



June 15, 2015

## MEMORANDUM

**TO:** District Board of Trustees

**FROM:** Jim Murdaugh, President 

**SUBJECT:** TCC Alcohol Policy

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### Item Description

This item requests Board approval for the attached amended Policy 10-09 - Controlled Substances and Alcoholic Beverages.

### Overview and Background

The College brings forth a request to update Policy 10-09 - Controlled Substances and Alcoholic Beverages.

Discussions regarding this policy, which currently prohibits alcohol to be served on TCC's Campus or other owned sites, have been ongoing within the Foundation. At this time the Foundation does not hold its donor events on campus due to this policy. This results in missed opportunities of the benefit of exposing our donors to our environment, as well as potential investments in our programs, facilities and scholarships.

This conversation was elevated to this Board at the April 2015 meeting by the College President. Per that meeting, staff was asked to prepare draft language regarding this policy. The draft language was written in concert with the College's attorney. It was then reviewed by the President, the Executive Team, and the College's Resource Development Committee which is comprised of classified staff and faculty.

### Past Actions by the Board

The District Board of Trustees discussed this at the April 2015 meeting and asked for suggested language regarding this Policy.

### Funding/Financial Implications

There are no Funding/Financial Implications.

### Staff Resource

Heather Mitchell

**Recommended Action**

Approve policy as presented.

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Controlled Substances and Alcoholic Beverages	<b>NUMBER:</b> 10-09
<b>AUTHORITY:</b> Florida Statute: 1001.64, 1001.65, 1006.50 Florida Administrative Code: Higher Education Act of 1965, section 1213 as amended by the Drug Free School and Communities Act of 1989(P.L. LOL-226) (20 U.S.C.s1145g), Americans with disabilities Act	<b>SEE ALSO:</b> <ul style="list-style-type: none"> <li>• <a href="#">Administrative Procedure 10-09AP: Controlled Substances and Alcoholic Beverages</a></li> <li>• <a href="#">Board Policy 10-12</a> and <a href="#">Administrative Procedure 10-12AP: Student Code of Conduct</a></li> </ul>
<b>DATE ADOPTED:</b> 12/01/97; Revised 05/17/10; 06/28/10	

The College recognizes the serious nature and harmful effects of students using controlled substances and alcoholic beverages in an educational setting. The unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of controlled substances or alcoholic beverages on College property or sites where College activities are conducted is prohibited. This policy relates to existing personnel policies and procedures and with them is designed to implement Section 1213, Higher Education Act of 1965, as amended by the Drug Free School and Communities Act of 1989 (P.L. LOL-226) (20 U.S.C.s 1145g), Section 104 (a) Americans with Disabilities Act, and Florida Statutes 240.319 and 240.3191.

As used in this policy, the definition of controlled substances and alcoholic beverages shall be the same as set forth by Florida law.

Any student or student organization that allegedly violates this policy shall be cited for a violation of the Student Conduct Code and shall be subject to disciplinary action in accordance with the Student Code of Conduct. Sanctions for this violation shall be administered in accordance with College Policy 6Hx27:10-12, including suspension or expulsion if found guilty.

When a student is suspended for violation of this policy, readmission to the College shall depend upon the severity of the sanction imposed. If suspended, the student may be considered for readmission only after the terms of the suspension have been completed and may be required to provide proof satisfactory to the College of being drug-free after utilizing drug rehabilitation.

When a student is expelled for violation of this policy, the student is permanently separated from the College.

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The sale, use, distribution, possession or consumption of alcoholic beverages on facilities owned or controlled by the District Board of Trustees of Tallahassee Community College ("TCC") shall be authorized only under the conditions set forth as follows:

- (1) Only the President, or the President's designee, is authorized to give written authorization, including the terms specified within said authorization, and designate the location for the sale, use, distribution, possession or consumption of alcoholic beverages at functions or events for the benefit of the TCC Foundation.
- (2) The TCC Foundation, Inc. is authorized to conduct or supervise the sale, use, distribution, possession or consumption of alcoholic beverages for Foundation related events.
- (3) Alcoholic beverages shall not be sold, used, distributed, possessed or consumed in TCC classrooms, labs, or faculty or administrative offices.
- (4) Alcoholic beverages shall not be sold, used, distributed, possessed or consumed at events sponsored by students or student organizations in or on TCC owned or controlled property. If alcoholic beverages are sold, used, distributed, possessed or consumed at events where students are present, all TCC policies shall apply, in addition to state and federal law.
- (5) State funds shall not be used for the purchase, use, distribution, possession or consumption of alcoholic beverages, and shall not be used to purchase liquor liability insurance coverage for functions or events in or on TCC owned or controlled facilities.
- (6) At all events and functions where alcoholic beverages are sold, used, distributed, possessed or consumed in or on TCC owned or controlled facilities, the TCC Foundation shall not hinder or prevent the full participation of persons who choose not to drink alcoholic beverages.
- (7) At all events and functions where alcoholic beverages are sold, used, distributed, possessed or consumed in or on TCC owned or controlled facilities, the TCC Foundation must obtain liquor liability insurance coverage in an amount not less than one million dollars (\$1,000,000) naming TCC as an additional insured.
- (8) At all events and functions where alcoholic beverages are sold, used, distributed, possessed or consumed in or on owned or controlled TCC facilities, the TCC Foundation shall enter into a written agreement that shall indemnify and hold harmless TCC from any and all claims, liabilities, costs, and expenses that may arise from the sale, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities.
- (9) When requesting approval for sale, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities, the TCC Foundation shall assume all responsibility for compliance with state and federal laws pertaining to liquor licensing requirements.

- (10) The requisite permit or license for the sale of alcoholic beverages must be obtained from the Division of Alcoholic Beverages and Tobacco of the State of Florida.
- (11) The TCC Foundation shall establish precautionary measures at the function to ensure that alcoholic beverages are not served to persons under the legal drinking age, to persons who are intoxicated or appear intoxicated, or to persons known to be addicted to intoxicants.
- (12) At any event where alcohol is sold, used, distributed, possessed or consumed, a person or persons over the legal drinking age must be designated as the servers of alcoholic beverages, and the servers shall not consume alcoholic beverages at the event or function.
- (13) The only alcoholic beverages that may be sold, used, distributed, possessed or consumed at events or functions are those alcoholic beverages served at the event or function.
- (14) The President shall cause a procedure to be developed for the implementation of this policy.

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
POLICY**

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