

**NEW COLLEGE OF FLORIDA
REGULATIONS MANUAL**

CHAPTER 6 - Student Affairs

6-3004 Alcohol and Other Drugs

New College of Florida's Alcohol and Other Drugs (AOD) Regulation is intended to clearly define the expectations of both the College and its students with respect to alcohol and other drugs. This Regulation clarifies the consequences of failing to abide by these expectations and identifies the resources available within the New College community to assist in dealing with alcohol and other drugs. Students are responsible for being informed of this AOD Regulation as well as the federal, state, and local laws that govern the College. This Regulation seeks to promote the well-being, accountability and growth of each individual within the New College community.

- (1) Alcohol. Alcohol must be served by a licensed and insured third party vendor. No individual may serve or otherwise provide alcohol to persons under the legal age.
- (2) The College expressly prohibits the following:
 - (a) The consumption of alcohol by persons less than 21 years of age on any property owned and operated by the College.
 - (b) The provision of alcohol by an individual to any person less than 21 years of age on any property owned and operated by the College.
 - (c) Abusive coercion, whereby an individual applies unwanted social pressure in an attempt to induce another to consume alcohol.
 - (d) Disorderly conduct involving intoxication (see Student Code of Conduct Regulation 63005).
 - (e) Hazardous intoxication, whereby an intoxicated individual poses a threat to the health or safety of themselves (However, see Medical Amnesty 6-3004(4)).
 - (f) Hazardous intoxication, whereby an intoxicated individual poses a threat to the health or safety of others within the College community.
 - (g) The consumption of alcohol by persons over the age of 21 anywhere on campus other than in designated areas. Designated areas are:
 1. Within a residence hall, excluding those which are designated substance-free.
 2. Within 15 feet of a residence hall and its associated outdoor spaces, including but not limited to Dort Crease (the area between Dort and Goldstein residence halls), Z courtyard, Pei courtyards and B Dorm patio.
 3. At an approved event.
- (3) Other Drugs. The College expressly prohibits the following:

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- (a) The use, production, possession or provision of a controlled substance by anyone on any College property. Note, this includes intentional misuse of prescription drugs.
 - (b) Abusive coercion, whereby an individual applies unwanted social pressure in an attempt to induce another to produce, possess, provide or use a controlled substance, including prescription drug(s).
- (4) Guests: Students are responsible for the conduct of their guests. If a student's guest violates this Regulation, then the student shall be held to have violated this Regulation. However, the Dean of Student Affairs and/or Community Board shall have discretion in determining the appropriate response or sanction if the student was unaware of or unable to prevent the violating conduct of said student's guest.
- (5) Medical Amnesty Policy.
- (a) In the case of a medical emergency, please dial 911 or the New College Police Department at 941-487-4210. The caller and the affected party are both within the realm of Medical Amnesty. Safety comes first.
 - (b) Purpose: New College of Florida seeks to ensure that students at medical risk as a result of alcohol or substance misuse will receive prompt and appropriate medical attention. Students are encouraged to seek immediate medical assistance when they are concerned about their own health or that of another individual. Medical Amnesty policy benefits our campus by encouraging students to make responsible decisions in seeking medical attention in serious or life-threatening situations that result from alcohol and/or other drugs' misuse/abuse and in any situation where medical treatment is reasonably believed to be appropriate. Medical Amnesty attempts to ensure that intoxicated students receive immediate medical assistance and follow-up assessment to reduce the likelihood of future incidents. An individual who requests assistance on behalf of another individual for either an alcohol or drug-related transport will not be subject to discipline with respect to the circumstances necessitating the transport.
 - (c) Procedure: Medical Amnesty applies to a student when it is determined that the individual sought emergency medical attention for oneself or another person; or medical assistance was sought for them by another student. When Medical Amnesty applies, the student will not be charged with an AOD violation by the Dean of Student Affairs or designee. The Dean, or designee, may mandate in such cases that the student undergo an AOD substance abuse assessment with the Counseling and Wellness Center. Failure to complete the CWC assessment may itself be considered a violation of the Student Code of Conduct. Refusal of Medical Amnesty by the affected party negates this procedure, and any potential violations will be handled as otherwise dictated by the Regulation.
 - (d) Finally, it should be noted that the foregoing policy applies only to cases that are brought before the Office of Student Affairs, and has no authority over formal charges brought against a student by campus law enforcement or any other institution, including but not limited to the State Attorney's Office. Medical Amnesty does **not** apply to any other prohibited behavior such as illegal distribution of illicit substances, harassment, or assault.
 - (e) The Medical Amnesty Policy applies to NCF students who are victims of sexual assault under the influence of alcohol or other drugs.

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- (f) Disclaimer for the Invocation of Medical Amnesty: Any student or students who would ordinarily have been found to be in violation of this AOD Regulation but were not charged by claiming the Medical Amnesty clause may be subject to additional non punitive measures administered by the Dean of Student Affairs in accordance with the severity of the situation, depending on a variety of factors. Such factors include but are not limited to the specific substance(s) in question, use/misuse of the substance(s) that resulted in medical attention being necessary, and likelihood of further medical intervention in the future as related to the substance(s) or incident in question.

