



CENTRAL

MICHIGAN UNIVERSITY

Drug-Free Schools and Communities Act

2024 Biennial Review



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Drug-Free Schools and Communities Act 2023 Biennial Review Executive Summary

Central Michigan University (“CMU” or the “University”) is committed to maintaining a safe and healthy campus community through education, information, and intervention concerning alcohol and other drugs. Among other efforts in support of this commitment, the University conducts a biennial review of the effectiveness of its drug and alcohol prevention programs, and the consistency of disciplinary sanctions imposed for violations of standards of conduct pertaining to possession, use, or distribution of illicit drugs and alcohol by students and employees on University property or as part of its programs.

This University has conducted a biennial review of its Alcohol and Other Drug (AOD) programs for the period covering the 2022/23 and 2023/24 academic years. This review had two objectives: (1) to determine the effectiveness of, and to implement any needed changes to, the University’s AOD prevention program, and)2) to ensure the University enforces the disciplinary sanctions for violating standards of conduct consistently. The review and this report (“Report”) are required by amendments to the Drug-Free Schools and Communities Act (DFSCA) of 1989 – also known as the Drug-Free Schools and Campuses Act (EDGAR Part 86) – and U.S. Department of Education regulations. Consistent with these requirements, this Report explains the review process, current University programs and policies, and findings and recommendations for continuous improvement.

CMU endeavors to educate its students, staff, and faculty regarding the dangers of alcohol and illicit drugs through effective educational programs and policies. When appropriate, the University holds its students and employees accountable with appropriate sanctions in relation to the use or abuse of alcohol and drugs. CMU offers several programs to its campus community that are designed to encourage informed decision making and healthy behaviors. Regarding the student population specifically, the University’s programming focuses on resource identification and harm reduction, recognizing that college students have consistently represented a large portion of the American population engaging in drug and alcohol abuse. These programs are discussed in more detail below.

As a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) such as CMU must certify that it has adopted and implemented an AOD program that is compliant with the law. Specifically, an IHE must adopt and implement a program to prevent the unlawful possession, use, and distribution of illicit drugs and alcohol by students and employees as any part of its campus or activities. Requirements under the (DFSCA) contain significant overlap with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act), which requires policy statements about alcohol and drugs and a description of AOD education programs in the annual security report. As such, anyone, including prospective students and employees, may obtain an electronic copy of



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both the Drug-Free Schools and Communities Act Biennial Report and the Annual Security and Fire Safety Report at the following CMU Websites:

The Annual Security and Fire Safety Report can be found at

<https://www.cmich.edu/about/campus-safety/cmu-police/clery-act-documentation>.

The Drug-Free Schools and Communities Act Biennial Report can be found at

https://www.cmich.edu/offices-departments/office-of-student-conduct/university-policies/drug-free-schools-and-communities-act/Action/Preview?sf-auth=Jh6N6BkIwlJq4WaiZhzb8j2ZWtvLjbumbXa2YAycAG0uB1JoViCVar1I6l7Zr8KEpsKP3OT6lZnDdJDxb3v7G16JyWqr1aSApOpYcXn%2bFuciK76Dvg9a%2fVYEjJMzVpMLPoOCmIKrwH1KWYZW%2bMS%2f%2f8XTbw38888PU7j%2feJG8CSqA%2fnNn8V0KETMp%2bGsKPan4Qp14Rm4OQMh2CNxTvCsiIPhs%2bJTcljdSY8n%2flevZAWi8Ud2QoSvCKecLUdXUJmViix9z5jFXPWQP3QyFB0%2fM6kN9yrbvPPhl5GafLQrIK4VdKdybc2YPFalooeShVPgtvu%2b%2fCa0kC6lFW6qwWMRfcQf5kIKoQ8Bnzw37R0iQfqc1sn1ocfeq6%2f0CeTl7N47n14IG9gwehg79dlHES5jEoIqmFYuLJbnCBnDPEXa9%2b0JP6ShTSEO%2fXz7rSb0GE8zKyjdpUPIrsdfZ3e%2fuRCR0LLs0q34vLfhGKEPRa5YgIs8QRgkaoyZSYnNxY0O9T07xVpeKaaD9JQxKqjE68oT%2fyLlnO7pZd3q6ITwI5vI4u9BBZXNXaXR0SG1hY5YKZZKXaVjojibeEflRZbjUiGKbd7SazaumrNdHdlAo&sf_site=56342b70-5cc4-4ef7-9a52-4b7b3c7208c4&sf_site_temp=True



Offices Responsible for Biennial Review

The Office of Student Affairs, Humans Resources, and Faculty Personnel Services are responsible for compliance with the Drug Free Schools and Communities Act. These three offices, plus stakeholders from the CMU community, meet biennial to review the following items:

- Current policies pertaining to alcohol and other drugs for students.
- Current policies pertaining to alcohol and other drugs for employees.
- Notifications to students and employees of the standard of conduct, policies, laws, types of violations, health risks and consequences of violations, and treatment options related to alcohol and other drugs.
- Programs in place that are provided regarding the abuse of alcohol and other drugs.
- Most recent data collected regarding arrests and violations referred for disciplinary actions involving alcohol and other drugs on campus and in university programs; and



Annual Notification Policy

At the beginning of the fall semester and spring semester, the University's statement supporting the Drug-Free Schools and Communities Act is distributed electronically via CMU's email server to each Faculty/Staff member and student. The statement focuses on university values, health concerns and risks, available resources, standards of conduct, legal sanctions, and State of Michigan laws. Copies of the statement are available online through the CMU Office Student Conduct website.



