.
- H.** At every event where alcohol is served, there must be non-alcoholic beverages and food in sufficient quantities for persons who may desire them for the duration of the event.
- I.** The sponsor of the event is responsible for providing adequate security. Such determination will be made in consultation with Student Affairs and the University Police Department.
- J.** State funds may not be used to purchase alcoholic beverages.
- K.** The use of common usage containers (trash cans, party balls, pitchers, etc) is prohibited.
- L.** Happy hours and drink specials are not permitted.
- M.** In accordance with National Collegiate Athletic Association

(NCAA) policy, alcohol service during NCAA conference and postseason intercollegiate events is prohibited.

3. Specific Policies for Events Primarily Geared for Student Attendees

A. Introduction

The policies and procedures in this section relate to all events that are primarily geared toward student attendees. These are most often activities developed/promoted by Student Government, fraternities or sororities, and/or clubs and organizations. However, the policy shall apply to all such events, regardless of sponsor. All items in the General Alcohol Policy apply to this section; the following are **additional** requirements and procedures for events geared to student attendees.

1. The Office of the Vice President of Student Affairs shall have full authority for and enforcement of all policies and guidelines governing student activities and events with a request for alcohol.
2. The Office of the Vice President of Student Affairs shall require all recognized student groups (i.e., clubs, organizations, Student Government, Student Newspaper, Greek Letter Organizations, etc.) to abide by the University's alcohol policy for student activities and events as a condition of their recognition.
3. Any employee, student, student group, or guest of the university who is found to be in violation of the law or the university alcohol policy shall be subject to disciplinary action by the university and/or federal, state or local authorities.
4. The University shall require that all alcoholic beverages be served to and consumed only by persons who are of legal drinking age.
5. The University shall require the service, sale, possession, or consumption of alcohol on FGCU property be restricted to beer and wine only. The President or his/her designee must approve any exceptions to this restriction. This does not prohibit the lawful use of alcoholic beverages other than beer and wine in on-campus housing facilities by students age 21 or older.
6. The Vice President of Student Affairs or his/her designee shall approve all requests for student events where alcoholic beverages are served.

B. Approval Procedures, On or Off Campus Events

1. Approval for students or student organizations to host an event where alcoholic beverages are present must be obtained from the Office of Student Involvement.
2. Once per academic year, the student leadership and advisors of any student organization intending to serve alcoholic beverages at an event must attend a workshop prior to such an event. This workshop covers the University alcohol policy and is sponsored by the Office of Campus Involvement and/or Prevention & Wellness Services.
3. Organizational representatives must complete an Event Registration Form and Alcoholic Beverage Request Form in the Office of Campus Involvement, which must be signed by the advisor. The above forms must be completed and fully approved at least fourteen (14) calendar days prior to the event date.
5. Additional insurance may be required for any event where alcohol is being served.
6. For events held off-campus, University organizations, including student organizations are expected to obey applicable state laws, local ordinances and the FGCU alcohol policy,.
7. Alcoholic beverages must be consumed only within the designated location for the event.
8. Alcohol may only be served by a licensed vendor.
9. Sponsoring social events and parties that encourage drinking as themes and advertising such events through words and/or images depicting drinking or drunkenness are prohibited. Any event that does not adhere to the advertising guidelines is subject to cancellation.
10. Appropriate security must be identified and approved for each event by the Office of Campus Involvement and the University Police Department.
11. All hosts or sponsors are responsible for the safe conduct of guests, and shall encourage the responsible consumption of alcohol. All event sponsors are encouraged to make provisions for a safe ride to any guest who requests or needs transportation.

C. Policies pertaining to on campus events. In addition to the above:

1. Alcohol may only be served by a vendor licensed by the state to sell and distribute alcohol. The list of such vendors is maintained by Campus Reservations.
2. Alcohol may be served for no more than three (3) hours at any student-sponsored event on campus. Alcohol service will stop one hour prior to the scheduled ending time of the event. In no case can alcohol be served at events after 12:00 a.m.
3. All persons serving alcohol, I.D. checkers, and event volunteers must be supervised by vendor personnel that are at least 21 years old. Those persons working/volunteering for the event may not consume alcohol before, during, or immediately following an event while still at the location.