(6) Violations.

- (a) Alleged violations of this Regulation will be referred to the Office of Student Affairs, which will handle the matter in accordance with established procedures. The Dean of Student Affairs or designee will meet with the student and propose requirements that the student must satisfy or, if applicable, a sanction. If the student rejects the proposal, the student's case will go before the Community Board.
- (b) Students alleged to have violated this Regulation will, when appropriate, be encouraged to meet with professionals in the Counseling and Wellness Center.

(c) Major and Minor Violations

- 1. Major violations: include possession of any quantity and/or use of "hard" drugs or non-prescribed prescription drugs, distribution of alcohol to minors, possession of distribution quantities and/or actual distribution of any illegal drugs or prescription drugs. Tampering with smoke detectors in any way is an immediate threat to safety and is a major violation.
 - a. Hard drugs: include, but are not limited to, heroin, cocaine, and methamphetamine.
- 2. Minor violations: include underage use of alcohol and personal possession and/or use of marijuana (less than 20 grams).
- 3. Uncooperative behavior may elevate a violation to a higher level of violation and, therefore, a more serious response from the college. Uncooperative behavior includes, inter alia, the following:
 - a. Student refuses to show identification
 - b. Student refuses to surrender illegal drugs or alcohol
 - c. Student is overtly uncooperative to lawful requests from College staff or police
- 4. In no way does this limit the discretion of NCF staff to contact the police. When NCF believes it is necessary, campus police may be called on to assist, investigate, and potentially detain a student for violation of this Regulation.

(7) College response to violations

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- (a) In the event a student admits or is found responsible for a violation of this Regulation, the following levels of response shall be applied:
1. **Level one:** This level is for first time minor violations without aggravating factors, such as uncooperative behavior. For such violations the student shall be given the opportunity to voluntarily meet with professionals in the CWC and participate in alcohol and other drug education. The format of this education will be at the discretion of the Dean of Student Affairs or designee and may include an internet based training module or meeting/programming with the designee. The student shall provide the Dean of Student Affairs, or designee with confirmation that the student met with the CWC and completed the alcohol and other drug education within 30 days of the finding of responsibility for the violation. In the event the student refuses a voluntary meeting at the CWC and alcohol and other drug education then the Dean of Student Affairs shall contact the student's parents or guardians and the student will be put on probation for one year.
 2. **Level two:** This level is for a second minor violation of this Regulation as well as a first violation with aggravating factors, such as uncooperative behavior or tampering with a fire alarm. For such violations the student shall be required to participate in alcohol and other drug education. The format of this education will be at the discretion of the Dean of Student Affairs or designee and may include an internet based training module or meeting/programming with the designee. The student shall provide the Dean of Student Affairs, or designee with confirmation that the student completed the alcohol and other drug education within 30 days of the finding of responsibility for the violation. The student's parents or guardians will also be contacted and the student will be placed on probation for one year. The student may also be required to do up to 75 hours of community service.
 3. **Level three:** This level is for a third minor violation of this Regulation, a second minor violation with aggravating factors, and all major violations. At a maximum the student may be expelled and permanently trespassed from campus. At a minimum the student's parents or guardians will be notified, the student will be trespassed from campus after 8:00 pm, and the student will be placed on probation for no less than one year.
- (b) Educational or disciplinary action by NCF does not preclude the possibility of criminal charges against the individual. Similarly, the filing of criminal charges does not preclude action by NCF. These are independent systems and both may be applied.
- (8) Police. Officers of the New College Police Department maintain professional discretion in the performance of their official duties. This Regulation in no way limits that discretion.
- (9) Prevention and Intervention. The College is committed to the safety and well-being of both its students and the campus community. Educational programming shall be regularly provided by the College regarding prevention and treatment resources and students are strongly encouraged to visit the Counseling and Wellness Center for assistance with substance-related problems.
- (10) Distribution and Revision of Regulation 6-3004.

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- (a) The Office of Student Affairs shall provide every student with a digital copy of this Regulation at the beginning of each academic year. Additionally, a digital copy of this Regulation shall be placed on the appropriate section of the College's website. A physical copy of this Regulation is to be on file in the Office of Student Affairs, available to students upon request.
- (b) A physical copy of this Regulation shall be included in the New Student Orientation and Transfer Student Orientation materials for new students.
- (c) The Office of Student Affairs shall provide a digital copy of this Regulation to every student upon formal adoption of changes by the Board of Trustees.
- (d) The Office of Student Affairs, in conjunction with the student body, shall conduct a biennial review of this Regulation.
- (e) Students may propose any formal changes to this Regulation at any time.

Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 1006.60; Fla. Board of Governors Regulation 1.001

History: Adopted 04-27-02, as Policy 30-006; Revised and renumbered 06-18-11; Revised 05-31-14; Revised and renumbered 03-07-15; Revised 06-11-16, 08-19-16 (technical amendment); 09-14-19