



**GRAND VALLEY
STATE UNIVERSITY**

**Alcohol and Other Drugs
Policy Handbook
2019-2020**

(All information is current at the time of publication. However, any portion of this document may be revised, updated, or modified as deemed necessary due to changes in laws, University policies, Student Code, departmental policies, best practices, or community standards. Updated 8/12/2019)

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INTRODUCTION

Grand Valley State University (GVSU) strives to offer members of the University community the same rights as those afforded to members of the larger community. All members of the University community are responsible for making decisions about their behavior within the context of state and federal law and University policies.

These policy statements are written as evidence of GVSU's commitment to its students by:

- Encouraging a campus environment where healthful choices are made;
- Working to prevent alcohol and other drug misuse and abuse;
- Accepting responsibility for one's own choices, behavior and harm caused;
- Encouraging alcohol-free programs;
- Supporting and empowering those who responsibly choose not to use alcohol;
- Enforcing University, federal, state, and local codes, ordinances and statutes which govern alcohol and other drug use

GVSU considers all issues of alcohol and other drugs (AOD) to be of concern to the University community. However, alcohol is by far the number one drug of choice on the campus and causes the most frequent negative impact. Thus, alcohol warrants a special emphasis as demonstrated throughout this document.

This Handbook contains information about University alcohol and drug abuse prevention programs and policies, in accordance with requirements of the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988. An annual notice about the Handbook will be sent via email to faculty, staff and students, and provision made for providing employees and students who were hired or who enrolled after the annual distribution. A biennial review of the University alcohol and drug abuse program will be completed as required by law.

Additional University policy documents related to alcohol and other drugs are available online and should be reviewed by all students, faculty and staff:

- Alcohol and Other Drugs Policy (www.gvsu.edu/policies)
(*This Handbook is a supplement to the Alcohol and Other Drugs Policy.*)
- Smoking Policy – All GVSU Sites (www.gvsu.edu/policies)
- Student Code (www.gvsu.edu/studentcode)
- Annual Security and Fire Safety Report (www.gvsu.edu/gvpd)

University policies related to alcohol and drug abuse prevention programs apply to all employees working on federally sponsored agreements (grants and contracts). Individuals should contact the University Office of Sponsored Programs (<http://www.gvsu.edu/grants/>) for requirements specific to these agreements.

Faculty, staff and students may consult appropriate departmental websites for procedures related to the use of alcohol during special events, and/or in University facilities. Sites that may be of interest include:

- Housing Residential Support and Services
<http://www.gvsu.edu/housing/>
See "Policies and Amenities" under "Students" section of the website.
- Intercollegiate Athletics Fan Guides
<http://www.gvsulakers.com>
"Fan Guides" are available in the "Fan Info" section of the website.
- Conference and Event Planning
<http://www.gvsu.edu/meetatgvsu/>
- Event Services
<http://www.gvsu.edu/eventservices/>
- Student Organizations
<http://www.gvsu.edu/studentorg/>

STANDARDS OF CONDUCT

The unlawful manufacture, possession, use, sale, distribution or dispensation of illicit or prescription drugs and the unlawful possession, use, sale or distribution of alcohol by faculty, staff, and students on GVSU property or as part of a University activity is specifically prohibited by University policy, federal and state law (including underage drinking laws). Reports of any such violations will be investigated by the GVSU Police Department and, if appropriate, charges will be filed.

DRUG-FREE WORKPLACE ACT OF 1988

Consistent with the Drug-Free Workplace Act of 1988, GVSU is committed to providing a workplace which is free from the unlawful manufacture, distribution, dispensation, possession, sales, or use of a controlled substance. The illegal manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on any GVSU-owned or controlled property.

It is the intent of GVSU to provide a drug-free, healthful, safe, and secure work environment. No employee will report to work evidencing any effects of illegal drug use.

Compliance as a Condition of Employment

All university employees will, as a condition of employment, abide by the terms of the standard practice guide.

Maintenance of a Drug-Free Workplace

GVSU must provide an annual drug-free workplace certification to appropriate federal-funding agencies, and make a good faith effort to comply with its certification to provide a drug-free workplace, and otherwise meet the requirements of the Drug-Free Workplace Act, including having a policy statement and a drug-awareness education program. The Human Resources Office ensures awareness of the policies through onboarding for faculty and staff. The Employee Assistance Program provides drug education and resources for faculty and staff 24 hours a day seven days a week by calling 1-800-788-8630.

