



# Alcohol and Other Drugs

## Policy Handbook

---

2020-2021

(All information is current at the time of publication. 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, and/or community standards.

Updated 8/3/2020

# Table of Contents

Introduction	3
Standards of Conduct	4
Health Risks and Safety	4
Legal Sanctions and Summary of Laws	6
Information for GVSU Faculty and Staff	7
Drug-Free Workplace Act of 1988	7
University Compliance Guidelines for Employees	7
Drug and Alcohol Services and Programs for Faculty, Staff, and their Families	8
Information for GVSU Students	9
Drug-Free Schools and Communities Act of 1989	9
University Sanction Guidelines for Students	9
Drug and Alcohol Services and Programs for Students	10
Treatment of Student Records	10
Appendix A: University and Department AOD Related Policies	11
Appendix B: Symptoms and Additional Substance Information	12
Appendix C: Additional Legal Information	14
Alcohol Legal Information	14
Marijuana Legal Information	16
Appendix D: Student Sanction Guidelines	17
Referral Guidelines for Alcohol Offenses	17
Referral Guidelines for Marijuana and Other Drug Offenses	17

## 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 University policies and local, state, and federal law.

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 or other drugs;
- 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 a concern for the University community. However, alcohol is the most common drug of choice on the campus. 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. Provision will be 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.

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. University policy documents related to alcohol and other drugs are available online and should be reviewed by all students, faculty and staff. A list of these documents and websites can be found in [Appendix A](#).

## 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 and marijuana 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.

## Health Risks and Safety

### **Alcohol**

Alcohol and drug use can start out as experimentation or as casual use but progress into problem use or dependence for some individuals. 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.

Alcohol is a "sedative hypnotic" drug, also known as a depressant, that can cause short-term effects such as impaired concentration, memory, and/or judgement. "Alcoholic beverages" are any fermented liquor, such as wine, beer, or distilled spirit, that contains ethanol as an intoxicating agent. Alcohol slows reflects and reactions times which can impact one's functioning. This affects one's ability to drive and complete other tasks. Additional impacts include confusion, disorientation, blackouts, problem behaviors, poor quality sleep, and/or negative experiences.

Long-term health impacts include higher risk for numerous cancers, heart damage, liver damage, malnutrition, other diseases, and psychological deterioration. When consumed rapidly in large quantities, alcohol can cause vomiting, seizures, coma, and death. Some individuals may have a genetic predisposition to dependency or be at higher risk for addiction. Drinking during pregnancy can cause Fetal Alcohol Spectrum Disorders (FASDs) which cause issues with the physical and cognitive functioning of the child.

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, can lead to permanent damage of vital organs such as the brain and the liver.

### **Cannabis (Marijuana)**

Cannabis (marijuana) is a psychoactive (mind-altering) drug derived from the Cannabis plant. The short-term effects include distortion of space, time, sound, and distance, delayed reflexes and reaction times which impact driving, forgetfulness, and impairment of coordination and cognition. Marijuana may produce anxiety and psychotic symptoms in some individuals and can negatively impact cardiovascular and respiratory systems.

Long-term impacts may include higher rate for developing mental health conditions such as schizophrenia and bipolar disorders, or exacerbation of pre-existing mental health conditions. Additional long-term impacts include permanent damage to lungs, cognitive functioning, and

reproductive organs; and may stagnate or interfere with psychological, physical, and social development in young users. Some individuals may initially use cannabis as a way to relieve stress, anxiety, or depressive symptoms. If use increases and tolerance develops, anxiety (panic attacks) and depression may intensify. Cannabis occurs in various forms.

Mixing substances has the potential to cause harmful side effects including death. This includes any combination of alcohol, marijuana, over-the-counter medications, prescription medications, and illicit drugs. Many are not aware that their prescription medication should not be taken in combination with other substances. Combining alcohol with other drugs intensifies the effects often leading to unpredictable and dangerous consequences. For more information on health risks, impacts, and other substances, see [Appendix B](#) and visit [www.gvsu.edu/aod/besmart](http://www.gvsu.edu/aod/besmart).

