

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 consequences for violations of 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 statement 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/>

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 a University activity is specifically prohibited by OU Ordinances and/or by state 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, Oakland University 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 Oakland University to take measures to combat the use of drugs and alcohol.

The following provisions govern the general possession, consumption, and distribution of alcoholic beverages on the campus. 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.

- 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.

Oakland University 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 OU 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."

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

Effective June 17, 2021, drug-related convictions will no longer affect your eligibility to receive federal financial aid.

<https://studentaid.gov/understand-aid/eligibility/requirements/criminal-convictions>

University Sanctions:

OU will impose sanctions for violations of this statement consistent with local, state, and federal law and with applicable collective bargaining agreements, employee handbooks, student handbooks, and University ordinances. Violations by faculty, staff, or students will result in disciplinary action up to and including termination of employment, expulsion, and referral for 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. 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 will be notified of a drug or alcohol violation as per Oakland University's Student Code of Conduct. This is allowable under 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 Oakland University's campus is strictly prohibited, despite state law. Oakland University is required to comply with the Drug-Free Schools and Communities Act of 1989 because the university receives federal funding. Therefore, Oakland University must comply with all federal laws and drug laws. The use or distribution of marijuana in any form on campus by any student, faculty, or staff member is expressly prohibited and will result in disciplinary action.

As a recipient of federal financial aid and grant funding, Oakland University is required to adhere to regulations outlined in the Controlled Substances Act, the Drug Free Schools and Campuses Act and the federal Drug Free Workplace Act. All of these prohibit the possession, use and distribution of marijuana in all forms. 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/>

Human Resources

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

Legal Sanctions:

There are legal sanctions under OU Ordinances, and under state and federal law, 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. 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 via:

Drug Offenses

<https://www.courts.michigan.gov/siteassets/publications/benchbooks/qrms/criminal/controlled-substances/cs-penalty-table.pdf?r=1>

Alcohol Offenses

<https://www.courts.michigan.gov/48ce8a/siteassets/publications/manuals/probation/appendix6-mipchart.pdf>

Michigan Liquor Control Code, Administrative Rules and Related Laws

<https://www.michigan.gov/lara/-/media/Project/Websites/lara/lcc/Michigan-Liquor-Control-Commission-Code-and-Rule-Book.pdf?rev=3da7d3be6b7d4133989525e6ca6d6360&hash=E207AA07786D06DC6DDBE91EDD3D29C5>

Violation	Causes	Possible Penalties
<p>Operating While Intoxicated (OWI) and Operating While Visibly Impaired (OWVI)</p>	<ul style="list-style-type: none"> ● A person, whether licensed or not, shall not operate a vehicle on a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state when, due to the consumption of alcoholic liquor, a controlled substance, or other intoxicating substance, or a combination of alcoholic liquor, a controlled substance, or other intoxicating substance, the person's ability to operate the vehicle is visibly impaired. ● 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. 	<p><u>First Offense:</u></p> <ul style="list-style-type: none"> ● 93 day misdemeanor ● \$100 to \$500 fine (\$200-\$700 if BAC was .17% or greater) and one or more of the following: <ul style="list-style-type: none"> ● Up to 93 days in jail (Up to 180 days if BAC was .17% or greater) ● Up to 360 hours of community service. ● Driver's license suspension for 180 days ● Possible vehicle immobilization. ● Possible ignition interlock. ● Six points added to driving record. <p>OWI and OWVI offenses involving passengers under 16 years of age carry enhanced penalties. The driver must pay a mandatory fine of \$200-\$1,000 and serve either 30 to 90 days of community service or five days to one year in jail.</p>

