

University of Michigan-Flint Alcohol and Other Drug (AOD) Policy for Students, Faculty and Staff 2016-2017

Introduction

The University of Michigan-Flint is committed to providing a safe, healthy learning community for all members. The University recognizes that the improper and excessive use of alcohol and other drugs may interfere with the university's mission by negatively affecting the health and safety of students, faculty and staff. Problems such as vandalism, assault, harassment, sexual misconduct, and disruption of sleep and study space increase in relation to misuse. It is due to the harm caused by excessive and illegal use that the University has a vested interest in establishing policies to prohibit unlawful behavior, and sanctions to address policy violations by members of the UM-Flint community.

Under the **Drug Free Workplace Act and the Drug Free Schools and Communities Act**, the University is required to have an alcohol and other drug policy and distribute this policy annually to all employees and students. This policy must outline the University's prevention, education and intervention efforts, and consequences that may be applied by both the University and external authorities for policy violations. The law also requires that individuals be notified of possible health risks associated with the use and abuse of alcohol and other drugs, and sources of assistance for problems that may arise as a result of use.

UM-Flint Alcohol and Other Drugs Policy

For the purpose of this Policy, the term "drug" includes:

1. controlled substances, as defined in 21 USC 802, which cannot be legally obtained
2. legally obtainable controlled substances which were not legally obtained, including:
 - Prescribed drugs when prescription is no longer valid (e.g. use of medication after a course of treatment is completed);
 - Prescribed drugs used contrary to the prescription;
 - Prescribed drugs issued to another person.

Michigan law prohibits manufacturing, using, dispensing, selling or supplying drugs. Furthermore, the law prohibits the manufacturing, dispensing, selling or supplying alcoholic beverages to a person under 21 years old. Employees, students, faculty and campus visitors may not unlawfully manufacture, consume, possess, sell, distribute, transfer or be under the influence of alcohol, illicit drugs or controlled substances on University property, while driving a University vehicle or while otherwise engaged in University business. The only exception to this Policy is that individuals of legal age may consume alcohol on University property in a manner consistent with University policy and State of Michigan law. University property, as defined in this Policy, includes all buildings and land owned, leased, or used by the University, and motor vehicles operated by employees, including personal motor vehicles, when used in connection with work performed for or on behalf of the University.

If alcohol is to be served at any event/meeting inside or outside of the licensed facility on campus, the General Counsel's frequently asked questions web page should be referenced for proper handling:

http://www.ogc.umich.edu/faq_alcohol.html

Any person taking prescription drugs or over-the-counter medication is personally responsible for ensuring that while taking such drugs or medications, he or she is not a safety risk to themselves and others while on University property, while driving a University or privately owned vehicle, or while otherwise engaged in University business. It is illegal to misuse prescription medication, i.e. continue to use medication when the prescription is no longer valid, use prescribed drugs contrary to the prescription, and give or sell prescribed drugs to another person. Misusing prescription drugs can result in conviction with jail time.

The University of Michigan-Flint is a smoke-free campus. Please refer to <https://www.umflint.edu/node/7910> and for more information.

Alcohol and Other Drugs Prevention Program

Changing the community culture from one that is indifferent to, or tolerates, the harm caused by excessive and illegal use, requires participation by all members of the community. The University of Michigan-Flint actively promotes an environment that discourages and/or prevents the harmful abuse of alcohol and other drugs, and strives to prevent subsequent negative outcomes. Strategies that are utilized include: informing students about alcohol and other drug policies, and possible consequences for policy violations; educational media campaigns, promoting legal, moderate use; providing information to students' parents about alcohol issues on campus during parent orientation; facilitating various education, skill building, and intervention programs to assist students in gaining knowledge and skills; and providing resources and support for students who seek treatment services. For more information please contact Counseling and Psychological Services (810-762-3456) or Health & Wellness Services (810-762-3441).

Health Risks

The use or abuse of alcohol and other drugs increases the risk for a number of health-related and other medical, behavioral and social problems. Below is a general description of the health risks associated with drug use.

ALCOHOL Can cause short-term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; long-term effects include risk of liver and heart damage, malnutrition, cancer and other illnesses; can be highly addictive to some persons.

AMPHETAMINES Can cause short-term effects such as rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion; tolerance increases rapidly; long-term effects include physical and psychological dependence and withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition and death.

CANNABIS Can cause short-term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems; long-term health effects include permanent damage to lungs, reproductive organs and brain function; can interfere with physical, psychological, social development of young users.