## **Safety**

While using substances at any level cannot be deemed completely "safe," there are some steps that individuals can take to reduce the negative impact of substance use. This is often referred to as "responsible use." 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 report most healthy adults will have few, if any, negative effects with the following guidelines: one serving of alcohol per day for women and two servings per day for men. (One serving = 12 oz. of beer (5% alcohol), 5 oz. of wine, or 1.5 oz. of 80 proof liquor).

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. Regardless, "safe use" is questionable if a person has a genetic predisposition for addiction.

While substance use and sexual assault are often conflated in society, it is important to note that sexual assault is about power and control and is not caused by a victim/survivor using alcohol or other drugs. Sexual assault is never the victim/survivor's fault. Alcohol can be used as a tool to perpetrate sexual assault but it is not the reason someone perpetrates sexual assault. It is important to note that 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 as a tool 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). Other drugs such as Rohypnol, GHB, and Ketamine can be slipped into one's drink to be used to facilitate a sexual assault but this is much more rare.

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.

## Legal Sanctions and Summary of Laws

Local, state, and federal laws make unlawful manufacture, possession, use, distribution or dispensation of drugs and alcohol a serious crime. 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](http://www.michigan.gov/sos)) contains information for alcohol- and drug-related issues that impact driving licenses.

When you drink alcohol, or use other drugs, and drive, you endanger your life, and the lives of your passengers and others on the road. Each year, thousands of people are killed or permanently disabled because someone drove while intoxicated or impaired after consuming alcohol or other chemical substances. Michigan takes a strong stand against intoxicated and impaired drivers.

It is best to never drink or use drugs and drive. Select a designated driver ahead of time, who will stay sober. You can also ask someone else to give you a ride, call a taxi, or use public transportation. Never ride with anyone who has been drinking or using drugs. If necessary, take away the person's vehicle keys, and offer him or her a place to sleep. Be sure drivers are completely sober before they get behind the wheel.

Driving requires concentration, motor skills, common sense, and a concern for the safety of everyone on the road. Alcohol affects people differently. Your judgment and self-control will be affected. Even one drink can impair your ability to drive, slow your reaction time, dull your concentration, and cause vision problems. Many people mistakenly believe that coffee, a cold shower, exercise, or fresh air can sober them up. Time is the only thing that sobers you up.

For additional information on legal information related to alcohol and marijuana violations, see [Appendix C](#).

## Information for GVSU Faculty and Staff

### Drug-Free Workplace Act of 1988

Consistent with the Drug-Free Workplace Act of 1988, GVSU is committed to providing a workplace 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.

### University Compliance Guidelines for Employees

No employee will report to work evidencing any effects of illegal drug use. 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 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, or other university procedures.

Additional sanctions may apply to those employees working on a federally sponsored grant or

contract who are 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 and Alcohol Services and Programs for Faculty, Staff, and their Families**

GVSU supports faculty, staff, and their families in finding the best possible solution to address concerns with alcohol or drug abuse. The Employee Assistance Program (EAP), also known as Encompass, is a third-party confidential resource. Encompass provides seven free sessions for eligible 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.

Work Life Consulting is a GVSU program designed to assist faculty and staff in getting the information and answers they need. This program is provided 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](http://www.gvsu.edu/healthwellness).

**Community Providers:** The AOD Services office provides an online database for community resources and referrals related to rehabilitation and other programming. For assistance, feel free to contact our office or visit [www.gvsu.edu/aod/community](http://www.gvsu.edu/aod/community)

**Recovery Meetings:** The AOD Services office provides space for recovery meetings including AA, NA, SMART Recovery, and Adult Children of Alcoholics. Meetings are open to students, faculty, staff, and the community. For schedule and additional information, visit [www.gvsu.edu/aod/recovery](http://www.gvsu.edu/aod/recovery).



## Information for GVSU Students

### 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. The following information is related to disciplinary sanctions for student violations, treatment and rehabilitation resources, and treatment of student records.

### University Sanction Guidelines for Students

#### **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 violation 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 or minor 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 or minor seeking help for the intoxicated student or minor, unless there are extenuating circumstances. Students will be reported to the Office of Student Conduct and Conflict Resolution and 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.