Alcohol and Other Drug Prevention Programs

College Life and the Law: This program is presented each year to ALL incoming freshmen and transfer students during their first weekend on campus. Security awareness content includes how to report crimes, available resources to crime victims, and personal safety. Crime prevention content includes physical security on campus, how to prevent certain crimes, and how to be an active bystander. Housing rules and university policy are also covered.

Campus and Community Safety: This program is presented annually to the parents of all incoming students, over the course of the summer orientation sessions. Security awareness content includes how to report crimes, how local police work together, resources for victims of crime, and an overview of personal safety tactics. Crime prevention content includes physical security advice as well as how to help others stay safe. Services offered by local law enforcement are outlined, and there is also the opportunity for candid questions and answers from the panel of presenters.

Sober in October: Held for the entire month of October, Residence Hall Assembly (RHA) holds events all month long for those who agree to sign a pledge to live October alcohol-free.

Stay Safe! This program is presented on-demand and can be modified for the given audience (faculty, staff, or students). Security awareness content includes basic steps for personal safety, a detailed discussion on what crimes occur most frequently in our area, and discussion on resources available at CMU. There is also a segment on workplace violence for faculty/staff audiences.

New Employee Orientation: Security awareness training is presented to groups of new university employees throughout the year. These programs are in conjunction with Human Resources and the Office of Environmental Health and Safety.

Fraternity and Sorority Life: New members are required to take the Alcohol EDU module via Vector Solutions LMS. Risk Management Trainings are required for chapter presidents, social chairs, and risk managers. Fraternities and Sororities are required to follow BYOB policies when it comes to events with alcohol. Fraternities and Sororities are required to register events that involve alcohol with the Office of Student Activities and Involvement.

CMU/City of Mt. Pleasant Knock and Talk: Every August, members of CMU, local law enforcement, and city officials, go door to door in the residential area north of CMU's campus. The purpose is to meet students, discuss local laws and ordinances, and provide information about staying safe in the community.

Alcohol and Drug Policies

Alcohol Use Guidelines

Introduction and Institutional Philosophy

Central Michigan University acknowledges and respects the rights of individuals to use alcohol in a legal and responsible manner. The University supports the laws of the state of Michigan and strives to create an environment that supports healthy decisions and lifestyles. CMU also respects the rights of individuals who choose not to use alcohol and not experience the impact of others' use or misuse of alcohol.

The university's alcohol policy places responsibility for individual and group conduct on individuals who use alcoholic beverages. Drinking alcoholic beverages is not an excuse for irresponsible behavior, and individuals and groups are held accountable for their behavior whether or not they have been drinking.

The university supports the efforts of the on-campus programs that provide the university community with a wider understanding of the use and abuse of alcohol. CMU encourages further educational efforts that help members of the university community make informed choices involving alcohol. The university encourages faculty, staff, administrators and students with alcohol problems to seek and receive appropriate treatment and assistance, and it will assist them in whatever ways it judges appropriate.

The university recognizes that both the consumption of alcohol on college campuses and the occurrences of alcohol abuse are serious issues. The university also recognizes the dangers of alcohol abuse in connection with malicious destruction of property, driving accidents, personal injury, interpersonal violence, sexual assault, alcohol poisoning and other related activities including alcohol related death.

The university encourages individuals to make informed, responsible decisions about alcoholic beverages in accordance with state law and campus policy. The university encourages individuals to:

- Give at least equal status to alternative, nonalcoholic beverages at campus and social events.
- Find it socially acceptable to choose not to drink.
- Refuse to condone excessive drinking or drunkenness.
- Refuse to use intoxication as an excuse for misconduct or infringing on the rights of others.
- Refuse to use alcohol as the prime focus of a social activity.

I. University Policy

CMU Code of Student Rights, Responsibilities and Disciplinary Procedures

Section 3.2.13 of the student code of conduct states that a student shall not possess, consume or furnish, or aid in the consumption or furnishing of, alcoholic beverages except as permitted by law and university policy.

II. Summary of Selected Michigan Laws

The following summary covers sections of the Michigan Liquor Control Act, MCL 436.1101 et seq., relating to the possession, consumption and sale of alcoholic beverages. Laws and administrative rules governing establishments licensed by the Michigan Liquor Control Commission as well as sections of the law dealing with licensure, importation, taxation, wholesaling and manufacturing of alcoholic liquor are not included in the summary. Michigan's drunken driving laws also are excluded.

Not all laws relevant to a particular situation are included here. The summary is intended strictly as an educational tool and should not be construed as legal advice.

A. Alcoholic Liquor

In this document the terms “alcoholic liquor,” “alcoholic beverage” and “beverage alcohol” are used interchangeably.

B. Drinking Laws

It is illegal for a person under 21 years of age to purchase, consume or possess alcoholic liquor. For example:

- A person less than 21 years of age, who purchases, consumes, possesses or attempts any of the aforementioned as it relates to alcoholic liquor, is guilty of a civil infraction. If 2nd or subsequent offense, a person is guilty of a misdemeanor (MCL 436.1703).
- No alcoholic liquors shall be consumed on any public highway, street, alley within this state, nor within the city of Mount Pleasant, in any public place or place of amusement or recreation open to the public not licensed by the state to sell alcoholic liquors. No person shall transport or possess any alcoholic liquor in a container that is open, uncapped, or upon which the seal is broken unless allowed by law, on the public streets, sidewalks or rights of way of the city of Mount Pleasant.



It is a misdemeanor for a person under 21 years of age to knowingly transport or possess alcoholic liquor in a motor vehicle unless the activity is part of the minor's employment by a liquor licensee or other authorized agent of the Liquor Control Commission.