COCAINE (crack) Can cause short-term effects such as impaired judgment; increased breathing, heart rate, heart palpitations; anxiety, restlessness, hostility, paranoia, confusion; long-term effects may include damage to respiratory and immune systems; malnutrition, seizures and loss of brain function; highly addictive.

DESIGNER DRUGS/SYNTHETIC CANNABINOIDS (bath salts, K2, spice) Can cause short-term effects such as elevated heart rate, blood pressure and chest pain; hallucinations, seizures, violent behavior and paranoia; may lead to lack of appetite, vomiting and tremor; long-term use may result in kidney/liver failure, increased risk of suicide and death.

HALLUCINOGENS (PCP, LSD, ecstasy, dextromethorphan) Can cause extreme distortions of what's seen and heard; induces sudden changes in behavior, loss of concentration and memory; increases risk of birth defects in user's children; overdose can cause psychosis, convulsions, coma and death. Frequent and long-term use can cause permanent loss of mental function.

INHALANTS (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons) Can cause short-term effects such as nausea, dizziness, fatigue, slurred speech, hallucinations or delusions; may lead to rapid and irregular heart rhythms, heart failure and death; long-term use may result in loss of feeling, hearing and vision; can result in permanent damage to the brain, heart, lungs, liver and kidneys.

OPIATES/NARCOTICS (heroin, morphine, opium, codeine, oxycodone, china white) Can cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest and death; long-term use leads to malnutrition, infection and hepatitis; sharing needles is a leading cause of the spread of HIV and hepatitis; highly addictive, tolerance increases rapidly.

SEDATIVES Can cause reduced reaction time and confusion; overdose can cause coma, respiratory arrest, convulsions and death; withdrawal can be dangerous; in combination with other controlled substances can quickly cause coma and death; long-term use can produce physical and psychological dependence; tolerance can increase rapidly.

TOBACCO (cigarettes, cigars, chewing tobacco) Can cause diseases of the cardiovascular system, in particular smoking being a major risk factor for a myocardial infarction (heart attack), diseases of the respiratory tract such as Chronic Obstructive Pulmonary Disease (COPD) and emphysema, and cancer, particularly lung cancer and cancers of the larynx and mouth; nicotine is highly addictive.

For an extensive list of health-related risks please visit *The National Institute on Drug Abuse*:
<http://www.drugabuse.gov/>

Counseling and Treatment Programs

The University of Michigan-Flint encourages individuals with alcohol or other drug-related problems to seek assistance.

Students can contact a Counseling and Psychological Services (810-762-3456) or Health & Wellness Services (810-762-3441) for information on local, state and national resources available for those seeking assistance.

Faculty and Staff with alcohol or other drug related problems are encouraged to seek confidential, no cost services through the university's Faculty and Staff Assistance Program (FASAP). Contact UM-Flint Human Resources at (810) 762-3150 for more information.

The MHealthy Alcohol Management program <https://hr.umich.edu/benefits-wellness/health/mhealthy/physical-well-being/alcohol-tobacco-programs/alcohol-management-program-moderation-or-abstinence> offers brief, confidential health education and one-on-one counseling to anyone with mild to moderate alcohol problems. Choose from in-person and phone in options. The program serves anyone who wants to make changes to their alcohol use.

MHealthy Tobacco Consultation Service (734-998-6222) provides complete and easily accessible quit smoking/quit chewing tobacco programs open to all U-M employees, patients, and the general public. Group and individual programs are available.

UM-Flint Smoke-Free Campus information is available at <https://www.umflint.edu/node/7910>. Although not included in the Smoke-Free Campus Policy, using e-cigarettes and chewing tobacco is discouraged. Select buildings and classrooms on campus may have policies that address the use of e-cigarettes and chewing tobacco.

Alcohol and Other Drugs Policy and Student Organizations

The University of Michigan-Flint expects each student organization to adopt a policy about alcohol and other drugs to promote behavior that is consistent with this Policy. Student organizations will be held to the highest standards and will be expected to comply with all federal, state and local laws, thus minimizing criminal and civil liability to the organization and its members, while helping to ensure the personal safety and welfare of its members and guests.

