

The Drug-Free Schools and Workplace Guide for Oakland University Employees and Students

Oakland University (OU) is committed to providing an environment that is free from the misuse or unlawful possession, use, and abuse of: alcohol, drugs, and prescription drugs. To address these matters, OU is required by law to adopt and implement educational and preventive measures.

This document addresses: campus standards of conduct, University sanctions, and legal sanctions for violations of University standards and local, state, or federal law related to illicit drugs and alcohol, health risks, a description of applicable counseling, treatment, rehabilitation, or re-entry programs; and a biennial review of the program. Pursuant to the law, OU is issuing the guidance set forth below.

For the purpose of this document, the term “drug” includes but is not limited to illegally obtained controlled substances and controlled substances that are legal but are not legally obtained. For more information on controlled substances visit:

<https://www.deadiversion.usdoj.gov/21cfr/21usc/802.htm>

Standards of Conduct:

The unlawful possession, use, or distribution of illicit drugs and/or alcohol by students or employees and the misuse or abuse of prescription drugs in the workplace, on OU property or as part of an OU activity is specifically prohibited by OU ordinances, policies and codes of conduct and/or by local, state and/or federal law. The possession of a Michigan marijuana registry identification card does not exempt students or employees from this prohibition. The use and possession of marijuana remains illegal under federal law and, as a recipient of federal funds, OU is subject to the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, and could lose federal funding for any violations of these Acts, which require OU to take measures to combat the use of drugs and alcohol.

The OU ordinances, policies and codes of conduct provisions governing the general possession, consumption, and distribution of alcoholic beverages on the campus include, without limitation, the following. Additional rules and regulations which are not inconsistent with these provisions may be promulgated by the President or a designee, or the President may restrict the use of alcoholic beverages on campus as the President deems to be in the best interest of the safety and welfare of the university community. In addition, the University may revise its ordinances, policies and codes of conduct from time-to-time.

- A person who is less than 21 years of age shall not possess or consume any alcoholic beverage on the campus.
- No person shall provide any alcoholic beverage to another person on campus who is less than 21 years of age.
- No person shall consume, possess, or distribute any alcoholic beverages on the campus except as established by this section. The lawful possession and lawful and responsible use of alcoholic beverages shall be permitted:
 - in private homes and leaseholds on campus;
 - in private areas of university housing facilities including rooms, suites, apartments, and the private lounge provided to Meadow Brook Theatre actors as part of their residence arrangement;

- during scheduled and university-approved activities at campus facilities that are regularly licensed for alcoholic beverage use, under the rules applicable to those facilities;
- during activities at another location when the President or the President's designee specifically approves in writing alcoholic beverage use at the activity, and when a special liquor license is in effect at the location.

The OU policies governing the student use of alcohol and drugs are available in the Student Code of Conduct:

<https://wwwp.oakland.edu/deanofstudents/student-code-of-conduct/>

The OU Ordinances governing the use of alcohol and drugs can be found in Administrative Policy # 400

<https://www.oakland.edu/policies/generalgovernance/400/>

and Administrative Policy # 640, sections #5.01 and #7.01. In addition, the misuse or abuse of prescription drugs is prohibited conduct.

<https://www.oakland.edu/policies/health-and-safety/640/>

Substance Abuse Prevention:

The State of Michigan defines substance abuse as the continued usage of drugs or alcohol to the extent that it results in significant impairment including interference with one's work, home, social relationships, or health in the previous 12 months.

OU combats substance abuse through the Oakland University Substance Abuse Program which is a comprehensive state-licensed prevention program. The program has three prongs:

- Prevention through education, presentations and workshops
- Identification and early intervention with "at risk" subgroups
- Training and consulting with faculty, staff and university decision-makers.

The Counseling Center provides expertise and leadership to address the specific needs of subgroups identified by needs assessment activities and other research as being "at risk." First time violators of the OU's alcohol and marijuana policy attend an educational program and must demonstrate a specified level of awareness following completion.

Graham Health Center has rapid urine drug testing available as well.

For more information on Oakland University's Substance Abuse Prevention Program, please visit

<https://www.oakland.edu/oucc/clinical-services/substance-abuse/>

Financial Aid Implications

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for federal student aid funds.

