

# Alcohol and Other Drug Policy for Students, Faculty and Staff

## Updated: February 2016

### Introduction

The College for Creative Studies is committed to providing a safe, healthy learning community for all its members. The College recognizes that the improper and excessive use of alcohol and other drugs may interfere with the College's mission by negatively affecting the health and safety of students, faculty and staff. Due to the harm caused by excessive and illegal use of alcohol and other drugs, the College has a vested interest in establishing policies to prohibit unlawful behavior and sanctions to address policy violations by members of the CCS community.

Under the **Drug-Free Workplace Act** and the **Drug-Free Schools and Communities Act**, the College is required to have an alcohol and other drug policy and must distribute this policy annually to all employees and students. This Policy must outline the College's prevention, education and intervention efforts, and consequences that may be applied by both the College 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.

### Scope

This policy applies to all faculty and staff, as well as students enrolled in credit bearing and non-credit bearing courses at CCS, including any and all programs located off site. Guests, on campus or at College events, who are violating a College policy, may be asked to leave campus/the event and their CCS host will be held responsible for their guest's actions.

Students visiting other countries to attend academic programs are reminded that they may be subject to arrest and legal sanctions for alcohol and drug offenses under the laws and regulations of that particular country or institution in addition to the judicial process of the College.

### Definitions

The following terms are defined for the purposes of this policy and are important for purposes of expressing the College's policy on a drug and alcohol-free environment:

*College* refers to the College for Creative Studies.

*College activities* includes programs affiliated with the College, including study-abroad programs, and any on-campus or off-campus event or function conducted, approved, sponsored or funded, in whole or in part, by the College or any officially recognized student organization.

*College premises* includes all buildings and land owned, leased, or used by the College (including adjacent streets and sidewalks), and motor vehicles operated by employees, including personal motor vehicles, when used in connection with work performed for or on behalf of the College.

*Controlled Substance* means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15.

*Contract* means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a specific instance that the use of a type of procurement contract is appropriate.

*Conviction* means finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

*Criminal drug statute* means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.

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

- controlled substances, as defined in 21 USC 812, which cannot be legally obtained
- 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.

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*Federal agency or agency* means any United States executive department, military department, government corporation, government controlled corporation, or any other establishment in the executive branch, or any independent regulatory agency.

*Guest* means a person who is not a direct member of the College community, such as a student or employee.

*Host* means the person who is responsible for a guest being on campus or at a College event.

*Illicit drug use* means the use, manufacture, sale, distribution, dispensation, or possession of illegal drugs.

*Over the Counter Substances* means items that are available for purchase from retailers that do not need a prescription.

*Prescribed Drug* means any substance prescribed for use by a licensed medical practitioner.

*Student* means an individual registered or enrolled for a credit or non-credit course or program offered by the College.

### **CCS Alcohol and Drugs Policy**

All members of the CCS 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 those entities for any illegal activity. It is the responsibility of all campus members to be aware of these laws.

#### Alcohol

Employees, students, faculty and campus guests, regardless of age, are expected to refrain from the possession, consumption or transportation of alcoholic beverages while on any part of the campus or at College sponsored/supported events, while driving a College vehicle or while otherwise engaged in College business. Possession of an empty container of an alcoholic beverage will be dealt with as though the individual responsible for the empty container consumed the contents.

The only exception to this Policy is that individuals of legal age may consume alcohol on College property in a manner consistent with College policy and State of Michigan law within the approved designated area of events coordinated by the Office of Institutional Advancement or Executive Office.

#### Drug/Controlled Substance

Students, CCS employees and guests are prohibited from using, possessing, transferring or selling any illegal drug, controlled substance, or related paraphernalia, including hookahs, while on any part of the campus or at College sponsored/supported events.

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 College property, while driving a College or privately owned vehicle, or while otherwise engaged in College 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.