While GVSU takes all substance abuse and illegal drug use seriously, alcohol and marijuana are two of the more commonly used substances on campus. It is because of this prevalence that it is specifically addressed in the Sanction Guidelines. While consequences of other illegal drug use will vary from a legal perspective, all will result in a report to the Office of Student Conduct and Conflict Resolution. Students should be aware that any illegal drug convictions may also impact their ability to receive federal financial aid. For more information, visit the GVSU Financial Aid website at [www.gvsu.edu/financialaid](http://www.gvsu.edu/financialaid).

For specific information on Student Drug and Alcohol Sanction Guidelines, see [Appendix D](#).

## Drug and Alcohol Services and Programs for Students

GVSU supports students in seeking the best possible solution to address concerns related to alcohol or drug misuse and abuse. University resources and community counseling services are available for addressing concerns.

The GVSU University Counseling Center (UCC) provides personal counseling, which can include services for those with drinking and/or other drug issues. Outpatient counseling sessions (individual and group) are available for currently enrolled students with substance abuse or dependency issues. The UCC does not provide court mandated counseling, evaluations, or other services but is available for consultation to assist students in locating an appropriate provider.

The Alcohol & Other Drugs (AOD) Services office is housed within the UCC. AOD Services coordinates prevention, education, intervention, treatment, and recovery supports on campus. AOD Services is available to students for consultation and referrals. The office recognizes that there are many paths to recovery and options for support. For more information, use the contact information below.

Alcohol and Other Drugs (AOD) Services  
(616) 331-2537 – [www.gvsu.edu/aod](http://www.gvsu.edu/aod)

University Counseling Center  
(616) 331-3266 – [www.gvsu.edu/counsel](http://www.gvsu.edu/counsel)

**Recovery Meetings:** The AOD Services office provides space for recovery meetings including AA, NA, SMART Recovery, and Adult Children of Alcoholics. Meetings are open to students, faculty, staff, and the community. For schedule and additional information, visit <http://www.gvsu.edu/aod/recovery>.

## Treatment of Student Records

The Family Educational Rights and Privacy Act (FERPA) indicates "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.

## Appendix A: University and Department AOD Related Policies

### University and Department AOD Related Policies

This is a listing of additional policies and documents available for faculty, staff, and students related to AOD policies. This is not an exhaustive list.

Alcohol and Other Drugs Policy ([www.gvsu.edu/policies](http://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](http://www.gvsu.edu/policies))

Student Code ([www.gvsu.edu/studentcode](http://www.gvsu.edu/studentcode))

Annual Security and Fire Safety Report ([www.gvsu.edu/dps](http://www.gvsu.edu/dps))

Housing and Residence Life

(<https://www.gvsu.edu/housing/students/hrl-community-living-standards-36.htm>)

Intercollegiate Athletics Fan Guides (<https://gvsulakers.com/sports/2014/6/4/fanguide.aspx>)

Conference and Event Planning (<http://www.gvsu.edu/meetatgvsu>)

Event Services (<http://www.gvsu.edu/eventservices/>)

Student Organizations (<http://www.gvsu.edu/studentorg/>)

## Appendix B: Symptoms and Additional Substance Information

There are several concerns that can arise from the misuse of alcohol and other drugs. Substance misuse is drinking or using substances too much or for the wrong reasons, e.g., using alcohol to "self-medicate" oneself for struggles with depression or anxiety. Repeated misuse can lead to abuse. Substance abuse is overindulgence of alcohol or other drugs that impact one's functioning. This could include impacts on activities of daily living, work or school, relationships, increased tolerance, increased frequency or amount of the substance, and legal problems. Repeated abuse may be a sign of addiction/dependence.

People who are chemically dependent upon alcohol and other drugs find it necessary to use the substance in order to feel "normal." They may also begin to experience withdraw symptoms when not using the substance regularly. Withdraw symptoms can be severe and even lethal. Management of addiction/dependence requires significant behavioral change which often includes abstaining from the substance.

### **Symptoms**

**Tolerance** – when someone needs more of a substance to get the same effect, this indicates that one is experiencing an increase in tolerance. An example is drinking four servings of alcohol without exhibiting signs of intoxication such as difficulty walking and talking.

**Cravings and/or urges** – craving substances is related to the desire a person has for the substances (I want it badly). Urges are related to the drive to obtain the substance at any given time (I have to have it now). Cravings and urges can change in strength and frequency depending on the person's progression of use or recovery.