<p>Operating While Intoxicated (OWI) and Operating While Visibly Impaired (OWVI)</p> <p>(Second Offense)</p>	<ul style="list-style-type: none"> ● A person, whether licensed or not, shall not operate a vehicle on a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state when, due to the consumption of alcoholic liquor, a controlled substance, or other intoxicating substance, or a combination of alcoholic liquor, a controlled substance, or other intoxicating substance, the person's ability to operate the vehicle is visibly impaired. ● 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. 	<p><u>Second Offense (within 7 years):</u></p> <ul style="list-style-type: none"> ● 1 year misdemeanor ● 5 days to one year in jail ● \$200-\$1000 fine and one or more of the following: <ul style="list-style-type: none"> ● minimum 30 days community service (maximum 90 days) ● Driver's license revoked ● Possible ignition interlock device during probation ● Mandatory vehicle Immobilization ● Six points added to driving record. <p>OWI and OWVI offenses involving passengers under 16 years of age carry enhanced penalties. The driver must pay a mandatory fine of \$500-\$5,000 and serve 1 to 5 years in jail. If the judge grants probation, the convicted person must serve 30 days to 1 year in jail and complete 60-180 days of community service. Finally, the judge will order the driver's vehicle to be immobilized for 90 to 180 days or be completely forfeited.</p>
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<p>Operating With the Presence of Drugs (OWPD)</p>	<p>A person, whether licensed or not, who operates a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including areas designated for parking of vehicles, which any amount of the following controlled substances:</p> <ul style="list-style-type: none"> ● A schedule 1 controlled substance under MCL 333.7212 of the Public Health Code <p>Michigan Legislature - Section 333.7212</p> <ul style="list-style-type: none"> ● A controlled substance described in MCL 333.7214(a)(iv) of the Public Health Code (i.e., cocaine). 	<p><u>First offense:</u></p> <ul style="list-style-type: none"> ● 93 day misdemeanor ● 360 hours of community service ● Fines of up to \$500, and additional restrictions such as ● Driver’s license suspension or revocation. ● If you already have two OWI offenses on your record, a third operating while intoxicated or OWPD charge could result in up to a year in prison, along with increased fines, license revocation, and more.
<p>Under Age 21 Operating With Any Bodily Alcohol Content (Zero Tolerance)</p>	<p>Means having a BAC of 0.02 to 0.07, or any presence of alcohol in your body other than alcohol that is consumed at a generally recognized religious ceremony.</p>	<p><u>First Offense:</u></p> <ul style="list-style-type: none"> ● Up to \$250 in fines, ● Up to 360 hours of community service, or both. ● Restricted driver’s license for 30 days. ● 4 points on the offender's driving record. <p><u>Second Offense:</u></p> <ul style="list-style-type: none"> ● Fine up to \$500.

		<ul style="list-style-type: none"> ● Up to 60 days of community service. ● Up to 93 days in jail. ● 4 points added to the offender’s driving record. ● Driver’s license suspension for 90 days. ● If the offender has a prior drunk or driving under the influence of drugs conviction, their driver’s license can be revoked (or denied) for a minimum of 1 year. If the offender had a prior revocation within seven years, then the revocation/denial has a minimum of 5 years.
<p>Person Under 21 Purchase/Consume/Possess Alcohol or Using Fraudulent ID to Purchase Alcohol</p>	<p>A minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided in this section. A minor who violates this subsection is responsible for a state civil infraction or guilty of a misdemeanor.</p>	<p><u>First Offense:</u></p> <ul style="list-style-type: none"> ● Civil infraction and must be fined not more than \$100.00 <p><u>Second Offense</u></p> <ul style="list-style-type: none"> ● Misdemeanor ● Imprisonment for not more than 30 days ● Fine of not more than \$200.00 ● Participate in substance use disorder services ● Perform community service ● Undergo substance abuse screening and assessment at his or her own expense

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

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

<https://www.michigan.gov/lara/-/media/Project/Websites/lara/lcc/Michigan-Liquor-Control-Commission-Code-and-Rule-book.pdf?rev=3da7d3be6b7d4133989525e6ca6d6360&hash=E207AA07786D06DC6DDBE91EDD3D29C5>

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 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 judgment, 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 judgment, 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 from the OU Counseling Center at

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

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 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:

The unlawful possession, use or distribution of illicit drugs and alcohol by students or employees in the workplace, on OU property or as part of a University activity is specifically prohibited by the university and by state or federal law. 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 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/>

Alcoholics Anonymous Oakland County

(248) 332-3521

<https://alcoholicsanonymous.com/aa-meeting/a-a-of-oakland-county/>

AA National

(800) 252-6465

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

M.A.D.D. Oakland County

248-528-1745

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

M.A.D.D. National

(877)623-3425

Narcotics Anonymous Michigan

(800) 230-4085

<http://michigan-na.org/>

NA National

(818) 773-9999

<https://na.org/>

SMART Recovery

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

Oakland Community Health Network

(248)858-1210

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

Oakland County Health Division

(248) 858-8745

<https://www.oakgov.com/community/health>

Oakland County Prescription Drug Abuse Partnership

<https://www.oakgov.com/community/health/partnerships/prescription-drug-abuse-prevention/substance-use-prevention-programs>

(248) 858-5533

Oakland County Opiate Information

(888)858-1000

<https://accessoakland-oakgov.opendata.arcgis.com/pages/oakland-county-opioid-initiative>

Ascension Brighton Center for Recovery

<https://healthcare.ascension.org/locations/michigan/midet/brighton-ascension-brighton-center-for-recovery>

Henry Ford Health

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

Trinity Health Michigan

(844)237-3627

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

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

www.oakland.edu/deanofstudents/

(248)370-3352

University Human Resources

www.oakland.edu/hr/

(248)370-3480