Convictions only count against a student for aid eligibility purposes if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge. Also, a conviction that was reversed, set aside, or removed from the student’s record does not count, nor does one received when the student was a juvenile, unless the student was tried as an adult.

The chart below illustrates the period of ineligibility for federal student aid funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. A conviction for sale of drugs includes convictions for conspiring to sell drugs.

	<u>Possession of illegal drugs</u>	<u>Sale of illegal drugs</u>
1st offense	1 year from date of conviction	2 years from date of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

University Sanctions:

OU will impose sanctions for violations of its ordinances, policies and codes of conduct as set forth in those ordinances, policies and codes of conduct and, when applicable, consistent with applicable collective bargaining agreements and employee handbooks. Violations by faculty, staff, or students will result in disciplinary action up to and including termination of employment, expulsion, and referral for criminal prosecution. Examples of violations include but are not limited to the unauthorized use of alcohol on campus or in the workplace; being under the influence of alcohol at the workplace; use or being under the influence of illegal substances on campus or in the workplace; use or abuse of legal drugs in the workplace to the extent that performance or fitness for duty is adversely affected. The discipline imposed will depend upon the seriousness of the offense and prior misconduct. In addition to, or in lieu of, discipline, violators may be required to complete an appropriate rehabilitation program. In certain scenarios, parents of a student under the age of 21 may be notified of a drug or alcohol violation as per OU’s Student Code of Conduct to the extent permitted by the Family Educational Rights and Privacy Act (FERPA). For more information on FERPA you can visit:

<https://www.oakland.edu/deanofstudents/student-privacy-rights-ferpa/>

Since marijuana is illegal under federal law, the use of it in any form (including medicinal marijuana) on OU’s campus is strictly prohibited, despite state law. OU is required to comply with the Drug-Free Schools and Communities Act of 1989 because the university receives federal funding. As a recipient of federal financial aid and grant funding, Oakland University is also required to adhere to the requirements outlined in the Controlled Substances Act, the Drug Free Schools and Campuses Regulations, the Drug Free Schools and Communities Act and the federal Drug Free Workplace Act. Therefore, OU must comply with all federal laws relating to marijuana. All of these statutes and regulations prohibit the possession, use and distribution of marijuana in all forms. The use or distribution of marijuana in any form on campus by any student, faculty, or staff member is therefore expressly prohibited and will result in disciplinary action.

Enforcement of federal law applies to violations for any reason, including use for medicinal purposes.

Additional information is available at the links below:

Student Code of Conduct:

<https://wwwp.oakland.edu/deanofstudents/student-code-of-conduct/>

Academic Human Resources

<https://wwwp.oakland.edu/ahr/>

University Human Resources

<http://www.oakland.edu/uhr/>

Legal Sanctions:

There are legal sanctions for the unlawful possession, use, or distribution of illicit drugs and alcohol. Any violation of an OU ordinance is a misdemeanor punishable by a fine of not more than \$100 or by imprisonment for not more than 90 days or both. Sanctions for violations of OU policies and/or codes of conduct are described above. Violations under state and federal law may result in punishment for a misdemeanor or felony, depending on the nature of the crime, including fines, imprisonment, and loss of certain licenses and forfeiture of real and/or personal property. Descriptions of the state and federal sanctions for illegal possession and distribution can be found at the links below. Sanctions may change from time to time.

Below is further information on current legal sanctions for some of the most common alcohol and drug offenses in the State of Michigan – these sanctions may change from time to time:

https://www.michigan.gov/sos/0,4670,7-127-1627_8665_9070-24488--,00.html

Violation	Causes	Possible Penalties
Operating While Intoxicated (OWI)	<ul style="list-style-type: none">Alcohol, drugs or other intoxicating substance in your body substantially affected your ability to operate a motor vehicle safely.A bodily alcohol content (BAC) at or above 0.08. This level can be determined through a chemical test.High BAC means the alcohol level in your body was at or above 0.17. This level can be determined through a chemical test.	First offense: <ul style="list-style-type: none">\$100 to \$500 fine and one or more of the following:<ul style="list-style-type: none">Up to 93 days in jail.Up to 360 hours of community service.Driver's license suspension for 30 days, followed by license restrictions for 150 days.Possible vehicle immobilization.Possible ignition interlock.