D. Off-Campus Events

1. Registered Student Organizations planning to hold off campus events where alcohol will be present are required to submit the appropriate forms to the Office of Campus Involvement. The proposed event will be reviewed in accordance with the University's Alcohol Policy. Additional information (i.e., contractual and host liability guidelines) from the identified vendor may also be required to support the request.
2. Event sponsors are required to verify that venues used for official organizational functions be currently licensed to serve alcohol, if required by law.

4. Specific Policies for Other Campus Organizations

All campus groups must adhere to the standards set forth in this policy. However, some departments, divisions, or groups may make additional requirements of the participants they represent. For the most up to date information on these policies, please consult the FGCU website for that area.

5. Specific Policies for Outside Groups Using University Property for Events

All items in the General Alcohol Policy apply to this section; the following are additional requirements and procedures.

- A. Any groups not associated with FGCU must comply with all federal, state, and local laws, and University policies as indicated above, and must work through the Office of Campus Reservations.
- B. Such groups seeking to serve alcoholic beverages on campus must obtain approval through the Office of Campus Reservations.

6. Statement Regarding Violations/Sanctions

Students and student organizations charged with allegedly violating the University alcohol policy will be adjudicated through the proper procedures outlined in the Florida Gulf Coast University Student Code of Conduct. If found responsible, sanctions can include one or more of the following depending on the severity of the case:

- Reprimand
- Parental Notification
- Educational/Restorative Activities
- Counseling Assessment
- Community Service
- Disciplinary Probation
- Suspension
- Expulsion
- Loss of recognition as a student organization

7. Policy Review

Biennially the University shall review this policy to determine effectiveness and implement changes, if needed, and to ensure that the University's disciplinary sanctions are consistently enforced, that the policy reflect the current needs of the campus, and that the University is in compliance with any applicable governmental regulations. Students, faculty, or staff that wish to participate in the next policy review process are invited to contact the office of the Vice President for Student Affairs.

REVIEW OF DRUG FREE SCHOOLS AND CAMPUSES ACT

Drug Free School and Campuses Act (1989; Public Law 101-226)

Under Federal legislation known as the Drug Free School and Campuses Act, universities receiving federal funds are required to adopt and implement a program to prevent the use of illicit drugs and abuse of alcohol by students and employees. FGCU is required to distribute and make available information regarding the University's

alcohol and drug policy, a description of applicable legal sanctions under local, state, and federal law, a description of the health risks associated with use of illicit drugs and abuse of alcohol, information regarding alcohol and drug treatment services available for students and employees.

To read the Drug Free Schools and Campuses Act, please visit <http://www.higheredcenter.org/dfsca/regs.html>

Policies specific to employee conduct can be found on the Human Resources website: <http://admin.fgcu.edu/hr/policies/general.html>

1. Review of Relevant Federal, State, and County Law

A. Federal

A comprehensive review of illicit drugs, including the history of the drug, its uses, short and long term effects, penalties for use, and pertinent legislation:

<http://www.usdoj.gov/dea/concern/concern.htm>

A comprehensive review of federal penalties for drug trafficking:

<http://www.usdoj.gov/dea/agency/penalties.htm>

B. State Laws

Florida State law governs many aspects of the consumption and serving of alcohol. All individuals who use and / or serve alcohol on University property must comply with applicable law. The following is a list of such laws, but it is not exhaustive. All persons involved in planning and hosting events where alcohol is present are responsible for complying with all applicable laws.

856.011 Disorderly intoxication

856.015 Open house parties

562.11 Selling, giving, or serving alcoholic beverages to person under age 21; providing a proper name; misrepresenting or misstating age or age of another to induce licensee to serve alcoholic beverages to person under 21; penalties.