Alcoholic liquor may not lawfully be sold, traded or otherwise furnished to a person under the age of 21 years. It is a misdemeanor to knowingly sell or furnish alcoholic liquor to a person under the age of 21 or to fail to make a diligent inquiry as to whether the person is under the age of 21.

A person who violates these laws is liable for criminal and/or civil penalties including fines or participation in a substance abuse program or both.

C. Fraudulent Identification

It is a misdemeanor to furnish a person less than 21 years old with fraudulent identification and for a person less than 21 years of age to use fraudulent identification to purchase alcoholic liquor.

D. Regulation of Sale Laws

Under Michigan law, the sale, trade or giving away of alcoholic liquor – including alcoholic liquor intended for personal use – requires a license or other prior written authorization from the Liquor Control Commission.

A person who does not obtain a liquor license in situations that require one is guilty of a felony.

E. Open Container Laws

The consumption of alcoholic liquor on Michigan's public highways is forbidden by law. It is unlawful to transport or possess alcoholic liquor in a container that is open, uncapped or upon which the seal is broken within the passenger compartment of a motor vehicle on state highways unless allowed by law.

III. On-Campus Locations

Where Alcoholic Beverages Are Permitted

A. Bovee University Center

The use of alcoholic beverages in the Bovee University Center is restricted to the alcoholic beverage services offered by the university through its liquor license and following the guidelines described below. Persons may not bring alcoholic beverages into the University Center for possession, service or consumption, except as authorized in the course of their employment by the university or the Liquor Control Commission or as an agent of the commission.



Alcohol beverage guidelines for the Bovee University Center allow alcoholic beverage service under the following guidelines. Beer, wine and liquor service is available to the following:

- Non-university conference groups
- Meetings or gatherings of CMU faculty, staff or administrators
- Weddings as authorized by current university policy.

Service areas for alcohol include Rotunda, Board of Trustees' rooms, auditorium foyer, Down Under Food Court, Down Under Food Court patio, Multicultural Center and all meeting rooms.

B. Residence Hall Rooms / University Apartments

Residents agree not to possess or consume intoxicating beverages in a residence hall or university apartment except as allowed by law and university policy pursuant to regulations enacted by the president. A copy of the alcohol regulations for university housing may be obtained from the Office of Residence Life or at: www.reslife.cmich.edu.

C. Academic Courses

Alcoholic beverages may be served to students enrolled in a course offered by the University in an academic building under the supervision of a faculty member, provided the beverages are served in accordance with state law, under the supervision and direction of a faculty member, and if the purpose of the consumption is solely educational and is a requirement of the course. All such courses must receive prior written permission from the provost or his or her designee. Activities involving beverage alcohol must be directly related to the educational goals and objectives of the course.

D. Holding Classes or Review Sessions in Off-Campus Locations Where Alcohol Is Served

Approval by the provost or his or her designee is required to hold a class, review session or similar class-related activity in an establishment external to the university (e.g., restaurant) or at a faculty member's home where an alcoholic beverage is served. This provision applies to class-related trips, field trips and other activities. All off-campus actions by members of the university community should be conducted in a manner consistent with the spirit of this policy.

E. President's Residence

Alcoholic beverages may be served only in accordance with state law.



F. Tailgate Parties at Football Games

Alcoholic beverages may be served and consumed only in accordance with state law. To comply with CMU Tailgating Policy (<https://www.cmich.edu/docs/default-source/president's-division/general-counsel/administrativepolicy-docs/13/p13001.pdf>), kegs, party balls, pooling or mass purchases of alcohol are not allowed. Tailgating is only permitted during the four-hour period prior to kickoff. Underage drinking is not allowed, and alcohol consumption is not permitted outside the tailgate areas. Any violation of tailgating regulations will result in immediate termination of tailgating privileges, criminal prosecution (i.e., civil infraction/misdemeanor ticketing), and / or disciplinary action through the CMU Office of Student Rights and Responsibilities if the violator is a CMU student.

G. Select Athletic/Other Events

Alcoholic beverages may be served and sold at all home football, men's and woman's basketball games and at all wrestling matches. Alcohol can be served and sold at other athletic/other events inside the Kulhavi Events Center or Kelly Shorts Stadium with written permission from the President. Central Michigan University will comply with all state and federal laws when selling alcohol as well as the requirements of section IV of this policy.

H. Social Host

Central Michigan University occasionally hosts events and provides alcohol to those in attendance. All alcohol served at these events must be managed by a TIPS certified server (or equivalent) and only served to attendants who are of legal age to drink. Prior to hosting these events, written permission from the appropriate Vice President must be obtained.

I. As Designated by the President

Alcoholic beverages may not be consumed in university areas other than those described in sections A to H or in other areas pursuant to a license issued by the Michigan Liquor Control Commission without written permission of the president. This includes but is not limited to faculty, staff and administrative offices, classrooms, neither cut, Beaver Island and continuing education locations. Presidential permission is required for alcohol consumption at holiday parties, retirement receptions or other events. The president can give permission for a truly social host event in areas not covered by the university liquor license. The president also can authorize a "bring-your-own" event in other areas. The president cannot authorize an event that requires a liquor license (i.e., selling or serving to a large group or sharing a keg) in an area not covered by the university liquor license or served by university employees.

J. Conference Groups and Other Lessees of University Facilities

Conference groups and those who lease university facilities must comply with this policy. University employees who sign any agreement are responsible for informing the conference group or lessee of this policy.

K. Other Areas

Unopened containers of alcoholic beverages may be present in an unauthorized area of the campus solely for the purpose of transporting it to an authorized area by individuals of legal drinking age.