Employee Obligation for Notification of Conviction

The Drug-Free Workplace Act of 1988 requires all faculty and staff to notify the University in writing of their conviction for a violation of a criminal drug statute occurring in the workplace. Notification must be sent no later than five days after the conviction to the Human Resources Office (1090 Zumberge Hall, Allendale, MI 49401, (616) 331-2215).

Employees engaged in the performance of a federal grant must also notify the Director of the Office of Sponsored Programs in writing, no later than five calendar days after such a conviction (Office of Sponsored Programs, 049 James H. Zumberge Hall, 616-331-6826). The Director will notify the appropriate granting agency within (10) ten days of receiving the notice of conviction, in accordance with applicable requirements.

Sanctions for Violation or Non-Compliance

Violations of this standard practice guide will result in personnel action against the employee, up to and including dismissal, pursuant to university procedures relating to employee or student discipline.

Within thirty calendar days of receiving notice of a criminal drug statute conviction, the Associate Vice President of Human Resources, or the Dean of Students must take steps to require: 1) That the faculty, staff, or student employee satisfactorily participates in a drug rehabilitation program, or 2) That personnel action consistent with the Rehabilitation Act of 1973, as amended, is imposed in accordance with appropriate collective bargaining agreements, employee handbooks, the Student Code of Conduct (www.gvsu.edu/studentcode/), or other university procedures.

Additional sanctions may apply to those employees working on a federally sponsored grant or contract and convicted of a criminal drug statute violation. In these cases, the Director of the Office of Sponsored Programs will consult with the Associate Vice President of Human Resources regarding the application of required sanctions.

DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989

University standards of conduct clearly prohibit, at a minimum, the unlawful possession, use, sale, or distribution of illegal drugs and alcoholic beverages by students and employees on University property or as part of any of its activities. Supplemental information presented below includes: health risks associated with the use of alcohol and

other drugs; a representative summary of laws (including Michigan underage drinking laws); applicable legal sanctions under local, State and Federal laws; disciplinary sanctions for student violations; and treatment and rehabilitation resources available for students, faculty and staff.

HEALTH RISKS RELATED TO ALCOHOL AND OTHER DRUGS

Alcohol and/or drug use can start out as experimentation or casual use but progress into problem use and dependence. The abuse of alcohol and other drugs can erode the foundation of the University's goals and objectives and diminishes the personal attainment of intellectual, social, physical, and emotional growth and development. This includes:

- Psychological and/or physical dependence
- Impaired learning ability, memory loss, and inability to solve complex problems
- Inability to perform sexually, infertility problems
- Increased risk of sexually transmitted diseases (including HIV/AIDS)
- Complications due to the combination of prescription medication and other drugs or alcohol
- Death, coma or toxic reactions especially when combining alcohol with any other drug, including over-the-counter medicine or prescriptions
- Guilt/regret over activities performed while under the influence of alcohol/drugs, i.e., regretting sexual encounters, fighting, risk-taking, legal difficulties, etc
- Organic damage to brain, cardiovascular system, liver, etc
- Increased risk of cancer
- Fetal Alcohol Syndrome, birth or genetic defects
- Psychosis (hallucinations, loss of contact with reality, extreme changes in personality).
- Diet deficiencies
- Inhibits absorption of vital nutrients
- May constrict metabolism and endorphins
- Impact on sleep
- Other physiological, psychological or interpersonal problems

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident or make careless mistakes when performing tasks. Low to moderate doses of alcohol increase the incidence of a variety of aggressive acts and impact other functions such as perception, vision, thinking, tracking, concentration and attention. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If

combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects of higher doses just described.

Repeated use of alcohol can lead to dependence. If physically dependent, sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, also can lead to permanent damage to vital organs such as the brain and the liver.

Dangerous Drinking:

Drinking on an empty stomach – Drinking on an empty stomach can cause alcohol to be absorbed more quickly into the bloodstream and may lead to more sudden impairment and intoxication than expected.

