

Administrative Procedure



Procedure Title: Drug and Alcohol Abuse Free College

Related Policies: 0.0.5 Drug and Alcohol Abuse Free College

Procedure Number: 0.0.5

Related Procedure: N/A

Office Responsible: Public Safety

Related Laws:

COLLEGE PENALTIES FOR VIOLATION OF BOARD OF TRUSTEES DRUG AND ALCOHOL ABUSE FREE COLLEGE POLICY

Any employee or student found to be in violation of the above prohibitions shall be subject to 1) disciplinary action, up to and including immediate discharge or dismissal; and/or 2) may be required to participate in a substance abuse assistance or rehabilitation program as a condition of continued employment or student status. Immediate discharge shall normally occur for violations involving the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance.

Furthermore, as a condition of continued employment, any employee who is convicted of any state or federal criminal statute, with respect to conduct occurring in the workplace, involving the manufacture, distribution, dispensation, use, or possession of any controlled substance shall provide written notification to the Chief Human Resources Officer of the conviction no later than five (5) days after such conviction. To the extent required by the Drug Free Workplace Act, the College also will notify the applicable federal grant or contract official of convictions so reported. Failure to timely report such conviction shall subject the employee to disciplinary action, up to and including immediate discharge. Any employee who is convicted as described above also may be subject to 1) disciplinary action, up to and including immediate discharge; and/or 2) may be required to participate in a substance abuse assistance or rehabilitation program as a condition of continued employment.

POTENTIAL LEGAL CONSEQUENCES

Violations of laws and ordinances relating to drugs and alcohol also 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 and cocaine;
- 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.

Federal Drug Sanctions - A full description of federal sanctions for drug felonies can be found at: https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30.

State Alcohol Sanctions – 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. The following summarizes some of the potential legal consequences for violating state law.

- 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.
- The 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.

Michigan Law Governing Medical Marijuana – The Michigan Medical Marijuana Act of 2008 (MMMA) permits qualified patients and their primary caregivers to use, possess and grow limited amounts of marijuana for treatment of certain debilitating medical conditions. However, the 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. The College 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 constitutes a violation of the Board of Trustees’ Drug and Alcohol Abuse Free College Policy.

HEALTH RISKS ASSOCIATED WITH SUBSTANCE ABUSE

Considerable health risks are associated with the abuse of controlled substances. Substance abuse dramatically impairs employee and student performance, contributes to absenteeism, and presents safety risks for not only the abusing employee or student, but also to others within the College community. The following are general descriptions of some of the health risks associated with substance abuse.

AMPHETAMINES	Can cause rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion; tolerance increases rapidly; causes physical and psychological dependence; withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition and death.
CANNABIS	Can cause permanent damage to lungs, reproductive organs and brain function; slows reflexes; increases forgetfulness; alters judgment of space and distance.
COCAINE	Cause damage to respiratory and immune systems; induces malnutrition, seizures and loss of brain function. Some forms (such as “crack”) are highly addictive.

HALLUCINOGENS
(PCP, LSD, ecstasy)

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 use can cause permanent loss of mental function.

INHALANTS
(nitrous oxide,
amyl nitrite,
butyl nitrite,
chlorohydrocarbons,
hydrocarbons)

Cause 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.

NARCOTICS
(heroin, morphine,
opium, codeine)

Highly addictive; tolerance increases rapidly; cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest and death; leads to malnutrition, infection and hepatitis. Sharing needles is a leading cause of the spread of HIV and hepatitis.

SEDATIVES

Tolerance increases rapidly; produces physical and psychological dependence; cause reduced reaction time and confusion; overdoses can cause coma, respiratory arrest, convulsions and death; withdrawal can be dangerous; in combination with other controlled substances can quickly cause coma and death.

AVAILABILITY OF SUBSTANCE ABUSE REHABILITATION AND COUNSELING

The College offers educational and referral services to employees aimed at preventing substance abuse and assisting in rehabilitation, if desired, to local agencies offering such services. Interested employees should contact the Human Resources Specialist (Benefits) at (248) 341-2029. All inquiries are confidential.

The College also offers educational and referral services to students aimed at preventing substance abuse and assisting in rehabilitation, if desired, to agencies offering such services. Interested students should contact the Counseling Department at any campus. Phone numbers for those departments are available at the College website www.oaklandcc.edu. All inquiries are confidential. Students may also contact the Oakland County Health Department at www.oakgov.com/health.

POLICY DISSEMINATION

The College will provide employees with a copy of the Board of Trustees Drug and Alcohol Abuse Free College Policy and the above provisions of this procedure, and they will also be required to sign

acknowledgement forms of these terms at New Employee and New Faculty Orientations. A copy of the Board of Trustees Drug and Alcohol Abuse Free College Policy and the above provisions of these procedures also will be posted on the Public Safety website and the Adjunct Faculty website.

The College will also include the Board of Trustees Drug and Alcohol Abuse Free College Policy and the above provisions of these procedures in the College Catalog, Student Handbook and Employee Handbook.

The College will also annually disseminate an email including the Board of Trustees Drug and Alcohol Abuse Free College Policy and the above provisions of these procedures to all employees and students.

BIENNIAL REVIEW

The College shall conduct a biennial review of this Policy to: 1) determine its effectiveness and implement changes, if needed; and 2) determine the number of drug- and alcohol-related violations and fatalities that (i) occur on campus or during College activities; and (ii) are reported to College officials.

Change Log

05-02-89	Approved by Chancellor's Council
01-26-11	Revised Draft
12-08-10	Reviewed by Chancellor's Cabinet
06-19-12	Revised