IV. General Rules for Alcohol Use at On-Campus Events

Public and private events at the university that include alcoholic beverages may take place only in the Bovee University Center or other approved places, as described above. All events involving alcoholic beverages shall be conducted within the following guidelines:

- Selling or furnishing alcoholic beverages is only permitted when properly licensed.
- Sponsors of an event must implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who appear intoxicated. This shall include, but not be limited to, checking identification and training serving people and bartenders in alcohol management techniques.
- Alcoholic beverages may be sold, furnished and consumed only within the area approved and designated for the event.
- Nonalcoholic beverages must be available and identified at the same place as the alcoholic beverages and be featured equally and at least as prominently as the alcoholic beverages.
- A reasonable portion of the budget for the event shall be designated for the purchase of food items.
- No event shall include any form of “drinking contest” in its activities or promotion.
- Advertisements for any university event where alcoholic beverages are served shall not focus on the availability of alcoholic beverages.
- CMU-approved supervisory personnel shall be present at all times during the event.
- Compliance with the terms of university insurance coverage, if any, is required.
- Sponsors of social functions where alcoholic beverages are available must be fully informed of liability and any applicable insurance requirements.

V. Registered Student Organizations

CMU has adopted the following guidelines pertaining to alcohol use by registered student organizations:

- Registered student organizations are encouraged to promote alcohol awareness programs.



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- Members of student organizations should learn to recognize the signs and symptoms of alcohol problems, how to refer individuals with possible alcohol problems for assistance, and to locate local sources of assistance.
- Organizations should educate members about liability and responsibilities associated with the use of alcohol at activities.
- Organizations should not promote irresponsible and illegal use of alcoholic beverages.
- Organizations should not portray drinking as a solution to personal or academic problems.
- Organizations should not portray alcohol consumption as necessary for social, sexual, personal or academic success.
- Organizations must adhere to the rules for alcohol use at on-campus events outlined in Section III above.
- Student organizations must not schedule or advertise activities that offer alcoholic beverages as prizes or incentives.
- Student organizations cannot schedule activities that promote drinking contests or alcohol abuse.
- Alcohol must not be a part of new membership recruitment programs.

VI. Guidelines for Beverage Alcohol Marketing on Campus

A. Media, Signs and Billboards

- Newspaper, radio and television operations within the university's domain shall comply with all Michigan Liquor Control Commission advertising guidelines and are encouraged to follow the marketing guidelines contained in this policy.
- All outlets broadcasting university events must be made aware of and be encouraged to follow the guidelines for alcohol beverage marketing as outlined in this policy.
- Any signs, billboards, scoreboards, posters, etc., erected on campus shall conform to the guidelines for alcohol beverage marketing as outlined in this policy unless prior written approval is received from the president or his or her designee.
- All on-campus media and promotional materials, including those listed above, shall conform to the guidelines for alcohol beverage marketing contained in this policy. Any exception must have the written consent of the president or his or her designee.

B. Other Beverage Alcohol Marketing on Campus

- Any organization that markets alcoholic beverages on campus must adhere to the advertising guidelines of the Michigan Liquor Control Commission.
- Beverage alcohol marketing programs specifically targeted for students or held on campus must conform to CMU’s Code of Students Rights, Responsibilities and Disciplinary Procedures and must avoid demeaning, sexual or discriminatory portrayal of individuals.
- Promotion of beverage alcohol must not encourage any form of alcohol abuse, and must not emphasize quantity and frequency of use.
- Beverage alcohol must not be provided as free awards to individual students or campus organizations.
- Beverage alcohol sampling or “drinking contests” as part of campus marketing programs shall not be permitted.
- Promotional activities must not be associated with existing campus events or programs without written consent of the Assistant Vice President for Student Affairs or his or her designee.
- Display or availability of promotional materials must be determined in consultation with the Assistant Vice President for Student Affairs or his or her designee.
- Informational marketing programs must have educational value and subscribe to the philosophy of responsible and legal use of the products represented.
- Beverage alcohol marketers must support campus alcohol awareness programs that encourage informed, responsible decisions about use or nonuse of beer, wine or distilled spirits.
- If permitted, beverage alcohol advertising on campus or in institutional media, including that which promotes events as well as product advertising, must not portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual or



academic success.

- Advertising and other promotional campus activities must not associate beverage alcohol consumption with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.

VII. Athletics

- Outside alcoholic beverages are prohibited inside any athletic facility or at the immediate site of any athletic contest except as allowed for in Section III.
- Kegs are not permitted at tailgate gatherings on university property.

VIII. Student/Employee Assistance Guidelines for Policy and Procedure

The university is committed to providing an environment that is free from the unauthorized or unlawful manufacture, distribution, dispensation or possession of beverage alcohol. Consistent with our educational role, we will provide information and resources on alcohol use and abuse to help faculty, staff, administrators and students make low-risk decisions for themselves regarding the use or non-use of beverage alcohol.

The university encourages individuals with alcohol problems to seek and receive appropriate treatment and assistance, and it will assist them to do so in whatever ways it judges are appropriate. The university offers an employee assistance program that provides confidential help including counseling, treatment and referral services. Professional assistance is available 24 hours a day to any employee or their dependent. Student counseling services are available at various locations. (See On-Campus Resources)

The university will work with each employee, employee group, and registered student organization to establish procedures to use when there is reason to believe that alcohol-related behaviors are negatively affecting work or school performance or the university community. Additional information and a list of resources can be found in the following university policy: Drug-Free Schools and Communities Act Amendments of 1989 <https://www.cmich.edu/docs/default-source/president's-division/general-counsel/administrative-policydocs/3/p03026.pdf>

No employee or student will be denied due process or be discriminated against because of his or her status as a recovering alcoholic.