562.111 Possession of alcoholic beverages by persons under age 21 prohibited

316.1936 Possession of open containers of alcoholic beverages in vehicles prohibited; penalties

322.212 Unauthorized possession of, and other unlawful acts in relation to, driver's license or identification card

316.193 Driving under the influence; penalties.--

322.2616 Suspension of license; persons under 21 years of age; right to review (also known as Zero Tolerance Law)

C. Local/County Law

Lee County Ordinance 84-1. Sec. 4-3. Consumption or possession of opened containers of alcoholic beverages in semi-public parking lots, on public ways, beaches, etc.

(b) *Unlawful consumption or possession.* It shall be unlawful and punishable as provided herein to:

- (1) Drink or consume any alcoholic beverage on a semipublic parking lot or a public street, sidewalk, parkway, beach, or parking lot located in the unincorporated area of Lee County.
- (2) Carry or possess any alcoholic beverage, except in the original package and with the seal unbroken, on a semipublic parking lot or a public street, sidewalk, parkway, beach, or parking lot located in the unincorporated area of Lee County.
- (3) Possess an open container of an alcoholic beverage while operating a vehicle or while a passenger in or on a vehicle being operated.

1. Review of Health Risks Involved in Use of Alcohol

The use of alcohol is prevalent in our society and is the most widely abused drug in the United States today (National Council on Alcohol and Drug Dependence, 2005). About half of Americans aged 12 years and older report being current drinkers of alcohol (Substance Abuse and Mental Health Services Administration [SAMHSA], 2005). A high prevalence of substance use occurs between 18 and 24, predicting increased risk of alcohol use on college campuses. Although some studies have shown that at low amounts (defined as no more than 1 to 2 alcohol drinks per day) alcohol can have some health benefits on the human body, heavy, frequent, or “binge” or high risk drinking can lead to many negative consequences for the drinker and those he or she comes in contact with. Heavy and/or repetitive drinking, as seen in alcohol abuse and dependency, cuts across all socioeconomic and cultural groups as well as both genders.

The National Council on Alcoholism and Drug Dependence (2005) reports:

Alcoholism is the third leading cause of preventable death in the U.S. One-quarter of all emergency room admissions, one-third of all suicides, and more than half of all homicides and incidents of domestic violence are alcohol related. Heavy drinking contributes to illness in each of the top three-causes of death:

heart disease, cancer, and stroke. Almost half of all traffic fatalities are alcohol-related. Fetal alcohol syndrome is the leading cause of mental retardation.

The level of alcohol in the blood is expressed as milligrams of ethanol per deciliter of blood. It is well recognized that alcohol is a central nervous system (CNS) depressant. Other drugs such as barbiturates and benzodiazepines (Xanax, valium) will produce similar CNS depressive effects. Initially there may be behavioral stimulation at low doses or volumes. The liver metabolizes alcohol. The physical effects of alcohol (depending on type and amount consumed) may include: blackouts, sleep alterations, impairment in judgment and coordination, relaxation of muscles of pharynx with possible resultant snoring and sleep apnea, inflammation of the esophagus and stomach along with concomitant bleeding and/or vomiting. Heavy or binge drinking can also be responsible for cardiac arrhythmias. In addition, it is possible to see temporarily almost every psychiatric syndrome during periods of heavy drinking and/or withdrawal.

“Acute Intoxication” occurs when the brain has been exposed to high doses of alcohol and is a life-threatening situation where the person may have respiratory depression, cardiac arrhythmia and/or potentially dangerous changes in blood pressure.

The impairment in judgment and coordination increases the probability of a person engaging in high-risk behaviors. These behaviors may include driving while under the influence of alcohol, getting into fights, being injured in a motor vehicle accident, or having unplanned, unsafe, or violent sexual encounters.

Psychostimulant drug abuse is a serious threat to health in the United States. Because of their pleasurable effects, CNS stimulants have a high abuse potential. In 2003, about 2.3 million Americans were current cocaine users (SAMSHA, 2005). Use was highest among young adults ages 19 to 25. Cocaine, methamphetamine, and other stimulant drugs all have a number of adverse health consequences not limited to the hypertension, cardiac disease, increased body temperature, respiratory depression, seizures, pulmonary problems, aggressive behavior, paranoia, hallucinations and severe depression (crashing) accompanying withdrawal from the drug. In addition these drugs have been found to suppress the immune system putting one at risk for HIV and other infections.