Alcohol and Cancer – A meta-analysis study confirms that alcohol increases the risk for many cancers (i.e. oral cavity, pharynx, esophagus, and larynx). There is also an increased risk for cancers of the stomach, colon, rectum, liver, female breasts, and ovaries.

Drinking when pregnant - Alcohol can damage a fetus resulting in a birth defect known as Fetal Alcohol Syndrome, which causes a distinct facial configuration and brain damage. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and cognitive deficits.

Drinking while underage - Alcohol has twice the effect on teenage brains as it does on adults, resulting in permanent damage to memory and to the individual's abilities to learn new information and to think critically. This can also lead to delays in personal and emotional developmental. Being ticketed for underage drinking or a Minor in Possession (MIP) also carries financial penalties. A second or third MIP may include loss of driver's license, jail time, probation, higher fines, and costs for lawyers and court fees.

Drinking when taking medication - Many medications can interact with alcohol, leading to increased risk of illness, injury, or death. It is estimated that alcohol-medication interactions may be a factor in at least 25% of all emergency room admissions.

Drinking if you have alcoholism in the family - If you have inherited the genetics for alcoholism from parents or grandparents, drinking alcohol may trigger the disease, leading to the progression of the disease at an earlier age. Most recovered alcoholics say that they essentially "fell in love" with alcohol when they first used it, usually at the age of 10 - 15. See the definitions for Misuse, Abuse and Dependence to determine whether or not you are in danger of addiction to alcohol.

Drinking and ADHD - Research indicates that children of alcoholic parents may be at greater risk than other children of becoming alcoholics. Also, children who have severe Attention-Deficit/Hyperactivity Disorder (ADHD) are at greater risk of developing alcohol or other drug problems later in life.

Drinking too much, too fast / Drinking competitively – e.g., drinking games.

Drinking more than one standard drink per hour does not allow the body enough time to digest alcohol. This leads to a rapidly increasing blood alcohol concentration.

Drinking one within an hour of driving - After one drink, a driver begins to lose the ability to perform the tasks necessary to drive a car: braking, steering, changing lanes, and using judgment to adjust to changing road conditions.

Drinking and sexual assault – While using substances does not cause someone to perpetrate or experience sexual assault, substance use can be a heightened risk factor and is present in 50% of all violent crimes (Collins and Messerschmidt, 1993). Alcohol is the number one drug used to facilitate a sexual assault; 70% of college women who are sexually assaulted report drinking alcohol at the time of the assault (Orchowski & Gidycz, 2012). Studies show perpetrators consuming alcohol 34-74% of the time (Abbey, Ross, & McDuffie, 1994; Abbey, 2002). Less common, yet still important to note, substances such as Rohypnol, GHB, and Ketamine can be slipped into one's drink to be used to facilitate a sexual assault. A member of the GVSU community who has experienced a sexual assault has the right to file a complaint with the GVSU Title IX Coordinator. Additionally, they may seek support from GVSU resources such as Victim Advocacy services located in the Gayle R. Davis Center for Women and Gender Equity. Counseling services are also available through the University Counseling Center for students or Encompass for faculty and staff.

“Safe” Use Is:

"Safe" (or appropriate or responsible) use of drugs, including alcohol, is generally defined as either "moderate" use or use which follows a prescription for a particular condition as diagnosed by a medical doctor.

There is no "safe" use of illegal drugs, nor is there a guaranteed safe use of alcohol, caffeine, aspirin or other legal drugs available without a prescription. However, it is generally believed that occasional and moderate use of legal drugs is safe for most healthy adults over the age of 21.

The U.S. Department of Health and Human Services and the Department of Agriculture (re. nutrition), tell us that most healthy adults will have few, if any, negative effects from having one serving of alcohol per day, the maximum limit for women or, for men, two servings per day. (One serving = 12 oz. of beer (5% alcohol), 6 oz. of wine, 1.5 oz. of 80 proof liquor). Note: Keep in mind that many craft beers have a higher alcohol content.

However, even one drink per day slightly increases the chances of breast cancer and can be dangerous to certain individuals depending upon their age and medical condition. Also, keep in mind that “safe use” is questionable if a person has a genetic predisposition for addiction.