IX. Policy Implementation

The implementation of this policy is the responsibility of the president or his or her designee. Policy violations will be handled through appropriate university disciplinary policies and procedures. This policy shall be reviewed every two years.



Drug-Free Workplace

BACKGROUND:

Consistent with the Drug-Free Workplace Act of 1988, Central Michigan University (CMU) is committed to providing a workplace which is free from the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance.

POLICY:

The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances is prohibited on any CMU-owned or controlled property. It is the intent of CMU to provide a drug-free, healthful, safe, and secure work environment. No employee will report to work, or continue to work, evidencing any effects of illegal drug use.

PROCEDURE:

Compliance as a condition of employment: All university employees will, as a condition of employment, abide by the terms of these procedures and guidelines.

Employee obligation for notification of conviction: The employee must notify CMU of any criminal drug statute conviction for a violation occurring on any property owned or controlled by CMU no later than five (5) calendar days after such conviction. The employee shall notify her/his immediate supervisor in writing of any such conviction, who will immediately report the conviction to the Executive Director of Faculty Personnel Services (989-774-3368) or the Associate Vice President of Human Resources (989-774-7194), or their designee. If a report of a conviction is received from a person other than the convicted employee, the Executive Director of Faculty Personnel Services or the Associate Vice President of Human Resources, or their designee, will verify the conviction.

Upon receipt of notification of a criminal drug statute conviction, the Executive Director of Faculty Personnel Services or the Associate Vice President of Human Resources, or their designee, will inform, as appropriate, the Director of Scholarships and Financial Aid, the Vice President of Global Campus, the Vice President for Research, or the Associate Vice President of Student Affairs.

Within ten (10) calendar days of the notification of a criminal drug statute conviction, the Director of Scholarships and Financial Aid, the Executive Director of Faculty Personnel Services, the Associate Vice President of Human Resources, the Vice President of Global Campus, the Vice President for Research, or the Associate Vice President of Student Affairs will determine whether



reporting the conviction to any federal funding agency or agencies is required by the Drug-Free Workplace Act of 1988, as amended.

Sanctions for violation or non-compliance: Violations of these procedures and guidelines 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 (30) calendar days of receiving notice of a criminal drug statute conviction, the Executive Director of Faculty Personnel Services, the Associate Vice President of Human Resources, or the Associate Vice President of Student Affairs 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, or other university procedures.

Maintenance of a Drug-Free Workplace: CMU 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 Executive Director of Faculty Personnel Services and the Associate Vice President of Human Resources will ensure that a drug-awareness education program is provided for CMU faculty, staff, and student employees.

Resources/assistance: CMU supports programs aimed at the prevention of substance abuse by its employees, and encourages faculty, staff, and student employees with alcohol and other drug dependency problems to obtain assistance. Leaves of absence to obtain treatment may be obtained under the medical leave provision of the appropriate collective bargaining agreement, employee handbook, Student Code of Conduct, or other university procedures. Faculty and staff with alcohol or other drug dependency problems are encouraged to contact Faculty Personnel Services at (989) 774-3368, Human Resources at (989) 774-7188, Health Advocate at 866-799-2691, and/or community counseling centers for assistance. Students are encouraged to contact the CMU Counseling Center at (989) 774-3381 and/or community counseling centers for assistance with alcohol or other drug dependency problems.

Code of Student Rights, Responsibility, and Disciplinary Procedures

Section 3.2.12 Controlled Substances: A student shall not possess, use, manufacture, produce, or distribute, or aid in the use, manufacture, production, or distribution of, any controlled substance except as expressly permitted by federal law and university policy. Possession, use, manufacture, production, or distribution of marijuana is strictly prohibited by federal law and university policy on



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university properties or at any university related event, regardless of state law. Federal Law, including the Drug Free Schools and Communities Act, prohibits marijuana on university properties or at any university related event.

Violation of the Residence Life Alcohol and Controlled Substances Policy is a violation of this section. Controlled substances are defined in the Controlled Substances Act of 1971, as amended.

The use or abuse of prescription drugs or over the counter substances such as inhalants or herbals, in any way other than the intended or appropriate use, may be interpreted as a violation under this policy.

A student agrees that if the student is in possession of marijuana, or any related or derivative marijuana product (product), the student will comply with the directive of a CMU employee, including in university housing, to discard such product in accordance with the CMU employee's directive. If a student fails or refuses to comply with such directive, the student will be considered in violation of a Grave Offense (Section 4.4.14) under this Code, which carries the minimum mandatory sanction of suspension from the university.

Residence Life Alcohol and Drug Policy

ALCOHOL

- Michigan State Law prohibits the possession or consumption of alcohol by anyone under the age of 21. CMU and the Office of Residence Life expect residents and their guests to comply fully with these laws.
- A resident who is 21 or older may possess alcohol and drink responsibly in their room at any time.
- A resident who is 21 or older may drink in the room of another 21-year-old resident if that resident is present.
- All guests must conform to the university housing alcohol policy. Example: If a 21-year-old guest visits a room where the residents are not 21, no alcohol is allowed, even by the 21-year-old guest. Residents are responsible for the behavior of their guests.
- No alcohol is allowed in any room at any time unless at least one resident of that room is 21 or older. Alcohol in a room may only be purchased, stored and consumed by a resident 21 or older.



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- Anyone present in a room where an alcohol infraction has occurred will be considered in violation of the alcohol policy.
- No alcohol, which is open, is allowed at any time in any public area of a residence hall and/or university apartment by residents or their guests. Anyone under 21 may not possess alcohol in any public area of university housing. A public area may be a hallway, lounge, lobby, or any other area not contained in a specific living space.
- Any alcohol being transported by someone who is 21 or older must be completely covered from open view and be taken directly to the resident's room.
- Any student is responsible for the behavior and objects in a room or common space where a policy violation has occurred if they are in the space, regardless of their level of participation. A residence hall room and/or university apartment is considered the entire living space once you cross the threshold from the hallway/sidewalk into the dwelling.
- Minors may not collect/display empty alcohol containers in their room.