The following guidelines are recommended:

1. It is illegal for student organizations to sell alcohol in the state of Michigan. Student organizations can significantly improve personal safety and reduce liability by not providing alcohol to any person.
2. If alcohol is to be present at an organization-sponsored activity, the organization can provide for the safety of its members and reduce its liability if:
 - a. Alcohol is not the focus of the event;
 - b. Attractive alternative beverages are provided;
 - c. Procedures are in place to prevent service or sale to persons under the legal age of 21;

- d. Alcoholic beverages are not purchased with organization funds nor with the contributions of individual members;
- e. Alcohol is not served from common or self-serve containers;
- f. Service complies with this Policy, as well as the rules of the facility;
- g. Designated non-drinking hosts are assigned to attend the event;
- h. Assist any attendee who is intoxicated with finding alternative transportation home.

If alcohol is to be present at an event, the preferred method of serving alcohol is to use a caterer or hold the event at a site provided by a vendor who is licensed to sell and serve alcohol. If these methods are not possible, the next best option is to request that guests of age bring a reasonable and limited amount of alcohol that only they will personally consume at the event. Schools, departments, units and administrative offices as appropriate are expected to encourage student organization compliance with these expectations and recommendations.

University Sanctions

The use or abuse of alcohol and other drugs also increases the risks for behavioral and social problems such as negative effects on academic work performance; conflicts with co-workers, classmates, family, friends and others; conduct problems resulting in disciplinary action, including loss of employment or dismissal from an academic program; and legal problems resulting in ticketing, fines and imprisonment.

The laws of the state of Michigan and University of Michigan's policies prohibit the consumption or possession for personal consumption of alcoholic beverages by persons under the age of 21 years. Further, Michigan laws and University policies prohibit the sale, service or giving of alcoholic beverages to persons under the age of 21. University of Michigan's policies, local ordinances and laws, state laws and federal laws also prohibit the unlawful possession, use and/or distribution of illicit drugs and alcohol.

Violation of University policies will be subject to campus disciplinary review and action, as follows:

Students: The University has established expectations for non-academic student conduct under the Statement of Student Rights and Responsibilities. The following illicit use of alcohol and other drugs is considered misconduct and subject to disciplinary action:

- “Illegally possessing or using alcohol”
- “Illegally distributing, manufacturing, or selling alcohol”
- “Illegally possessing or using drugs”
- “Illegally distributing, manufacturing, or selling drugs”

The Statement of Student Rights and Responsibilities, including sanctions, can be found at https://www.umflint.edu/sites/default/files/groups/Division_of_Student_Affairs/statement_of_student_rights_and_responsibilities_winter_2015.pdf) and is administered by the Division of Student Affairs (DSA). Sanctions cover a wide range of educational assignments and obligations, including but not limited to suspension and expulsion from the institution. The Associate Vice Chancellor & Dean of Students oversees conduct and hearing processes for students as outlined in the Statement of Student Rights and Responsibilities.

Academic units of the university may also have written or implied policies concerning management of alcohol use and their response to the illicit use of alcohol and other drugs in the academic setting. Students are expected to know and understand these additional policies and abide by them.

Student Organizations: Policy violations by student organizations are handled through the Office of Student Conduct and Conflict Resolution. Information pertaining to the judicial process can be found at the following website: www.umflint.edu/osccr

Staff and Faculty: Sanctions for violations by faculty and staff are governed by policies within individual departments and any applicable guidelines set by university regulations (Standard Practice Guide 201.12 [<http://spg.umich.edu/policy/201.12>]), appropriate collective bargaining agreements, and other applicable policies or procedures. Appropriate sanctions may include: verbal or written warnings, a mandated rehabilitation program,

probation, suspension, and termination. In each case there are likely to be different circumstances that are relevant for understanding the situation and determining the appropriate sanction.

External Sanctions

Federal laws impose significant criminal penalties for the unlawful possession, use, manufacture or distribution of alcohol and illicit drugs. These penalties include fines and/or imprisonment. Violations of laws and ordinances may result in misdemeanor or felony convictions accompanied by the imposition of legal sanctions, which include, but are not limited to, the following:

- Fines as determined under local, state, or federal laws;
- Imprisonment, including up to life imprisonment, for possession or trafficking in drugs such as heroin, cocaine, marijuana and prescription drugs;
- Forfeiture of personal and real property;
- Denial of federal benefits such as grants, contracts and student loans;
- Loss of driving privileges;
- Required attendance at substance abuse education or treatment programs.

A full description of federal sanctions for drug felonies can be found at:

<http://www.justice.gov/dea/druginfo/ftp3.shtml>. This section is not intended as legal advice; consult with an attorney regarding your specific legal issues. For more information, please contact Student Legal Services at 734-763-9920 or visit <http://studentlegalservices.umich.edu/> for more information.

