

DEARBORN ADMINISTRATIVE GUIDE

Section: Faculty and Staff
Subject: Policy on Alcohol and Other Drugs
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Under the "Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1991", the University is required to notify all employees and students of its specific alcohol and drug policy program.

The elements of the policy and program include consequences that may follow the use of alcohol and other drugs, and sanctions that may be applied both by the University and by external authorities. The law requires that individuals be notified of possible sources of assistance for problems that may arise as a result of use. The following material is provided to supplement the comprehensive policies that are being prepared in accordance with the Task Force report.

This policy is intended to educate members of the University community about the health risks associated with the use and abuse of alcohol and other drugs and about the resources available for counseling and therapy. In addition, in order to assure a work and learning environment that promotes the University's mission and proper function, the University prohibits unlawful possession, use or distribution of alcohol or illicit drugs by faculty, staff or students on University property or as a part of any University activity. Federal and state sanctions also apply to such conduct.

Prevention strategies include efforts to change inappropriate community norms regarding alcohol and other drug use, to alter environmental factors that support inappropriate use and to provide information and skills regarding sensible use.

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. These include:

- acute health problems related to intoxication or overdose (blackouts, convulsions, coma, death);
- physical and psychological dependence;
- malnutrition;

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- long-term health problems including cirrhosis of the liver, organic brain damage, high blood pressure, heart disease, ulcers, and cancer of the liver, mouth, throat and stomach;
- contracting diseases such as AIDS and other sexually transmitted diseases, through the sharing of hypodermic needles or engaging in unprotected sex while under the influence;
- pregnancy problems including miscarriages, stillbirths, learning disabilities, and low birth weight; fetal alcohol syndrome (physical and mental birth defects);
- psychological or psychiatric problems;
- diminished behavior (hangovers, hallucinations, disorientation, slurred speech);
- unusual or inappropriate risk-taking which may result in physical or emotional injury, or death;
- violent behavior toward others, such as assaults and rape;
- accidents caused by operating machinery while impaired;
- impaired driving resulting in alcohol and drug-related arrest;
- traffic accidents, injuries, and fatalities;
- negative effects on academic or work performance;
- conflicts with co-workers, classmates, families, friends and others;
- conduct problems resulting in disciplinary actions, including loss of employment; and
- legal problems, including imprisonment.

Counseling and Treatment Programs

The University of Michigan encourages individuals with alcohol or drug-related problems to seek assistance. Confidential, no-cost services are available to University of Michigan-Dearborn students, faculty and staff members at:

Counseling and Support Services
2157 University Center
593-5430

This office can also provide additional information on local, state, and national resources for those seeking assistance.

University Sanctions

Unlawful possession, use, manufacture, or distribution of alcohol or illicit drugs by faculty, staff or students on University property or as a part of any University activity may lead to sanctions within the University, the severity of which shall increase as the seriousness of the violation increases.

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Sanctions include:

- a verbal or written reprimand;
- completion of an appropriate rehabilitation program;
- a disciplinary warning, with notice that repetition of the offense may result in a more serious sanction;
- suspension from the University (student) or from employment (employee) for a fixed period of time or until completion of specified conditions, such as completion of an appropriate rehabilitation program;
- expulsion from the University (student) or termination of employment (faculty or staff); and/or
- other appropriate sanctions.

Sanctions for violations by faculty and staff shall be imposed pursuant to the Code of Student Conduct or pursuant to other approved procedures. More detailed descriptions of sanctions related to these and other drug and alcohol offenses are available at the Human Resources Office, 1020 AB, 593-5190, and at the Office of Enrollment Management and Student Life, 1060 AB, 593-5151.

External Sanctions

Unlawful possession, use or distribution of alcohol or illicit drugs may also 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.

For example, under federal laws, trafficking in drugs such as heroin or cocaine may result in sanctions up to and including life imprisonment for a first offense involving 100 grams or more. Fines for such an offense can reach \$4 million. Offenses involving lesser amounts, 10 grams, may result in sanctions up to and including 20 years' imprisonment and fines up to \$2 million. A first offense for trafficking in marijuana may lead to sanctions up to life imprisonment for an offense involving 1,000 kilograms or more or up to 5 years' imprisonment for an offense involving less than 50 kilograms. Such an offense carries with it fines that can reach \$4 million for an individual offender. Federal and state sanctions for illegal possession of controlled substances range from up to one year imprisonment and up to \$100,000 in fines to three years' imprisonment and \$250,000 in fines for repeat offenders. Under Michigan laws, use of marijuana is a misdemeanor punishable by up to 90 days in jail and a \$100 fine. Delivery of marijuana is a felony punishable by up to four years imprisonment and up to \$2,000 in fines.

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Violations may also lead to forfeiture of personal and real property and denial of federal benefits, such as grants, contracts and student loans.

The State of Michigan may impose a wide range of sanctions for alcohol related offenses. For example, a first drunk-driving offense may be punished by up to 90 days in jail, a fine of not less than \$100 nor more than \$500, suspended license for not less than six months nor more than two years, and up to 45 days of community service. Subsequent offenses can lead to significantly increase sanctions. The vehicle of a minor transporting alcohol may be impounded for up to 30 days. Furnishing or using fraudulent identification to obtain alcohol may be punished by up to 90 days in jail and a \$100 fine.

More detailed descriptions of sanctions related to these and other drug and alcohol offenses are available in the libraries; at the Personnel Centers and office; at the Office of the Vice President for Student Affairs, 503 Thompson, Ann Arbor; at the Office of the Vice Chancellor for Enrollment Management and Student Life, 1060 AB, Dearborn; and at the Office of the Vice Chan Chancellor for Student Services and Enrollment Management, 237 University Pavilion, Flint.

On September 1, 1995, the Michigan Legislature expanded the law concerning minors and alcohol possession, consumption, and purchase. A minor is anyone under the age of 21. The minor may be required to submit to a preliminary chemical breath test and may be subject to suspension of his/her driver's license even if he/she was not in an automobile at the time of the arrest. In addition, it is now a misdemeanor, not a civil infraction, for a minor to **attempt** to possess, consume, or purchase alcohol. If the underage person is less than 18 years of age, the agency charging him/her must notify the parents or guardian within 48 hours.

Employee Reporting Requirement

Under the Drug-Free Workplace Act of 1988, in addition to the other requirements of this policy, a faculty or staff member who works in any capacity under a federal grant or contract must 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 no later than five calendar days after such conviction. This applies to direct charge employees and to the indirect charge employees who perform any support or overhead functions related to the grant. The supervisor or department head must then promptly report the violation to the General Counsel's Office.

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Distribution of Policy

A copy of this policy statement shall be distributed annually to all faculty, staff and students.

Review of University Program and Policy

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