CONTROLLED SUBSTANCES

Students shall not possess, use, manufacture, produce, or distribute, or aid in the use, manufacture, production, or distribution of, any controlled substance except as expressively permitted by law and university policy on university policy. Possession, use, manufacture, production, or distribution of marijuana is strictly prohibited by federal law and university policy on university properties or at any university related event, regardless of state law. Federal Law, including the Drug Free Schools and Communities Act, prohibits marijuana on university properties or at any university related event.

Anyone present in a room where a controlled substances infraction has occurred will be considered in violation of the controlled substances policy. See Code of Student Rights 3.2.12 for more information.

Federal and State Law

Should a violation of any law take place on CMU's campuses or at CMU-sponsored activities or events, local law enforcement may be contacted. Any person who illegally sells, distributes, transports, possesses or consumes controlled substances on CMU property may be subject to criminal prosecution under the applicable Federal State, and local laws.

This summary is not intended to be an exhaustive review of all alcohol-related laws and legal sanctions. Not all laws which may apply to a particular situation are included here. This summary is intended only to inform and educate and should not be construed as legal advice.

Federal Trafficking Penalties for Schedule I, II, III, IV and V (except Marijuana) Drug:

- Cocaine (Schedule II) 55-4999 grams mixture
- Cocaine Base (Schedule II) 28-279 grams mixture
- Fentanyl (Schedule II) 40-399 grams mixture
- Fentanyl Analogue (Schedule I) 10-99 grams mixture
- Heroin (Schedule I) 100-999 grams mixture
- LSD (Schedule I) 1-9 grams mixture
- Methamphetamine (Schedule II) 5-49 grams pure or 50-499 grams mixture
- PCP (Schedule II) 10-99 grams pure or 100-999 grams mixture

Penalties:

- **First Offense:** Not less than 5 years, and not more than 40 years. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.
- **Second Offense:** Not less than 10 years, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.

Drug:

- Cocaine (Schedule II) 5 kgs or more mixture
- Cocaine Base Schedule II) 280 grams or more mixture
- Fentanyl (Schedule II) 400 gram or more mixture
- Fentanyl Analogue (Schedule I) 100 grams or more mixture
- Heroin (Schedule I) 1 kg or more mixture
- LSD (Schedule I) 10 grams or more mixture



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- Methamphetamine (Schedule II) 50 grams or more, pure or 500 grams or more mixture
- (PCP (Schedule II) 100 gm or more pure or 1 kg or more mixture

Drug: Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid); in any amount and Flunitrazepam (Schedule IV); 1 gram

Penalties:

- **First Offense:** Not more than 20 years. If death or serious injury, not less than 20 years, or more than life. Fine of \$1 million if an individual, \$5 million if not an individual.
- **Second Offense:** Not more than 30 years. If death or serious nondaily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.

Drug: Other Schedule III drugs; any amount Penalties:

- **First Offense:** Not more than 10 years. If death or serious injury, not more than 15 years. Fine of not more than \$500,000 if an individual, \$2.5 million if not an individual.
- **Second Offense:** Not more than 20 years. If death or serious injury, not more than 30 years. Fine of not more than \$1 million if an individual, \$5 million if not an individual.

Drug: All other Schedule IV drugs; any amount and Flunitrazepam (Schedule IV); other than 1 gram or more Penalties:

- **First Offense:** Not more than 5 years. Fine of not more than \$250,000 if an individual, \$2 million if not an individual.
- **Second Offense:** Not more than 10 years. Fine of not more than \$500,000 if an individual, \$2 million if not an individual.

Drug: All Schedule V drugs; any amount Penalties:

- **First Offense:** Not more than 1 year. Fine of not more than \$100,000 if an individual, \$250,000 if not an individual.
- **Second Offense:** Not more than 4 years. Fine of not more than \$200,000 if an individual, \$500,000 if not an individual.

Federal Trafficking Penalties for Marijuana

Marijuana

Enormous Amount: 1,000 kg or more mixture; 1,000 or more plants

- **First Offense:** Not less than 10 years, not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.
- **Second Offense:** Not less than 20 years, not more than life. Fine not more than \$20 million if an individual, \$75 million if other than an individual.

Large Amount: 100-999kg mixture; 100-999 plants

- **First Offense:** Not less than 5 years, not more than 40 years. Fine not more than \$5 million if an individual, \$25 million if other than an individual.
- **Second Offense:** Not less than 20 years, not more than life. Fine not more than \$8 million if an individual, \$50 million if other than an individual.

Medium Amount: 50-99 kg mixture; or 50-99 plants

- **First Offense:** Not more than 20 years. Fine \$1 million if an individual, \$5 million if other than an individual.
- **Second Offense:** Not more than 30 years. Fine \$2 million if an individual, \$10 million if other than an individual.

Small Amount: Less than 50 kg mixture; 1-49 plants (does not include 50 or more marijuana plants regardless of weight)

- **First Offense:** Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if other than an individual.
- **Second Offense:** Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than an individual.

Hashish (small amount): 10 kg or less

- **First Offense:** Not more than 5 years
- **Second Offense:** Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than an individual.

Hashish Oil (small amount): 1 kg or less

- **First Offense:** Not more than 5 years
- **Second Offense:** Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than an individual.