Definitions: Misuse, Abuse, and Dependence

Misuse of Alcohol - drinking too much or drinking for the wrong reasons, e.g., having more than one drink per day for women or more than two drinks per day for men, or using alcohol to "self-medicate" oneself for struggles with depression or anxiety. For instance, drinking enough to "forget" an emotionally upsetting event. Or, drinking in order to overcome "shyness" at a social event. Repeated misuse can lead to abuse.

Abuse of Alcohol - drinking too much and/or too fast, drinking to the point of becoming drunk (intoxicated). For instance, drinking more than one serving of alcohol per hour and/or drinking one or more servings of alcohol as rapidly as possible, or having more than one drink per day for women or more than two drinks per day for men. Experiencing one or more of the symptoms listed below within a 12-month period is a sign of abuse. Repeated abuse may be a symptom of addiction.

Dependence Upon Alcohol/Alcoholism/Alcohol Addiction - a disease characterized by drinking too much too often, a condition in which consuming alcohol becomes necessary in order to feel "normal," and in which the absence of alcohol in the body for more than a brief period of time causes one to feel sick with flu-like symptoms, to tremble or even have convulsions.

People who are chemically dependent upon alcohol (and are in the late stages) risk their lives if they stop drinking suddenly and without the oversight of a health professional. The only way to "cure" addiction to alcohol and other drugs is to detoxify and remain totally abstinent. The "cause" of addiction is a chemical imbalance in the brain which is genetically determined. Children may inherit the genetic predisposition. If they begin to drink alcohol or use drugs, they activate the disease of addiction. Thus, dependence upon alcohol and/or other drugs is a disease similar to diabetes: it can be inherited, chronic, and terminal if left untreated. Management of the disease requires significant behavioral change (e.g., abstinence from certain substances).

Symptoms of Misuse, Abuse, and Dependence

Tolerance - the ability to drink your friends "under the table," or simply an increase in the amount of AOD (alcohol or other drugs) it takes for you to "get a buzz;" e.g., having four or five servings of alcohol without exhibiting signs of intoxication such as difficulty walking and talking.

Compulsiveness - being unable to stop using AOD, once you start, before serious impairment; e.g., intending to "have only one," and ending up intoxicated..

Frequency - regularly exceeding the limits for moderate or social drinking or using prescription drugs more than ordered by the doctor. Moderate or social drinking is defined as having no more than two drinks per day for men, and no more than one drink per day for women; e.g., thinking that if one is good, two is better, or defining Thursday night as "part of the weekend" as a rationale for using.

Control Attempts - trying, unsuccessfully, to cut down the amount one consumes and/or the time spent using AOD, e.g., running out of your drug of choice and then driving long distances late at night to get a fix.

Negative Consequences - missing classes and/or work, getting into fights or serious arguments with friends, getting into legal trouble, developing health problems -- but continuing to use AOD anyway, e.g., chain-smoking even when you have Bronchitis. Continued use despite negative consequences is serious sign that a person's use is becoming more of a dependency for them.

Sacrificing Fun, Work, Friends - developing a "one-track mind" - giving up important work and fun activities in order to obtain, use, and recover from AOD. Being unable to have fun or relax without AOD, e.g., using marijuana the night before an important exam, or spending most of your grocery money on your drug of choice.

Withdrawal - feeling worse after a day of not using AOD, than after a day of using AOD and/or persistent cravings when not using, e.g., needing "just a little" to start the day/stop the trembles.

Blackouts - loss of memory for periods of time, although the person may be able to carry on a conversation at the moment.

LEGAL SANCTIONS AND SUMMARY OF LAWS

Local, state, and federal laws make unlawful manufacture, possession, use, distribution or dispensation of drugs and alcohol serious crimes. Violations of local, state, or federal law may result in conviction of a misdemeanor and/or felony which can lead to imprisonment, fines, confiscation of real and personal property, and/or assigned community service, or any combination of these penalties. As a general rule, courts do not excuse persons convicted of drug or alcohol abuses from jail to go to college or to get to their jobs. Even more importantly, a record of a felony conviction will prevent an individual from entering many careers. Further, the University may impose consequences pursuant to its policies.