**Inability to cut down or stop use** – unsuccessful attempts to cut down the amount one consumes and/or the time spent using drugs and alcohol when making a conscious decision to change. One may also regularly exceed the limits of moderate use.

**Continued use despite consequences** – substance use can impact many areas of the user's life. This may include but not be limited to missing classes and/or work, getting into fights or serious arguments with friends/loved ones, getting into legal trouble, developing health problems, and more. Those who use substances may even give up activities that they enjoy to obtain the substance. Continued use despite negative consequences is a serious sign that a person's use is progressing to abuse and/or dependency.

**Withdrawal** – a combination of mental and physical symptoms that occur when a person stops or reduces their substance use. Some withdraw periods require medical oversight and care. Withdrawal symptoms can include tremors, vomiting, anxiety, change in mood and appetite, fatigue, restlessness, sweating, and sleep difficulties.

**Blackouts** - loss of memory for periods of time, although the person may be able to carry on their typical functioning.

### **Additional Substance Information**

"Study Drugs" – these are amphetamines and typical refer to Adderall, Concerta, and Ritalin. These substances can cause short-term effects such as increased focus and concentration which

only last a few hours and is followed by a “crash.” This crash often consists of symptoms including feeling sluggish, disconnected, depressed, and disappointed. Many times, the rush can lead to careless behavior, pushing beyond healthy limitations or physical capacity, and exhaustion. Long-term impacts can include high blood pressure, irregular heartbeat, heart failure, stroke, seizures, personality changes, paranoia, mental health problems, aggression, and hyperreflexia.

Opiates/Narcotics – this category of substances includes oxycodone, codeine, china white, heroine, and morphine. These substances can cause psychological and physiological dependence and are highly addictive. One’s tolerance for these substances can develop quickly. Other effects include increased sensitivity to pain, constipation, nausea, sleepiness, dizziness, confusion, depression, decreased sex drive from lowered testosterone, and sweating. Overdose can cause coma, convulsions, respiratory arrest, and death.

Cocaine/Crack – this substance can cause increased breathing, heart rate, blood pressure, anxiety, restlessness, paranoia, confusion, impairment of judgement, bizarre or violent behavior, decreased appetite, and alertness/energy. Long-term risks include seizures, loss of brain function, and damage to heart, respiratory system, and immune system. This substance is highly addictive.

Hallucinogens – this category of substances includes PCP, LSD, and ecstasy. These substances have effects that include extreme visual and auditory distortions, changes in behavior, concentration and memory problems. Frequent use can lead to cognitive deterioration. Overdose can include convulsions, coma, and death.

Sedatives – these substances can cause decreased reaction time, confusion, memory problems, over sedation, and impaired judgment. Tolerance can develop quickly leading to physical and psychological dependence. Withdrawal (especially when abrupt) and mixing sedatives with other drugs is dangerous and can lead to coma and death.

Vaping and Tobacco - vaping is the act of inhaling vapor produced by an e-cigarette, vape pens, JUUL, or similar device. Tobacco is a plant that is indigenous to the Americas that contains nicotine. Tobacco and marijuana are two substances that are used with a vaping device. There are numerous health risks including cancer, heart diseases, respiratory disease, and addiction.

## Appendix C: Additional Legal Information

### Alcohol Legal Information

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

Under Michigan law, it is illegal to drive:

- While intoxicated, or impaired, by alcohol, controlled substance, or other intoxicating substance.
- With a bodily alcohol content of 0.08 or more. (This crime is one of the driving while intoxicated offenses.)
- With a bodily alcohol content of 0.17 or more. (This "High BAC" crime is one of the driving while intoxicated offenses.)

Additionally, if you are under age 21, it is also against the law to:

- Drive with a bodily alcohol content of 0.02 or more, or with any presence of alcohol in your body except for that consumed at a generally recognized religious ceremony.
- Buy, possess, or consume alcoholic beverages. You may transport alcohol in a vehicle only when accompanied by someone age 21 or older. If you are stopped by the police, with alcohol in your vehicle, and there is no adult with you, you can be charged with a misdemeanor, whether you are on the road or in a parking lot.