State Laws and Legal Penalties

Michigan Medical Marijuana Act & Michigan Regulation and Taxation of Marijuana Act

The Michigan Medical Marijuana Act (MMMA) and the Michigan Regulation and Taxation of Marijuana Act, conflict with federal criminal laws governing controlled substances, as well as federal laws that require institutions receiving federal funds from contract or grants to maintain a drug-free campus and workplace (see Department of Ed Section 484(r) for information on Higher Education Act of 1965 and rules regarding suspension of Federal Financial Aid for drug-related offenses). CMU receives federal funding that would be jeopardized if those federal laws did not take precedence over state law. Thus, the use, possession, distribution or transportation of marijuana in any form and for any purpose violates this Policy and is prohibited on CMU property or at CMU sponsored activities or events.

State of Michigan Consequences of Alcohol or Drug Violations

CMU acknowledges and respects the rights of individuals to use alcohol in a legal and responsible manner and supports the laws of the State of Michigan. We strive to create an environment that supports healthy decisions and lifestyles.

Michigan Laws for Alcohol and Other Drugs

Under Michigan's Public Health Code, it is illegal to operate a motor vehicle:

- While intoxicated or impaired by alcohol, illegal drugs and some prescribed medications
- With a bodily alcohol content of 0.08 or more (This crime is one of Michigan's driving while intoxicated offenses)
- With any amount of cocaine or a Schedule 1 controlled substance in your body

Additionally, for persons under the age of 21 it is also against Michigan law to:

- Drive with a bodily alcohol content of 0.02 or more, or with the presence of alcohol in the body, except for that consumed at a generally recognized religious ceremony



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- To possess or transport an unopened alcohol container in a motor vehicle, regardless if it is in the driver or passenger area.
- To allow anyone to use their motor vehicle after they have been drinking.
- To use a fake I.D. to obtain alcohol.
- To purchase, provide or serve alcohol to anyone under the age of 21
- To serve anyone under the age of 21 at a private party; hosts of such parties can be held responsible for injuries that an intoxicated person causes or incurs, at or after leaving, a party

Pursuant to MCL 333.7404 et seq., also known as the Public Health Code Act 368 of 1978:

- Individuals shall not use a controlled substance or controlled substance analogue unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice.

Pursuant to MCL 333.7403 et seq., also known as the Public Health Code Act 368 of 1978:

- It is illegal for a person to knowingly or intentionally possess a controlled substance, a controlled substance analogue, or a prescription form unless the controlled substance, controlled substance analogue, or prescription form was obtained directly from or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice
- It is illegal to give or sell prescribed drugs to another person

Pursuant to MCL 333.7401 et seq., also known as the Public Health Code Act 368 of 1978:

- Individuals are prohibited from manufacturing, creating, delivering or possessing with the intent to manufacture, create, or deliver a controlled substance, a prescription form, or a counterfeit prescription form.

Penalties for Violation of Michigan Laws

Penalties for violating Michigan law vary depending on the crime and whether it is a first, second or third offence. For drug crimes the amount and nature of the drug are determining factors. Actual sentences may differ at the discretion of the Judge.

Operating a Motor Vehicle with the Presence of Alcohol or other Drugs

Michigan laws and penalties for drunk or drugged driving vary, but as general rule the law requires:



- Courts to decide drunk or drugged driving violations within 77 days after arrest
- A mandatory 6-month driver license suspension, with possible restricted license after 30 days
- Court to ordered participation in, and successful completion of, 1 or more rehabilitation programs; in instances of a second conviction the Court must order this rehabilitation
- Five days to 1 year of jail time, or 30 to 90 days of community service, or both for second convictions of drunk or drugged driving
- Harsher license sanctions for multiple drunk or drugged driving convictions
- Payment of fines and costs, driver responsibility fees, as well as license reinstatement fees

Purchase, Consumption, or Possession of Alcoholic Liquor by a Minor (MCL 436.1703)

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. A minor who violates this subsection is responsible for a state civil infraction or guilty of a misdemeanor as follows:

- For the first violation, the minor is responsible for a state civil infraction and must be fined not more than \$100.00. A Court may order a minor to participate in a substance use disorder service, to perform community service, and undergo substance abuse screening and assessment at their own expense. A minor may be found responsible or admit responsibility only once the civil infraction.
- For a subsequent violation the minor is guilty of a misdemeanor. A minor may face imprisonment for not more than 30 days if the court finds that the minor violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, or by a fine of not more than \$200.00, or both. A court may order a minor to participate in substance use disorder services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense.

Use of a Controlled Substance (MCL 333.7404)

A person shall not use a controlled substance or controlled substance analogue unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's profession practice. A person who is found to be in violation may be subject to penalties as follows:



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- A controlled substance classified as schedule 1 or 2 as a narcotic drug is a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00 or both.
- A controlled substance classified in schedule 1, 2, 3, or 4 is a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.
- Use of a controlled substance classified in schedule 5 is a misdemeanor punishable by imprisonment for not more than 6 months or a fine of not more than \$500.00, or both.
- Use of marijuana, salvia divinorum, catha edulis is a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100.00, or both.

Possession of a Controlled Substance (MCL 333.7403)

A person shall not knowingly or intentionally possess a controlled substance, a controlled substance analogue, or a prescription form unless the controlled substance, controlled substance analogue, or prescription form was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's profession practice.