The following is a summary covering sections of the Michigan Liquor Control Act, being MLCA 436.1 et seq., relating to the possession, consumption, and sale of alcoholic beverages. Not all laws relevant to a particular situation are included in this section; it is intended strictly as an educational tool, and should not be construed as legal advice. Laws and administrative rules governing establishments licensed by the Michigan Liquor Control Commission, as well as sections of the law dealing with licenser, importation, taxation, wholesaling, and manufacturing of alcoholic beverage are not included in the summary. The Michigan Secretary of State website (www.michigan.gov/sos) contains information for alcohol- and drug-related issues that impact driving licenses.

Alcoholic Beverage Defined

"Alcoholic beverage" means any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing one-half of one percent or more of alcohol by volume which are fit for use for beverage purposes.

Alcohol: Legal Information

Note: The information below is provided for information purposes only and should not be substituted for legal advice. Please consult a lawyer or other legal professional for legal advice.

Driving While Intoxicated at a Blood Alcohol Concentration of 0.08 or Above

A person cannot operate a vehicle upon a highway or other place open to the general public, including parking lots, while intoxicated. "Operating while intoxicated" means:

1) The person is under the influence of alcoholic liquor, a controlled substance, or a combination of the two; or 2) the person has alcohol content of 0.08 grams or more per 100 milliliters of blood.

A person convicted on this charge is guilty of a misdemeanor punishable by one or more of the following: community service, imprisonment and/or a fine. The court may also order vehicle immobilization.

A second conviction within seven years will result in a greater fine and one or more of the following: 1) imprisonment, 2) community service. The court will order immobilization of the vehicles.

A third conviction, regardless of the number of years since the prior conviction, is a felony punishable by significant fines and either of the following: 1) state prison for one to five years, or 2) probation with imprisonment in the county jail. The court will order immobilization of the vehicle.

A high drunk Blood Alcohol Concentration/Content (BAC) law applies to individuals who are convicted of drunk driving with a BAC of .17 or greater. The minimum sentencing for someone under this new law includes jail time, fines, and community service, and suspension of driver's license. Requires ignition interlock during restricted period.

Fraudulent Identification

A person who furnishes fraudulent identification to a person under 21 years of age, or a person under 21 years of age who uses fraudulent identification to purchase alcoholic beverage, is guilty of a misdemeanor punishable by imprisonment and/or a fine. In addition to penalties pursuant to the misdemeanor, the driver's license of a person convicted of using fraudulent identification shall be suspended.

Transportation of Alcoholic Beverage (Open or Uncapped)

It is unlawful to transport or possess any alcoholic beverage in a container which is open, uncapped, or upon which the seal is broken, within the passenger compartment of a motor vehicle on the highways of Michigan. In addition, open or uncapped alcoholic beverage cannot be in the passenger compartment of a moving vehicle in any place open to the general public or generally accessible to motor vehicles, including parking lots.

If the vehicle does not have a trunk or compartment separate from the passenger compartment, the container must be enclosed or encased and not readily accessible to the occupants of the vehicle. A person who violates this section is guilty of a misdemeanor. As part of the sentence, the person may be ordered to perform community service and undergo substance abuse screening and assessment at his or her own expense.

Sell or Furnish Alcohol (Non-Retail Situation) to a Minor

Knowingly selling or furnishing alcohol to a person under the age of 21 or failing to make diligent inquiry whether the person is less than 21 years of age is a misdemeanor, even if the person furnishing or selling is under 21 years of age themselves.

First violation. Up to 60 days in jail and/or \$1,000 fine.

Second violation. Up to 90 days in jail and/or \$2,500 fine.

Hosting a Party Where a Minor Consumes

If the tenant or owner of a property, regardless of their age, knowingly allows a minor to consume or possess an alcoholic beverage or allows any individual to consume or possess an illegal controlled substance at a social gathering on or within that premises, residence, or property they can be charged with a misdemeanor.

First violation: Up to 30 days in jail and/or \$1,000 fine.

Second violation: Up to 90 days in jail and/or \$1,000 fine.

Sell or Furnish Alcohol – Causing Death

Knowingly selling or furnishing alcohol to a person under the age of 21 or failing to make diligent inquiry whether the person is less than 21 years of age, and the subsequent consumption of alcohol by the minor is a direct and substantial cause of that person's death or an accidental injury that cause that person's death is a felony. The penalty is imprisonment and/or fines.

