Notification to Michigan Tech Employees Regarding University Alcohol and Other Drugs Policies

In compliance with the federal **Drug-Free Schools and Communities Act (DFSCA)** and its implementing regulations (34 CFR Part 86), Michigan Tech is committed to maintaining a drug-free campus environment and actively promoting the health and safety of its community.

This notice outlines the University's policies, legal sanctions, health risks, and available support resources related to the unlawful possession, use, or distribution of illicit drugs and alcohol.

I. Introduction

The misuse and abuse of alcohol and other drugs pose a direct threat to the core mission of Michigan Technological University. Such behavior can diminish the intellectual, social, physical, and professional growth essential for all members of our community.

A. Risks and Expectations

Substance misuse carries significant risks, including negative impacts on academic standing, job performance, future career prospects, strained social interactions, and increased potential for unwanted or inappropriate sexual activity.

While the University respects the personal choices of adult community members regarding alcohol and other drugs, those choices must not disrupt the working, living, or learning environment of others.

The University highly values responsible bystander behavior and timely reporting of concerning incidents.

B. University Intervention and Wellness Programing

The University is committed to intervention when substance abuse or misuse negatively affects any segment of the community or violates University policy, city, state, or federal law.

To support a healthy campus life, Michigan Tech provides comprehensive educational activities, information, and wellness programs promoting responsible decision-making and healthy lifestyles.

C. No Endorsement by University

The University’s policies, including the consent to allow alcoholic beverages in specific locations and circumstances, do not constitute University sponsorship or endorsement of consumption. This permission reflects our desire to permit freedom of choice only where that choice strictly adheres to all existing laws and policies and does not endanger life or property.

II. University Policies and Disciplinary Action

A. For Employees

a. University Policies and Prohibited Conduct

All employees are expected to read and be familiar with the policies related to alcohol and other drugs. Please refer to Board of Trustees Policy 12.4 (Alcoholic Beverages).

All federal, state, and local laws governing the use of alcohol and other drugs are applicable to all activities at Michigan Technological University.

Alcohol is not allowed to be advertised at official University events, nor advertised in official University publications.

Social events are to conform to recognized standards of good taste and conduct.

Employees are not permitted to report to work or engage in work responsibilities while under the influence of drugs or alcohol.

The possession, sale, or use of any illicit drugs in violation of federal, state, or local law while on University property, or at University sponsored events, or while on University business, is strictly prohibited. Because the University receives federal funding, marijuana possession, sale, and use is strictly prohibited on University property and while on University business.

Possession and use of alcoholic or intoxicating beverages is prohibited except in the following circumstances:

1. At University-sponsored functions alcoholic beverages may be served to non-paying guests with the prior approval of the President.

2. The possession and use of alcoholic beverages is permitted for occasions and in facilities for which a valid liquor license has been obtained only in compliance with the license.

3. Occupants of residence halls and University apartments may possess and use alcohol in approved rooms if such persons are of legal drinking age.

4. The use of alcohol is permitted in Michigan Technological University courses, workshops or seminars when under the supervision of a professional staff member and the purpose is solely educational.

b. Disciplinary Action

Any university employee who violates federal, state or local laws, and/or University rules or and policies regarding use, possession, sale, or furnishing or under the influence of alcohol or other drugs while on University property, or at University sponsored events, or while on University business is subject to disciplinary actions, up to and including dismissal or discharge. For additional information, please refer to

<http://www.mtu.edu/hr/current/discipline.html>

B. For Students
    a. University Policies and Prohibited Conduct

- Living Guide - Alcohol and Other Drugs Policy
- Alcohol Policy for Registered Student Organizations
- University and Other Drug Policy
- Policy 7.01 Abuse of Alcohol and Other Drugs by Students and Student Organizations
- Student Code of Community Conduct
- Registered Student Organization Standards of Conduct

    b. Disciplinary Action

Students who violate state, federal, or local laws concerning drugs or alcohol while on University property or at University-sponsored events and/or those who violate University regulations regarding the prohibition of drugs or alcohol or the time, place, and manner in which alcohol is used or advertised, are subject to disciplinary action and possible criminal prosecution.

Students are subject to disciplinary action as outlined in the Code of Student Conduct, http://www.mtu.edu/conduct/policies/pdfs/codeofconduct.pdf Registered Student Organizations are subject to disciplinary action as outlined in the Registered Student Organizations Standards of Conduct, https://www.mtu.edu/conduct/codes-ofconduct/organization-conduct/

Any student employee convicted of a criminal drug offense or any alcohol-related driving or possession offense - that occurred in the workplace or while on University business must notify their immediate supervisor within five (5) business days of the conviction. Following notification of a student employee's conviction, the supervisor shall notify the Office of Academic and Community Conduct. If the student employee is paid through a federal contract or grant, the student employee's supervisor should also inform the Office of Research and Supported Programs. In each case, the respective offices shall apply appropriate sanctions and conditions according to University policies and procedures. Students are required to inform the Financial Aid Office if convicted of a drug offense while receiving financial aid. Students may be subject to prosecution by civil authorities. No student will be denied due process.

