

Campus Policy

University of Michigan-Flint Alcohol and Other Drug (AOD) Policy for Students, Faculty and Staff 2018-2020

Effective Date: September 1, 2018

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Renewal Date: August 31, 2020

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 - Prescribed drugs when prescription is no longer valid (e.g. use of medication after a course of treatment is completed);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.

All members of the campus community also are governed by laws, regulations and ordinances established by the state and local municipalities, and will be held accountable by law enforcement representatives of the entities for any illegal activity. It is the responsibility of all campus members to be aware of these laws.

Michigan law prohibits using, dispensing, selling or supplying of drugs or 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. The University prohibits the storage of consumable alcohol on University property except (a) as specifically allowed in licensed locations or (b) in private residences if the storage of consumable alcohol is expressly permitted by the building use rules applicable for the location of the residence.

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://ogc.umich.edu/frequently-asked-questions/>

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. Electronic cigarettes, e-cigarettes, electronic nicotine delivery systems or any other lit smoking devices (a) are expressly prohibited (i) on the premises of the Recreation Center, (ii) in University Housing facilities as set forth in the Community Living Standards at UM-Flint guidelines, (iii) in classrooms as requested by the presiding faculty, and (ix) in laboratories that also prohibit food and drink. Please refer to <https://www.umflint.edu/node/7910> and for more information.

Alcohol and Other Drug Prevention Strategies

UM-Flint uses best practice interventions, collaboration, and innovation to reduce harmful consequences of alcohol and other drug use.

- Providing education and awareness activities.
- Offering substance-free social, extracurricular, and public service options.
- Creating a health-promoting normative environment.
- Restricting the marketing and promotion of alcohol and other drugs.
- Enforcing campus policies and laws to address high-risk and illegal alcohol and other drug use.
- Providing early intervention and referral for treatment.

*The Parent-Family Communication Program

The Family Education Rights and Privacy Act (FERPA) governs the release of and access to student education records. Section 952 of the 1998 Amendments to the Higher Education Act of 1965 clarified that institutions of higher education are allowed (but not required) to notify parents if a student under the age of 21 at the times of the notification commits a disciplinary violation involving alcohol or a controlled substance.

Because of the health and safety risk inherent in alcohol and other drug misuse, UM-Flint will notify parents/family of **any students under the age of 21**:

- If a student has committed an AOD violation accompanied by other sections behavior such as needing medical attention, significant property damage or driving under the influence.
- If a student has an AOD incident that resulted in a transport to the hospital or jail.
- If a student has had more than one AOD-related violation of the UM-Flint Alcohol and Other Drug Policy.

Please contact the Office of the Dean of Students for more Information

Alcohol and Other Drug Prevention

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 Recreational 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. When consumed rapidly and in large amounts, alcohol can cause coma and death. Combining medication (prescribed or not prescribed) with alcohol can have unpredictable and unwanted consequences.

AMPHETAMINES (Adderall, Concerta, Ritalin) 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 (Marijuana) 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. The use of opioids with alcohol or other prescription or illicit drugs can cause unpredictable and unwanted consequences.

PRESCRIPTION DRUG MISUSE Can cause a variety of health risks based on type of drug. Prescription drug misuse is the intentional use of medication without a prescription, in a way other than prescribed, or for the experience or feeling it causes.

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.

E-cigarettes contain nicotine, potential carcinogens and may cause addiction. To learn more, visit <https://hr.umich.edu/sites/default/files/ecigarettes-factsheet.pdf>

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 Counseling and Psychological Services (810-762-3456) or Recreational 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 Counseling and Consultation Office (FSCCO). FSCCO is a University of Michigan program that offers a number of services designed to help staff, faculty, retirees, and their immediate family members with personal difficulties encountered at both work and home. Contact UM-Flint Human Resources at (810) 762-3150 for more information.

The MHealthy Alcohol Management program (734-998-2017) <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 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 community has established expectations for non-academic student conduct under the Code of Student Conduct. The Code specifically addresses the illicit use of alcohol and other drugs.

The following behaviors contradict the values of the University community and are subject to disciplinary action under the AOD Policy:

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

The Code of Student Conduct, including sanctions, can be found at https://www.umflint.edu/sites/default/files/groups/Student_Conduct_and_Community_Standards/code_of_student_conduct_2017-2018_final.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 Code of Student Conduct.

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 the Dean of Students. Information pertaining to the conduct process can be found at the following website:

<https://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

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.

Drugs: 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 you specific legal issues. For more information on referrals to local legal services, contact the Office of the Dean of Students.

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 accompanies any individual 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.
- Any individual who seeks medical assistance for themselves because of drug overdose or use of a prescription drug that is a controlled substance or a controlled analogue.
- Any individual who accompanies or procures medical assistance for another individual as a result of drug overdose or use of a prescription drug that is a controlled substance.

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

Marijuana:

On November 6, 2018, Michigan voters passed Proposal 18-1, which legalizes possession and use of limited amounts of recreational marijuana by individuals 21 years and older. Neither this new state law, nor the Michigan Medical Marijuana Act, authorize the use or possession of marijuana on any property owned or managed by the University of Michigan-Flint, and by University of Michigan-Flint's faculty, staff, or students on any University of Michigan-Flint property or during off-campus University of Michigan-Flint business or events.

Marijuana possession and use remains illegal under federal law and is categorized as an illicit substance under the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. In addition, pursuant to U-M's Alcohol and Drug Policy (SPG 601.29), University of Michigan-Flint employees, students and 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 or at any site where university work is performed.

University of Michigan-Flint receives federal funding for various uses, including research and student financial aid. As such, University of Michigan-Flint must comply with federal law, including all current federal drug laws. Therefore, even though the State of Michigan has legalized limited amounts of marijuana for recreational use for some individuals, the possession, use, storage and cultivation of marijuana remains prohibited for all faculty, staff and students under University of Michigan-Flint's policy.

Employees and students who violate University of Michigan-Flint's policy prohibiting the use or possession of illegal drugs on campus will continue to be subject to disciplinary action.

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 (January, 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.

Review completed by the Office of General Counsel August, 2017
Review completed by UM-Flint ATOD Committee December, 2017
Approved by the UM-Flint Cabinet March, 2018