Requirement of License to Sell

Under Michigan law, the sale or trade of alcoholic beverage, including alcoholic beverage for personal use, requires a license or other prior written authorization from the Liquor Control Commission. This includes "passing the hat" or a "cover" charge. A person who conducts any activity for which a liquor license is required without first obtaining the requisite license is guilty of a felony, punishable by imprisonment and/or by a fine

Minor In Possession (MIP)

In Michigan it is illegal for a person under the age of 21 year to purchase (or attempt to),

consume (or attempt to) or possess (or attempt to) an alcoholic beverage.

The law does not prohibit a person less than 21 years of age from possessing an alcoholic beverage during regular working hours and in the course of his/her employment if employed by an organization possessing a liquor license, by the Liquor Control Commission, or by the Commission's agents if the alcoholic beverage is not possessed for his/her personal consumption.

The law does not prohibit the consumption of an alcoholic beverage by a person less than 21 years of age who is enrolled in a course offered by an accredited college or university in an academic building and under the supervision of a faculty member if the purpose is solely educational and a requirement of the course.

Effective January 1, 2018 - A minor who violates this law is guilty of either a Civil Infraction or a Misdemeanor punishable by:

(Note: University policy and subsequent requirements and sanctions will remain the same despite change in Michigan law)

First violation. Civil Infraction - A fine of \$100 plus additional local court costs. May be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his/her own expense. While there is no criminal record the incident is documented on the minor's driving record.

Note: Any prior MIP or successful completion of a MIP Diversion program nullifies the opportunity for civil infraction for a first MIP under these changes.

Second violation. Misdemeanor - A fine of \$200 plus additional local court costs and/or 30 days in jail. Individual may be placed on probation with associated restrictions, participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment at his/her own expense. The person's driver's license will also be suspended for 90 days, with a restricted license available after 30 days.

Third (or subsequent) violation. Misdemeanor - A fine of \$500 plus additional court costs and/or 60 days in jail. May be placed on probation with associated restrictions, to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment at his/her own expense. The person's driver's license will also be suspended for one year, with a restricted license available after 60 days.

Under 21 Operating a Motor Vehicle at 0.02 to 0.08

A person less than 21 years of age cannot operate a vehicle upon a highway or other place open to the general public, including parking lots, with any bodily alcohol content. "Any bodily alcohol content" means alcohol content of 0.02 grams or more but less than

0.08 grams per 100 milliliters of blood.

From the Michigan Secretary of State office: A person who violates this law is guilty of a misdemeanor punishable by:

First violation: Up to a \$250 fine, or up to 360 hours of community service, or both. Driver's license is restricted for 30 days. Four (4) points are added to the offender's driving record. Driver responsibility fee of \$500 for two consecutive years.

Second violation: One or more of the following: up to a \$500 fine, up to 60 days of community service, up to 93 days in jail. Driver's license suspension for 90 days (if there is a prior drunk or drugged driving conviction, there is a driver license revocation and denial for a minimum of 1 year (minimum of 5 years if there was a prior revocation within 7 years). Four (4) points added to the offender's driving record. Driver responsibility fee of \$500 for 2 consecutive years.

Possessing or Transporting Alcohol in a Motor Vehicle by a Minor

It is a misdemeanor for a person under 21 years of age to knowingly transport or possess alcoholic beverage in a motor vehicle, unless such activities are in connection with the minor's employment pursuant to a liquor license or other authorized agent of the Liquor Control Commission. Charges apply equally to drivers and passengers. The penalty for the misdemeanor conviction is jail and/or fine. The court may impose community service and a substance abuse assessment.

Marijuana: Legal Information

Note: The information below is provided for information purposes only and should not be substituted for legal advice. Please consult a lawyer or other legal professional for legal advice.

Grand Valley State University received federal funding and therefore must follow federal vs. state laws and regulations pertaining to marijuana. Even if a student has a medical marijuana card, marijuana is not allowed on any part of campus or at University-sponsored programs or activities. In situations involving illegal drugs, law enforcement is notified and appropriate legal actions are taken.