Marijuana is the most frequently used illegal drug in the United States. Marijuana contains tetrahydrocannabinol (THC), a psychoactive substance, and cannabis, which contains over 400 compounds. Higher doses will produce behavioral changes similar to alcohol intoxication. Psychological dependence has been shown to occur with cannabis and tolerance can occur. As with the use of other drugs such as alcohol, cocaine, opioids, etc, chronic use of marijuana may lead a user to lose

interest in their goals. Changes in pulmonary vital capacity can occur with chronic use and the user may develop chronic bronchial irritation.

Adapted from:

Hauser, Stephen, Ed., *Harrison's Neurology in Clinical Medicine*, New York, McGraw-Hill, 2006.

National Council on Alcoholism and Drug Dependence (2005) *Alcohol and drug dependence are America's number one health problem.*

<http://www.ncadd.org/facts/numberoneprob.html>

Substance Abuse and mental Health Administration (2005) *2003 National Survey on Drug Use & Health.*

<http://oas.samsha.gov/NHSDA/2k3NSDUH/2k3results.htm>

A condensed review of drugs of abuse is available:

<http://www.nida.nih.gov/drugpages.html>

A variety of studies that focus on health risks of alcohol, policies, and intervention strategies, can be found at:

<http://www.higheredcenter.org/niaaa/abstract/>

3. Interventions/Where to get help

FGCU provides many options for education, prevention, and treatment regarding substance use and abuse issues for the University community.

Immediate Need/Emergency:

Students or others who are in contact with a student thought to be in immediate danger from a drug or alcohol overdose should contact the FGCU University Police Department. From an on-campus phone, dial 1911; from any other phone, dial 590-1911. In an emergency situation in an apartment in University housing, please call or use the pull cord. Please note that if 911 is dialed from any phone, the call will go to the Lee County Sheriffs Department.

Education and Prevention:

Prevention & Wellness Services (PWS): PWS has educational pamphlets, videos, CD-ROMs, and other resources for education on various substance use and abuse issues. All of our resources are either free to have or borrow. Stop by either of our offices: Wellness Center 102, or Eagles Landing 102 (Housing), 590-7733

Student Health Services: SHS has a wide array of educational materials, and a helpful medical staff to answer your questions. 590-7966.

Intervention & Treatment – On Campus

Counseling and Psychological Services (CAPS): CAPS provides assessment and counseling intervention for our student, and consultation and referral for our faculty and staff. Please call 239-590-7950 for further information

Alcoholics Anonymous – the campus meeting is open to all. Call CAPS for current meeting time and place or Lee County AA 24 hour hotline at 239-275-5111

Intervention & Treatment – Off Campus

Alcoholics Anonymous: There are multiple meetings at different community locations daily

Lee County: 239-275-5111.

Collier County: 239-265-6535

Charlotte County: (941) 426-7723

Southwest Florida Addiction Services (SWFAS): 239-332-6937

Lee Mental Health

Ruth Cooper Center (Lee County): 239-275-3222

David Lawrence Center (Collier County): 239-455-8500

Narcotics Anonymous (naflorida.org)

Lee County: 239-338-9407

Charlotte County: 941-624-1204

For employees:

If you are concerned about a student: Please contact CAPS or the Dean of Students office with concerns about a student's possible or admitted drug or alcohol use.

If you are concerned for yourself: The Employee Assistance Program (EAP) provides confidential professional assistance to employees and their immediate family members to resolve problems that adversely affect their personal lives and/or job performance. The EAP is also available for supervisory referrals through the Department of Human Resources when an employee's job performance may be affected by a personal problem. Through the use of the staffed Employee Assistance Program the toll-free 800-226-7930 Help Line which is available to all employees and to members of their immediate families. This Help Line is to be in operation 24 hours a day, every day of the year.

HISTORY

New 8/15/05; Amended 6/20/08

APPENDICES

There are no appendices.

APPROVED:

s/Dr. Wilson Bradshaw

President

June 20, 2008

Date