### Legal Sanctioning

Operating While Intoxicated (OWI) leads to a \$100 to \$500 fine and one or more of the following for a first offense:

- Up to 93 days in jail
- Up to 360 hours of community service
- Driver's license suspension for 30 days, followed by license restrictions for 150 days
- Possible vehicle immobilization
- Possible ignition interlock
- Six points added to driving record

High Blood Alcohol Content (BAC of .17 or higher). This is one of the operating while intoxicated crimes, but it has harsher consequences including one or more of the following (second and third offenses have even harsher consequences):

- Up to 180 days in jail.
- \$200 to \$700 fine.
- Up to 360 hours of community service.
- Driver's license suspension for 1 year. Eligible for restrictions after 45 days of suspension if an ignition interlock device is installed on all vehicles the offender owns or intends to operate.
- Possible metal license plate confiscation if the offender operates a vehicle without a properly installed ignition interlock device.
- Mandatory vehicle immobilization if the offense is subsequently convicted for operating a vehicle without a properly installed ignition interlock device.
- 6 points added to the offender's driving record.

#### Open Intoxicants in a Motor Vehicle - Up to a \$100 fine.

- First offense: No action taken against driver's license.
- Second offense: Driver's license is suspended for 30 days, followed by restrictions for 60 days.
- Third offense: Driver's license is suspended for 60 days, followed by restrictions for 305 days.
- Alcohol screening may be required and points added to the offender's driving record.

#### Driver's License Sanctions for Drivers Under Age 21 - Zero Tolerance (under age 21)

- First Offense:
  - Up to a \$250 fine, or up to 360 hours of community service, or both.
  - Driver's license is restricted for 30 days.
  - 4 points are added to the offender's driving record.
- Second Offense (within 7 years):
  - 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.

#### Person Under 21 Purchase/Consume/Possess Alcohol

- First offense: \$100 fine. No driver's license sanction.
- Second offense: \$200 fine. Driver's license is suspended for 30 days and restricted for 60 days.
- Third offense: \$500 fine. Driver's license is suspended for 60 days and restricted for 305 days.
- Alcohol screening and community service may be required.

#### Person Under 21 Transporting or Possessing Alcohol in a Motor Vehicle

- Up to a \$100 fine.
- Driver's license sanctions for any offense after the first offense
- Alcohol screening and community service may be required.
- Vehicle may be impounded for up to 30 days.
- 2 points are added to the offender's driving record.

#### Using Fraudulent ID to Purchase Alcohol

- Up to a \$100 fine, or up to 93 days in jail, or both.
- Driver's license is suspended for 90 days.
- Alcohol screening may be required.

#### 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.

This information is sourced from the Michigan Secretary of State. For more information, visit [https://www.michigan.gov/sos/0,4670,7-127-1627\\_8665\\_9070-24488--,00.html](https://www.michigan.gov/sos/0,4670,7-127-1627_8665_9070-24488--,00.html).

## Marijuana Legal Information

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

Grand Valley State University receives federal funding and therefore must follow federal as opposed to state laws and regulations pertaining to marijuana. Even if a student or employee 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. 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.

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.



## Appendix D: Student Sanction Guidelines

### Referral Guidelines for Alcohol Offenses

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 – The student will be reported to the Office of Student Conduct and Conflict Resolution. Typically, students are required to complete an alcohol assessment tool and/or 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 – The student will be reported to the Office of Student Conduct and Conflict Resolution. Students who have had a second alcohol incident may be required to attend an educational workshop and/or 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 the Office of Student Conduct and Conflict Resolution, which may result in additional education, sanctions, and monetary fees.

### Referral Guidelines for Marijuana and Other Drug Offenses

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 – The student will be reported to the Office of Student Conduct and Conflict Resolution. Typically, students are required to complete a marijuana assessment tool and/or 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 – The student will be reported to the Office of Student Conduct and Conflict Resolution. Typically, students who have had a second marijuana incident will be required to attend an educational workshop and/or two individual marijuana 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 the Office of Student Conduct and Conflict Resolution, which may result in additional education, sanctions, and monetary fees.

Typically, criminal conviction of illegal use or possession of substances 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 the Office of Student Conduct and Conflict Resolution for sanctioning that may include monetary fees.