



UNIVERSITY SUBSTANCE ABUSE TASKFORCE PART II - OPERATING GUIDELINES

INTRODUCTION:

This document identifies the methods by which Florida International University, working through the Substance Abuse Taskforce, shall satisfy the requirements of the Drug-Free Schools and Campuses Act, as articulated in the Drug-Free Schools and Campuses Regulations. Beyond the specific requirements for compliance however, the University Substance Abuse Taskforce shall also seek to accomplish the following:

- Assuring an acceptable degree of consistency between the University's stated values and its practices with regard to alcohol and substance abuse issues.
- Serving as an advisory body to the Office of Employee Assistance.
- Promoting a University culture and environment that supports positive behaviors and primary prevention of alcohol and substance abuse.

COMPLIANCE REQUIREMENTS:

A. Certification Requirements

Part 86 of the Drug-Free Schools and Campuses Regulations requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

Adopting and implementing a program that complies with the Regulations requires that FIU:

1. Prepares a written policy on alcohol and other drugs;
2. Develops an effective method for annual distribution of the policy to every student and staff member; and
3. Prepares a biennial report on the effectiveness of its alcohol and substance abuse programs, and on the consistency of policy enforcement.

The Drug-Free Schools and Campuses Regulations also require the University to submit a written certification to the Secretary of Education advisory that it has adopted and implemented a drug prevention program as described in the Regulations.

Note: The Drug-Free Schools and Campuses Regulations establish a minimum set of requirements for college substance abuse policies. University policies and State Law prescribe additional obligations.

If the University fails to submit the necessary certification or violates its certification, the Secretary of Education may terminate all forms of financial assistance, whether from the Department of Education or other federal agencies, and may require repayment of such assistance, including individual students' federal grants, such as Pell Grants.

The possibility of loss of federal funding is real in that the Regulations include the provision that "the Secretary annually reviews a representative sample of an institutions' drug prevention programs." If FIU is selected for such a review, the University shall be required to provide the Secretary access to personnel records, documents, and any other information requested and legally necessary for such a review.

B. Content of the University's Written Policy

The Drug-Free Schools and Campuses Regulations require that the University develops a written policy that describes a standard of conduct which clearly "prohibits, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees, on its property or as part of any of its activities."

The written policy must also include:

1. A description of the applicable legal sanctions under federal, state, or local laws for the unlawful possession or distribution of illicit drugs and alcohol;
2. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
3. A description of any drug and alcohol programs (abuse, prevention, treatment and rehabilitation) that are available to employees or students; and
4. A clear statement that the University will impose disciplinary sanctions on students and employees for violations of the standards of conduct. Such sanctions shall include expulsion or termination of employment and referral for prosecution, as necessary.

C. Distribution of the Policy

The Department of Education requires annual distribution of written University's alcohol and substance abuse policies, in writing. Further, all new students that enroll and new employees who are hired after the annual distribution date must also receive these materials. The Department of Education has stated that merely making the materials available to those who wish to take them does not satisfy the requirements of the Regulations, as that does not ensure distribution to every student and employee.

D. Biennial Review

The Drug-Free Schools and Campuses Regulations require a biennial review of the University's alcohol and substance abuse programs and policies. The objectives of the review are as follows:

1. To evaluate the effectiveness of the applicable alcohol and substance abuse policies and programs and to implement necessary changes in response to any deficiencies identified; and
2. To ensure that the disciplinary sanctions for violating standards of conduct are consistently enforced.

The Regulations do not specify what a biennial review should include or how it should be conducted, therefore there is some leeway in determining how to conduct these reviews and what they should include. Biennial reviews typically include the following:

- Descriptions of the elements of the University's alcohol and substance abuse prevention programs and resources and an assessment of their relative effectiveness.
- An evaluation statement with regard to the programs' goals.
- Summaries of programs' strengths and weaknesses.
- A statement regarding effectiveness of procedures for distributing the alcohol and other drugs policy to students and employees; and
- Recommendations for revising/updating alcohol and other drugs programs, policies and related procedures.

Note: An analysis of the wide variety of biennial reviews carried out by institutions of higher education indicate that the most useful reviews point to areas in a program or policy that need improvement or which should continue unchanged.

BEYOND COMPLIANCE:

- A. The Substance Abuse Taskforce shall attempt to assure an acceptable degree of conformance between the University's stated values and its practices, with regard to alcohol and substance abuse issues by:
1. Seeking opportunities to publicly recognize and commend departments, campus organizations and programs whose initiatives and activities visibly support the University's Alcohol and Substance Abuse Policies and University values.
 2. Making an annual presentation/report to the University Executive Council regarding issues of concern, recommendations for realignment of divergent practices with University policies and values, and the development of policies and programs that support primary prevention goals.
- B. The Substance Abuse Taskforce shall serve as an advisory body to the Office of Employee Assistance and shall provide a forum for the evaluation of special issues and circumstances as such issues are brought to the attention of the Taskforce by the director of the Office of Employee Assistance.
- C. The Substance Abuse Taskforce shall serve to promote a University culture and environment that supports positive behaviors and primary prevention of alcohol and substance abuse by:
1. Providing guidelines regarding the use of alcohol in public and private social events within the jurisdiction of the University.
 2. Providing guidelines for the marketing, promotion or advertising of alcohol on campus; and
 3. Promoting standards of conduct consistent with proactive prevention of alcohol and substance abuse.