		<ul style="list-style-type: none"> • Six points added to driving record.
Operating While Visibly Impaired (OWVI)	Means that because of alcohol, controlled substance, or other intoxicating substance, your ability to operate a motor vehicle was visibly impaired.	<p>First Offense:</p> <ul style="list-style-type: none"> • Up to a \$300 fine, and one or more of the following: <ul style="list-style-type: none"> ○ Up to 93 days in jail. ○ Up to 360 hours of community service. • Driver's license restrictions for 90 days (180 days if impaired by a controlled substance). • Possible vehicle immobilization. • 4 points added to the offender's driving record.
Operating With Any Presence of a Schedule 1 Drug or Cocaine (OWPD)	Means having even a small trace of a schedule 1 drug in your body, even if you do not appear to be intoxicated or impaired. This can be determined through a chemical test.	<p>First offense:</p> <ul style="list-style-type: none"> • \$100 to \$500 fine and one or more of the following: <ul style="list-style-type: none"> ○ Up to 93 days in jail. ○ Up to 360 hours of community service. • Driver's license suspension for 30 days, followed by license restrictions for 150 days. • Possible vehicle immobilization. • Possible ignition interlock. • Six points added to driving record.
Under Age 21 Operating With	Means having a BAC of 0.02 to	First Offense:

Any Bodily Alcohol Content (Zero Tolerance)	0.07, or any presence of alcohol in your body other than alcohol that is consumed at a generally recognized religious ceremony.	<ul style="list-style-type: none"> • Up to a \$250 fine, or up to 360 hours of community service, or both. • Driver's license is restricted for 30 days. • 4 points are added to the offender's driving record.
Using Fraudulent ID to Purchase Alcohol	A minor shall not use a fraudulent ID to purchase alcohol under any circumstances nor shall anyone furnish a minor with a fraudulent ID.	<ul style="list-style-type: none"> • Up to a \$100 fine, or up to 93 days in jail, or both. • Driver's license is suspended for 90 days. • Alcohol screening may be required.
Person Under 21 Purchase/Consume/Possess Alcohol	A person under the age of 21 may not purchase, possess, or consume alcohol.	<ul style="list-style-type: none"> • First offense -- \$100 fine. No driver's license sanction. • Second offense -- \$200 fine. Driver's license is suspended for 30 days and restricted for 60 days. • Third offense -- \$500 fine. Driver's license is suspended for 60 days and restricted for 305 days. • Alcohol screening may be required. • Community service may be required.

A more thorough listing of this information can be found through the links below:

<https://fas.org/sgp/crs/misc/RL30722.pdf>

<https://mjieducation.mi.gov/documents/criminal-qrms/360-cs-penalty-table/file>

Health Risks:

The psychological and social consequences of illicit drug use and alcohol abuse can be devastating. This can lead to various health and other risks including feelings of depression or anxiety; diminished or impaired work or academic performance; absenteeism; poor decision making; poor morale; low self-

esteem; financial problems; conflicts with co-workers, classmates, families, friends and others. Loss of job, friends, divorce and the creation of a dysfunctional family system are other common consequences of substance abuse. Additional risks include sexual assault or other unplanned sexual relationships; unwanted pregnancies; irreversible drug-induced psychotic state and/or delusions of omnipotence which trigger life-threatening behavior. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and intellectual disabilities. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

The following drugs carry some of the following risks according to <https://drugabuse.gov>

ALCOHOL: Loss of judgement, slowed reflexes, alcohol poisoning, behaviors that can lead to accidents such as motor vehicle crashes, mental health problems such as depression and increased anxiety, increased risk of cardiovascular related health issues, liver disease, and stroke. Excessive consumption of alcohol can also lead to alcohol dependence or alcoholism.

AMPHETAMINES: Increased heart rate, blood pressure, and risk of other cardiovascular health issues are possible with the use of amphetamines. Amphetamines cause careless behavior, pushing beyond your physical capacity which can lead to exhaustion. Tolerance increases rapidly; causes physical and psychological dependence; withdrawal can lead to mental health conditions including depression and suicide.

CANNABIS (Marijuana): The short-term effects of cannabis include increased forgetfulness, slowed reflexes, loss of judgement, and brain function. Long term impacts of cannabis use can result in permanent lung damage, reproductive issues, and long term brain damage.