III. Prevention and Assistance

Michigan Tech is committed both to prevention of alcohol and drug abuse, and assistance to employees who need help with substance abuse issues. Accordingly, in addition to the discipline procedures mentioned earlier, the University will also offer support, rehabilitation, and/or counseling services to any employee who makes a request. Prevention and assistance resources include:

Department of Public Safety and Police Service
Emergency? Dial 911

1304 E Houghton Ave (Meese Center)(906) 487-2216

http://www.mtu.edu/publicsafety/

Anonymous, online tip form: www.mtu.edu/tips Anonymous phone tip line: 487-0TIP (487-0847)

For Employees:

- **ESI Employee Assistance Program (EAP)**
  800-252-4555 or theeap.com
- Human Resources: Information on leave and benefit options 906-487-2517 or https://www.mtu.edu/hr/current/benefits/

For Students:

- **Center for Student Mental Health and Well-being**
  Student Mental Health: (906) 487-2538
  http://www.mtu.edu/well-being/
- Dean of Students Office: Information on available leave and other support options 906-487-2212 or https://www.mtu.edu/deanofstudents/support/

Michigan 2-1-1

Dial: 2-1-1
Text your zip code to: 898211
https://mi211.org/

Substance Abuse and Mental Health Services Administration (SAMHSA)

National Helpline: (800) 662-HELP (4357)
Text your 5-digit ZIP Code to: HELP4U (435748)
https://www.samhsa.gov/find-help/helplines/national-helpline

Houghton Family Health Center

600 Macinnes Drive
Houghton, MI 49931
(906) 483-1860
https://uglhealth.org/locations/houghton-family-health-center/

Institutional Equity Equal Opportunity Compliance and Title IX

310 Administration Building
(906) 487-3310
https://www.mtu.edu/eo-compliance/

Title IX Coordinator

Jodie Filpus-Paakola, jrfilpus@mtu.edu

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IV. Summary of State and Federal Laws

A. Laws Relating to Use of Alcohol

Federal, state, and local laws governing alcohol use apply to all activities at Michigan Tech. These summaries are an educational tool and other provisions not included may also apply.

1. *Legal Age for Possession and Consumption of Alcohol-it* is illegal for a person under 21 years of age to purchase, consume, or possess alcoholic beverages.

2. *Transporting Alcoholic Beverages-It* is a misdemeanor for a person under 21 years of age to knowingly transport alcoholic beverages in a motor vehicle.

3. *Fraudulent Identification-A* person under 21 years of age who furnishes fraudulent identification, or who uses fraudulent identification to purchase alcoholic beverages is guilty of a misdemeanor.

4. *Regulation of* Sale-Under Michigan Law, the sale, trade, or giving away of alcoholic beverages, including alcoholic beverages for personal use, requires a license or other prior written authorization.

5. *Open Container Laws-It* is illegal to transport or possess any alcoholic beverages in a container that is open, uncapped, or upon which the seal is broken within a motor vehicle on the highways in the state of Michigan.

6. *City Ordinances-The* Cities of Houghton and Hancock prohibit the consumption of alcoholic beverages on any public street or sidewalk, in parks, or in any other public places other than those specially designated for such purposes.

7. *Liability-In* the state of Michigan, a person who is injured by a visibly intoxicated person has a right of action.

8. *Drinking and Driving-Michigan* has a "zero-tolerance" law permitting no blood alcohol for drivers less than 21 years of age. For drivers over 21, the limit is 0.08%. Drivers who are under the legal limit but show signs of impairment may still be charged with a DUI.

9. *Alcohol and Sexual Assault-Engaging* in sexual activity with a person who is unable to consent is considered sexual assault and is punishable under Michigan law.

10. *Disorderly Conduct-In* the state of Michigan, a person who is intoxicated in a public place and who is a danger to themselves or others is defined as a disorderly person.

B. Laws Regarding Controlled Substances

Under Michigan and federal law, it is unlawful for any person to manufacture, deliver, possess, use, or inhale any chemical or controlled substance, unless authorized.

Controlled substances are determined by the federal government. Certain drugs are categorized according to Schedules, which depend on the drug's known or potential medical value, its potential for physical or psychological dependence, and its risk, if any, to public health.

The penalty for the illegal possession, use, sale, or delivery of controlled substances depends on the quantity of the drug, and to which Schedule it belongs, Schedule I drugs carrying the most severe penalty, and Schedule V drugs carrying the least severe penalty. If the sale or transport of drugs crosses interstate lines, federal law and penalties will apply.