In Michigan it is illegal for a person under the age of 21 to purchase (or attempt to), consume (or attempt to) or possess (or attempt to) marijuana without a prescription.

Effective January 1, 2019 - A minor who violates this law is guilty of a Civil Infraction punishable by:

First violation. Civil Infraction. Under age 18 – fine not more than \$100 (plus court costs) or community service, forfeiture of the marijuana and four hours of

drug education or counseling. Ages 18-21 – fine not more than of \$100 (plus court costs) and forfeiture of the marijuana.

Second violation. Civil Infraction. Under age 18 – fine not more than \$500 (plus court costs) or community service, forfeiture of the marijuana and eight hours of drug education or counseling. Ages 18-21 – fine not more than of \$500 (plus court costs) and forfeiture of the marijuana.

Civil Infractions in Michigan may impact driving status in neighboring states.

Regulations of Marijuana use for those over age 21 in Michigan

It is illegal to smoke in a public place (i.e. parking lots, sidewalks, parks, on roads while driving etc.) or prohibited area.

It is illegal to grow marijuana visible to the public or possess more than 2.5 ounces in one's home. All marijuana must be in a locked area/container. Violation of this is a civil infraction and may be punished by a fine of not more than \$100 (plus court costs) and forfeiture of the marijuana.

Landlords and property owners can prohibit tenants/residents from smoking on their properties.

Operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road vehicle, or motorboat while under the influence of marijuana is prohibited.

Giving marijuana or marijuana accessories to someone under 21 is prohibited.

UNIVERSITY SANCTIONS FOR STUDENTS – ADDITIONAL INFORMATION

Amnesty and University Response to Incidents Requiring Medical Assistance

In 2012, a bill was passed to amend the Michigan Liquor Control Code Act 58 of 1998, 436.1703 to help reduce the fear of legal consequences of receiving a minor in possession ticket when one seeks help for themselves or others due to alcohol related medical emergencies. In 2017, a similar bill became effective to amend the Michigan Compiled Law, 333.7404, to remove legal consequences of arrest for a drug charge for those who seek help for themselves or others due to drug overdose medical emergencies.

- ***In cases of intoxication for alcohol or drug poisoning, the primary concern is the health and safety of the individual(s) involved.***
- Individuals are strongly encouraged to call for medical assistance for themselves or for a friend/acquaintance who is dangerously intoxicated.
- Unless there are extenuating circumstances, no student seeking medical treatment for an alcohol or drug overdose on campus will be subject to legal issues by the GVSU Police

Department or the Ottawa County Sheriff's Office for the sole violation of using or possessing personal amounts of alcohol or drugs.

- This policy extends to another student seeking help for the intoxicated student, unless there are extenuating circumstances.
- Students may still be required to attend alcohol or drug education services as a result of an incident.

Students or other individuals who become incapacitated as a result of drinking, drug usage, or a medical condition that requires emergency medical care will be financially responsible for the costs of the medical care including ambulance and/or hospitalization costs, and associated costs for returning to campus if applicable.

If a student violates the University's alcohol or drug policy, GVSU wants to provide education and support to help students learn about making safe and responsible choices and receive information about treatment options to help them succeed.

Guidelines for Alcohol Offenses - Students

Regardless of whether or not an MIP or other legal action is taken, the following guidelines are to be made for all students as described below. However, depending on the severity of the incident, a lower level guideline may be skipped over or combined with a higher level. Also, referral sources may place additional requirements as well (writing a paper, doing a bulletin board, attending a campus program, etc.). If a student doesn't complete their requirements, additional consequences may be assigned.

- First Offense – Students may be required to attend an alcohol education workshop, pay a monetary fee, and address any harm caused as a result of their behavior. This may be in addition to any legal or other university required sanctions (i.e. additional student code violations). In more severe incidents (i.e., an alcohol poisoning requiring medical transportation), a referral for two individual alcohol education meetings may be required.
- Second Offense – Students who have had a second alcohol incident may be required to attend two individual alcohol education meetings, pay a monetary fee, and address any harm caused as a result of their behavior.
- Third Offense – The student will be reported to Student Conduct, which may result in additional sanctions and monetary fees.