### **CCS Alcohol and Other Drug Prevention Strategies**

The College uses the following strategies to provide a positive influence on the campus culture regarding alcohol and drug abuse:

- Students, employees and campus guests, **regardless of age**, are expected to refrain from the possession, consumption or transportation of alcoholic beverages on campus. (see details and exceptions described in the above section)
- Providing education and awareness activities
- All student social, extracurricular, and public service options are substance-free
- Prohibiting the marketing and promotion of alcohol and other drugs
- Developing and enforcing campus policies and enforce laws to address high-risk and illegal alcohol and other drug use
- Providing early intervention and referral for treatment

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### 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 is 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

#### Students

All students are encouraged to seek help early if they feel they have a problem with drugs and/or alcohol, and to learn how to assist others with substance abuse problems. With early assistance it is less likely that serious consequences will result from an alcohol or drug problem.

The College offers the following alcohol and drug abuse services:

#### *Information and Referral*

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All students are eligible to consult with the professional staff of the Wellness Center; personal counselors and/or health care professional, regarding the availability of drug abuse assistance programs. Drug and alcohol abuse counseling and rehabilitation program referrals are made to mutual help organizations, private hospitals, public treatment programs, and private drug treatment practitioners.

#### *Individual Counseling*

Individuals are seen on a short-term basis for assistance with drug-related problems. However, it is likely that students will be referred out for alcohol and drug dependence. This service is available to students at no charge.

#### *Contact Information*

Personal Counseling – 313-664-7852 or 313-664-7838

College Nurse – 313-664-7982

#### Employees

Alcohol and drug abuse rehabilitation and assistance programs are available through the College's health benefit program and Ulliance (employee assistance program) with both in-patient and out-patient programs. Employees with alcohol or drug abuse problems are strongly encouraged to participate in these programs. Employees may contact the Office of Human Resources to seek counseling assistance and/or referral to an appropriate outside agency. All communications between employees and CCS or outside agencies are strictly confidential.

#### *Contact Information*

Human Resources – 313-664-7652

Ulliance (Employee Assistance Program) – 888-333-6269

Blue Cross Blue Shield of Michigan – 800-637-2227

Blue Care Network – 800-662-6667

#### Community Resources

Narcotics Anonymous - [www.na.org](http://www.na.org)

Alcoholics Anonymous - [www.aa.org](http://www.aa.org)

Al-anon - [www.al-anon.alateen.org](http://www.al-anon.alateen.org)

*For friends, relatives and domestic partners who are coping with a loved one's alcohol or drug use.*

Drug Free Detroit - [www.drugfreedetroit.org](http://www.drugfreedetroit.org)

#### **CCS 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.

#### Students

When a student is found responsible for violating the CCS Alcohol and Other Drug Policy, their case will be evaluated and an appropriate sanction will be implemented.

The sanctions described are minimum sanctions and do not limit the disciplinary power of the College in any matter involving Code of Conduct violations.

A **Warning** is a written notification that a particular action is not acceptable.

**Disciplinary Probation** is a formal written notice that a student is in poor judicial standing with the College.

**Loss of College Housing Eligibility** (if applicable) is the termination of a student's admissibility to live in College housing.

**Suspension** is the termination of an individual's status as a student, with the loss of all rights and privileges, for a specific time period.

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**Dismissal** is the permanent termination of an individual's status as a student, with the loss of all rights and privileges.

**Community Service Hours** is a required number of hours to be worked in unpaid College or public service within a specific period of time.

**Educational Project** is a project that is focused on educating the student about a particular issue.

### Employees

CCS will take appropriate action, up to and including immediate termination, with employees in violation of this policy. Employees are notified that action under this policy may include requiring successful participation in an alcohol or drug rehabilitation or assistance program as a condition of continued employment.

### **External Sanctions**

#### Federal Law

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.

#### Michigan Law

**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 also is 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 and/or 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) citation as well as being cited for operating a vehicle while intoxicated, if applicable. 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

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personnel for the purpose of obtaining medical assistance in connection with a legitimate health care concern.