COCAINE (Crack): Causes increased heart rate, anxiety, anger, irritability, paranoia, damage to the respiratory system, malnutrition, and seizures. Cocaine is highly addictive.

HALLUCINOGENS: Can cause hallucinations that distort reality, increased breathing rate and body temperature, extreme paranoia, sudden mood changes, and bizarre behavior. Long term use can result in psychosis and a decrease in mental function.

OPIATES/NARCOTICS: Can cause a physical and psychological dependence, development of tolerance, drowsiness, nausea, constipation, euphoria, slowed breathing, and death. There is an increased risk of overdose or addiction if misused.

TOBACCO: Short term effects are increased blood pressure, breathing, and heart rate. Long term impacts are greatly increased risk of cancer, especially lung cancer when smoked and oral cancers when chewed; chronic bronchitis; emphysema; heart disease; leukemia; cataracts; pneumonia. If used during pregnancy, tobacco can cause miscarriage, low birth weight, stillbirth, learning and behavior problems.

For more information on the impacts of drugs and alcohol, please visit <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>. Additional information is available at Graham Counseling Center (<http://www.oakland.edu/GHC>.)

Medical Amnesty Provision:

In 2012, the State of Michigan adopted a medical amnesty law to remove perceived barriers to minors who may be at medical risk as a result of alcohol intoxication calling for or seeking help.

The 2012 law creates 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, but not limited to medical examination and treatment for any condition as a result of sexual assault (as defined in Michigan law) committed against a minor.
- 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, but not limited to, medical examination and treatment for any condition as a result of sexual assault (as defined in Michigan law) committed against a minor.
- 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 for a legitimate health care concern.
- Oakland University maintains the discretion to refer the individual for appropriate conduct and educational intervention(s).

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.

Additional information can be found in the Oakland University Student Code of Conduct:

<https://www.oakland.edu/deanofstudents/student-code-of-conduct/medical-amnesty-provision>

Employees working on federal grants and contracts:

As a condition of employment, all employees working on federal grants and contracts must abide by this statement. Such employees must notify their supervisor or department head of any criminal drug statute conviction occurring in the workplace no later than 5 days after the conviction. The supervisor or department head must then promptly report the violation to the Director of Sponsored Research.

Drug & Alcohol Counseling, Treatment, and Rehabilitation Programs and Contacts

NOTE: This is a partial list of substance abuse facilities. More programs and centers may be listed in local and other area telephone directories.

Oakland University Counseling Center

(248) 370-3465

<https://www.oakland.edu/oucc/>

St. Joseph Mercy Hospital

(248) 858-3000

<http://www.stjoesoakland.org/oakland>

AA of Oakland County

(248) 332-3521

<http://www.aaoklandcountymi.org/>

Alcoholics Anonymous (National)

(800) 252-6465

<https://www.aa.org/>

M.A.D.D. Oakland County

(800) 323-6233

<https://www.madd.org/michigan/>

M.A.D.D. (National)

(877) 275-6233

<https://www.madd.org/>

Narcotics Anonymous (Michigan)

(800) 230-4085
<http://michigan-na.org/>

Narcotics Anonymous (National)

(818) 773-9999
<https://na.org/>

Oakland County Health Division

(248) 858-8745
<https://www.oakgov.com/health/information/Pages/Substance-Abuse.aspx>

Oakland County Opiate Information

(888) 350-0900
<http://accessoakland.oakgov.com/pages/oakland-county-opioid-initiative>

Oakland County Prescription Drug Abuse Partnership

(248) 858-4670
<https://www.oakgov.com/health/partnerships/Pages/Oakland-County-Prescription-Drug-Abuse-Partnership.aspx>

SMART Recovery

<https://www.smartrecovery.org/>

Brighton Hospital

<http://brightonrecovery.org/>

Maplegrove

<https://www.henryford.com/locations/maplegrove>

If treatment for substance abuse is needed, please contact your insurance carrier to obtain proper instructions for seeking treatment.

If you have any questions about any of the issues addressed in the guide, please contact one of the following offices:

Dean of Students

<https://www.oakland.edu/deanofstudents/>
(248)370-3352

Academic Human Resources

<https://www.oakland.edu/ahr/>
(248)370-2922

University Human Resources

www.oakland.edu/uhr/
(248)370-3480