Referral Guidelines for Marijuana and Other Drug Offenses - Students

While GVSU takes all substance abuse and illegal drug use seriously, marijuana is one of the more commonly used substances on campus. It is because of this prevalence that it is specifically addressed in this document. While consequences of other illegal drug use will vary from a legal perspective, all will result in a University conduct referral. Students should be aware that any illegal drug convictions may also impact their ability to receive federal financial aid (see the GVSU Financial Aid website: www.gvsu.edu/financialaid/ for additional information).

Even if a student has a medical marijuana card, marijuana is not allowed on any part of campus or University-sponsored programs or activities. In situations involving illegal drugs, law enforcement is notified and appropriate legal actions are taken.

- First Offense – Students may be required to attend a marijuana education workshop,

pay a monetary fee, and address any harm caused as a result of their behavior. This may be in addition to any legal or other university required sanctions (i.e. additional student code violations). In more severe incidents, a referral for two individual marijuana education meetings may be required.

- Second Offense – Students who have had a second marijuana incident may be required to attend the two individual marijuana awareness meetings, pay a monetary fee, and address any harm caused as a result of their behavior.
- Third Offense – The student will be reported to Student Conduct, which may result in additional sanctions and monetary fees.

Typically criminal conviction of use or possession of marijuana or other drugs will result in fines, probation, and/or incarceration. It may also impact a student's entry into some professional fields.

For any other drug related offense the student will be reported to Student Conduct for sanctioning that may include monetary fees.

DRUG AND ALCOHOL PREVENTION, COUNSELING, REHABILITATION, AND RE-ENTRY PROGRAMS

Recognizing that alcohol or drug abuse may be treatable, GVSU is supportive of students, faculty, staff and their families in finding the best possible treatment.

GVSU encourages students, faculty, and staff with alcohol or other drug dependency problems to use the services of the University or community counseling services for assistances. The following is a list of those services.

For Students

The GVSU University Counseling Center (UCC) provides personal counseling, which can include services for those with drinking and/or other drug issues. The UCC houses the ACES program. This program coordinates education, intervention, treatment, support, and recovery programs on campus. Outpatient counseling session (individual and group) are available for those with substance abuse or dependency issues. The University Counseling Center / ACES Office does not provide court ordered/mandated counseling, evaluations, or other services, but is available for consultation to students to assist in locating an appropriate local provider. For more information use the contact information below.

ACES (Alcohol and Other Drugs Campus Education and Services)
(616) 331-2537 - www.gvsu.edu/aces

University Counseling Center
(616) 331-3266 - www.gvsu.edu/counsel

Recovery Meetings: The ACES office provides space for daily recovery meetings

including AA, NA, SMART Recovery, and Adult Children of Alcoholics. Students, faculty, and staff can find more information about these meetings and a current schedule on the ACES website (www.gvsu.edu/aces).

For Faculty, Staff, and Their Families

The Employee Assistance Program (EAP), also known as Encompass, is a third party confidential resource. Encompass provides seven free sessions for GVSU faculty, staff and their household dependents to lend support with a variety of life challenges. Faculty and staff can receive resources for needs such as elder care, child care, financial issues, and legal issues. Coaching, consultation, and counseling are available for grief, substance abuse assessment, mental health needs, and relationship conflict. For further information visit www.gvsu.edu/healthwellness.

Work Life Consulting is a GVSU program designed to assist faculty and staff in getting the information and answers needed, through on-campus education and programming, on a wide variety of topics related to life, health and wellness opportunities and general support to help faculty/staff maintain a healthy work life balance. For further information on GVSU Work Life Consulting and Encompass, visit www.gvsu.edu/healthwellness.

Treatment of Student Records

The Family Educational Rights and Privacy Act (FERPA) and regulations provide that, "the University may disclose personally identifiable information from a student's education record without prior consent of the student, if the disclosure meets the following conditions: 1) the disclosure is to a parent of a student at an institution of postsecondary education regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance; 2) the institution determines that the student has committed a disciplinary violation with respect to that use or possession; and 3) the student is under the age of 21 at the time of the disclosure to the parent." The Registrar is the responsible FERPA coordinator for the University and can assist with questions regarding the privacy of student records.