**Michigan Law Governing Medical 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. CCS 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 CCS Alcohol and Drug Policy and is prohibited.

### **State of Michigan Legal Sanctions for Illegal Use, Possession and/or Delivery of Controlled Substances (Act No. 368 of the Public Acts of 1978)**

State of Michigan Sanctions for Violation of Drug Laws Narcotic Drug and Cocaine:  
Delivery and Possession - Felony, Mandatory 10 years to life.  
Use less than 50 grams - Misdemeanor, up to 1 year and/or \$2,000 fine.

#### Hallucinogens:

Delivery - Felony, up to 7 years and/or \$5,000 fine.  
Possession - Misdemeanor, up to 1 year and/or \$1,000 fine.  
Use - Misdemeanor, up to 6 months and/or \$100 fine.

#### Marijuana:

Delivery - Felony, up to 4 years and/or \$2,000 fine.  
Possession - Misdemeanor, up to 1 year and/or \$1,000 fine.  
Use - Misdemeanor, up to 90 days and/or \$100 fine.

#### Other Controlled Substances:

Delivery - Felony, up to 7 years and/or \$1,000 - \$5,000 fine.  
Possession - Misdemeanor or felony, up to 2 years and/or \$1,000 - \$2,000 fine.  
Use - Misdemeanor, up to 1 year and/or \$100 - \$1,000 fine.

#### State of Michigan Sanctions for Violation of Alcohol Laws Sale to Minors:

Misdemeanor, 90 days and/or \$100 fine.

#### Minor Possessing or Transporting in Motor Vehicle:

Misdemeanor, 90 days and/or \$100 fine.

#### Furnishing Fraudulent ID to Minor/Use of Fraudulent ID by Minor:

Misdemeanor, 90 days and/or \$100 fine.

#### Consumption on/in Public Highways, Parks or Places of Amusement:

Misdemeanor, 90 days and/or \$100 fine.

#### Open Alcohol in Vehicles on Highways:

Misdemeanor, 90 days and/or \$100 fine.

#### Purchase, Possession or Consumption by Minor:

(Civil Citation) : First violation not more than \$25.00; Second violation not more than \$50.00 (or participate in a substance abuse program) ; Third and subsequent violation not more than \$100.00 (or participate in a substance abuse program) .

#### Selling Without a License:

Misdemeanor, 1 year and/or \$1,000 fine.

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Selling or Furnishing Alcohol to a Minor:  
Misdemeanor, 90 days and/or \$100 fine.

State of Michigan Sanctions for Drinking/Driving Offenses Operating a Motor Vehicle with Ability Impaired:  
(depends on number of offenses)

Operating a Motor Vehicle Under the Influence of Intoxicating Liquor:

Operating a motor vehicle with unlawful blood alcohol level of 0.10 grams or more per 100 milliliters of blood: Up to \$1,000 fine, up to 1 year in jail, 10 to 90 days community service, license suspended for 90 days to 2 years or 5 year revoked license. If death caused, offense becomes a felony.

#### **Employee Reporting Requirement**

Under the Drug-Free Workplace Act, in addition to the other requirements of this Policy, the College requires all employees who work in any capacity under a federal grant or contract to notify his or her 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 the Office of Human Resources.

#### **Distribution of Policy**

A copy of this Policy statement will be distributed to all faculty, staff and students annually via email at the beginning of fall semester.

#### **Review of the College's Prevention Program and Policy**

Annually, the College shall review its Alcohol and Other Drug Policy and prevention strategies to determine effectiveness and to ensure that the College's disciplinary sanctions are consistently enforced. This annual review will be conducted in May and the minutes from the review are available to students and employees upon request.

#### **For More Information**

For more information concerning this Policy, employees should contact the Office of Human Resources at 313-664-7652 and students should contact the Office of Student Affairs at 313-664-7879.