A person who is found to be in possession of a controlled substance classified as Schedule 1 or 2 that is a narcotic may be subject to penalties based on the amount found in their possession as follows:

- 1000 grams or more; is a felony punishable by imprisonment for life or any term of years or a fine of not more than \$1,000,000.00, or both.
- 450 grams or more, but less than 1000 grams; is a felony punishable by imprisonment for not more than 30 years or a fine of not more than \$500,000.00, or both.
- 50 grams or more, but less than 450 grams; is a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$250,000.00, or both.
- 25 grams or more, but less than 50 grams; is a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$25,000.00, or both.
- Less than 25 grams; is a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$25,000.00, or both

A person who is found to be in possession of the following other drugs may be subject to penalties as follows:



- Possession of Methamphetamine/Ecstasy; is a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$15,000.00, or both.
- Possession of a controlled substance classified as Schedule 1, 2, 3, or 4 (excepting out those listed above) or a controlled substance analogue; is a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both.
- Possession of a controlled substance classified as Schedule 5, or LSD; is a misdemeanor punishable by imprisonment for not more than 1 year and a fine of not more than \$2,000.00, or both.
- Possession of Marijuana; is a misdemeanor punishable by imprisonment for not more than 1 year or fine of not more than \$2,000.00, or both.
- A prescription form; is a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

Manufacturing, Creating, or Delivering a Controlled Substance, Prescription Form (MCL 333.7401)

A person shall not manufacture, create, deliver, or possess with intent to manufacture, create, or deliver a controlled substance, a prescription form, or a counterfeit prescription form.

A person who manufactures and/or delivers a controlled substance classified in Schedule 1 or 2 that is a narcotic may be subject to penalties based on the amount as follows:

- 1000 grams or more; is a felony punishable by imprisonment for life or any term of years or a fine of not more than \$1,000,000.00, or both.
- 450 grams or more, but less than 1000 grams; is a felony punishable by imprisonment for not more than 30 years or a fine of not more than \$500,000.00, or both.
- 50 grams or more, but less than 450 grams; is a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$250,000.00, or both.
- 50 grams or less; is a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$250,000.00, or both.

A person who manufactures and/or delivers the following other drugs may be subject to penalties as follows:



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- Manufacture/Delivery of controlled substance classified as Schedule 1, 2, or 3 (except marijuana; cocaine; narcotic); is a felony punishable by imprisonment for not more than 7 years or a fine of not more than \$10,000.00, or both.
- Manufacture/Delivery of controlled substance classified as Schedule 4; is a felony; punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.
- Manufacture/Delivery of a substance classified as Schedule 5; is a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both.
- Manufacture/Delivery of a prescription form or a counterfeit prescription form; is a felony punishable by imprisonment of not more than 7 years or a fine of not more than \$5,000.00, or both.

A person who manufactures and/or delivers marijuana or a mixture containing marijuana may be subject to penalties based on the amount as follows:

- 45 kilograms or more or 200 plants or more; is a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000,000.00, or both.
- 5 kilograms or more, but less than 45 kg, or 20 plants or more, but fewer than 200; is a felony punishable by imprisonment for not more than 7 years or a fine of not more than \$500,000.00, or both.
- Less than 5 kilograms or fewer than 20 plants; is a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$20,000.00, or both.

For more information regarding penalties in the State of Michigan, please see Michigan Legislature or Michigan Secretary of State.



Available Resources

- **University Health Services**
Foust Hall 200, (989) 774-5693; TDD (989) 774-3055
<https://www.cmuhealth.org/Services/Campus/Pages/SHS.aspx>
- **Medical Care and Referral for CMU Students**
Counseling Center Foust Hall 102, (989) 774-3381 www.counsel.cmich.edu



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- Individual and Group Counseling and Referral for CMU Students
Care Advocates: East Success Center: (989) 774-1879, North Success Center: (989) 774-3947
South Success Center: (989) 774-3089, Towers Success Center: (989) 774-6601
- Health Advocate
(866) 799-2691 <http://healthadvocate.com/members>
- Human Resources
Rowe Hall 114, (989) 774-7188, TDD (989) 774-6566
<https://www.cmich.edu/fas/hr/Pages/default.aspx>
- Center for Community Counseling and Development
EHS Building 326, (989) 774-3532 <http://bit.ly/2cfRMns>
- CMCREW (Central Michigan Collegiate Recovery Education Wellness)
133 Foust Hall, (989) 774-2739 <https://www.cmich.edu/offices-departments/counseling-center/services/cmcrew>
- Office of Student Conduct
Ronan Hall 280, (989) 774-1345 <https://www.cmich.edu/offices-departments/office-of-student-conduct>
- Office of Residence Life
Ronan Hall 270, (989) 774-3111 <https://www.cmich.edu/student-life/housing>
- CMU Police
Combined Services Building, (989) 774-3081 <https://www.cmich.edu/about/campus-safety/cmu-police>



Strengths, Improvements, Opportunities

Since 2016, CMU has partnered with Ten16 Recovery Network to provide on-campus support to individuals who are struggling with alcohol and drug misuse. Ten16 Recovery Network created a program known as Central Michigan Collegiate Recovery Education Wellness (CMCREW), which provides wellness coaching, student evaluations, recovery ally training, naloxone training, peer led supports groups, and classroom/group presentation. CMCREW does one-on-one consultations, educational programs on-campus, and partners with other offices to help educate the campus community on these important issues.

CMCREW also provides alcohol/drug education to students who violate CMU's alcohol or drug policies. These educational sanctions, which are monitored by the Office of Student Conduct, are conducted face to face so students can get the most from this educational opportunity and campus resource.

During the 2023 Fall semester, CMU completed The Healthy Minds Study – A confidential survey to better understand the needs of our students and advocate for mental health services. There are questions related to alcohol and other drug use so once the data has been collected and reviewed, CMU will then be able to use that information to help guide potential next steps.



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Appendix

[The Code of Student Rights, Responsibilities and Disciplinary Procedures](#)

[Annual Fire and Safety Report](#)