Alcohol: Under Michigan law it is illegal for anyone under the age of 21 to purchase, consume or possess, or have any bodily content of alcohol. A first time conviction may result in a fine, substance abuse education and treatment, community service and court-ordered drug screenings. There is also a provision for possible imprisonment or probation for a second or subsequent offense. Use of false identification by minors in obtaining alcohol is punishable with a fine, loss of driver's license, probation and community service.

Individuals can be arrested/convicted of operating a vehicle while intoxicated with a blood alcohol concentration (BAC) level at .08 or higher. If a student is under 21, there is a "zero tolerance" law in the state of Michigan and any blood alcohol level of .01 or higher can lead to a minor in possession (MIP) ticket as well as being cited for operating a vehicle while intoxicated. This is in addition to suspension of driving privileges in the state of Michigan.

Medical Amnesty: To better ensure that minors at medical risk as a result of alcohol intoxication will receive prompt and appropriate medical attention, the State of Michigan provides for medical amnesty to remove perceived barriers to calling for or seeking help.

Michigan law continues to prohibit a minor from purchasing, consuming, or possessing, or attempting to purchase, consume, or possess, alcoholic liquor and from having any bodily alcohol content. The medical amnesty law provides an exemption from prosecution for the following:

- A minor (under the age of 21) who, after consuming alcohol, voluntarily presents himself or herself to a health facility or agency for treatment or observation, including medical examination and treatment for any condition as a result of sexual assault (as defined in Michigan law).
- Any minor (under the age of 21) who accompanied a minor (under the age of 21) who, after consuming alcohol, voluntarily presented himself or herself to a health facility or agency for treatment or observation, including medical examination and treatment for any condition as a result of sexual assault (as defined in Michigan law).
- Any minor (under the age of 21) who initiated contact with law enforcement or emergency medical services personnel for the purpose of obtaining medical assistance in connection with a legitimate health care concern.

The University maintains the discretion to refer the individual for appropriate educational intervention(s).

Michigan Law Governing Marijuana: The Michigan Medical Marijuana Act (MMMA) conflicts with federal criminal laws governing controlled substances, as well as federal laws requiring institutions receiving federal funds, by grant or contract, to maintain drug-free campuses and workplaces. The University of Michigan-Flint receives federal funding that would be in jeopardy if those federal laws did not take precedence over state law. Thus the use, possession or cultivation of marijuana in any form and for any purpose continues to violate the UM-Flint Alcohol and Other Drug Policy and is prohibited at the University of Michigan-Flint (also referenced in the UM Standard Practice Guide 601.29).

Drugs: Unlawful possession, use, or distribution of alcohol or illicit drugs may lead to a referral to the appropriate local, state, and/or federal authorities for prosecution for a misdemeanor or a felony, depending on the nature of the offense. The sanctions for such offenses may include fines and/or imprisonment.

The illegal sale, possession, and use of alcoholic beverages is prohibited on campus and in UM-Flint facilities. Department of Public Safety officers enforce State underage drinking laws and local ordinances on campus. The possession, use, and sale of illegal drugs is prohibited on campus and in UM-Flint facilities. Department of Public Safety officers enforce State and Federal drug laws on campus.

Employee Reporting Requirement

Under the Drug-Free Workplace Act, in addition to the other requirements of this Policy, the University of Michigan requires all employees who work in any capacity under a federal grant or contract to notify his or her University supervisor or department head in writing of his or her conviction for a violation of any criminal drug statute occurring in the workplace or on work-related activities no later than five (5) calendar days after such conviction. The supervisor or department head will notify University Human Resources, who will consult with the appropriate staff in the Division of Research Development and Administration regarding satisfying the University's reporting obligations.

Marketing Standards

The University of Michigan-Flint will refuse advertising inconsistent with the fundamental missions of the University, or in conflict with the image the University seeks to project or the well-being of the University community. Examples of advertisements that will not be accepted include:

- Alcoholic beverages
- Tobacco products
- Sex as a product
- Gambling
- Paraphernalia associated with illegal drugs
- Dishonest, deceptive, or illegal advertising.

Distribution of Policy

A copy of this policy statement will be distributed to all faculty, staff and students three times per year (Jan., May, and September) via email.

Review of University Prevention Program and Policy

Biennially the University shall review its "Alcohol and Other Drugs Prevention Program and Policy" to determine effectiveness and implement changes, if needed, and to ensure that the university's disciplinary sanctions are consistently enforced.

For More Information concerning this policy, contact the Office of the Vice Chancellor for Campus Inclusion and Student Life at 810-762-3434.