

**MEMORANDUM**

**TO:** *CMU Faculty, Staff, and Students*

**FROM:** *CMU Drug Free Schools and Communities Act Committee*

**DATE:** *March 1, 2024*

**RE:** *Annual Notification of Alcohol and Other Drug Information*

*Central Michigan University (CMU) is committed to maintaining a safe and healthy campus community through education, information and intervention concerning alcohol and other drugs. Among other efforts, the university is committed to maintaining a work and academic environment that is free from illegal use and misuse of alcohol and drugs in accordance with all federal, state and local laws, including the Federal Drug-Free Schools and Communities Act and related regulations. CMU endeavors to educate its students, staff and faculty regarding the dangers of alcohol and illicit drugs because the use of alcohol and illegal drugs poses a health threat to members of the university community.*

*CMU is required by law to notify all students, faculty and staff annually of alcohol and other drug policies, sanctions and the risks associated with use. This notification provides the campus community with the following information:*

- A. Alcohol and drug programs available to students and staff.*
- B. Health risks associated with alcohol abuse and illicit drug use.*
- C. Applicable university policies and standards of conduct and disciplinary sanctions for students and staff regarding alcohol and drug use.*
- D. Federal and state legal sanctions.*

*Keeping CMU safe depends on all university community members' cooperation, involvement, and support. I appreciate you reviewing the information provided below and doing your part in maintaining a safe and healthy campus community.*

### **Alcohol and other drug (AOD) programs and resources available to faculty, staff, and students**

CMU encourages employees and students to utilize treatment services and referral resources to address AOD abuse and dependence. In addition, the university provides the following support services to faculty, staff and students.

#### **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](http://www.counsel.cmich.edu)

#### **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

#### **Employee Assistance Program/Encompass**

(800) 788-8630 <https://www.cmich.edu/about/human-resources/benefits-wellness/wellness-benefits/health-advocate>

#### **Human Resources**

Rowe Hall 114, (989) 774-6447, 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-CREW (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>

## **Health risks associated with alcohol abuse and illicit drug use:**

What substance use disorder is:

Substance use disorder (SUD) is a complex condition in which there is the uncontrolled use of a substance despite harmful consequences. People with SUD have an intense focus on using a certain substance(s) such as alcohol, tobacco, or illicit drugs, to the point where the person's ability to function in day-to-day life becomes impaired. People keep using the substance even when they know it is causing or will cause problems. The most severe SUDs are sometimes called addictions.

People can develop an addiction to:

- Alcohol
- Marijuana
- PCP, LSD and other hallucinogens.
- Inhalants, such as, paint thinners and glue.
- Opioid pain killers, such as codeine and oxycodone, heroin.
- Sedatives, hypnotics, and anxiolytics (medicines for anxiety such as tranquilizers).
- Cocaine, methamphetamine and other stimulants.
- Tobacco
- Caffeine

## **What symptoms may be present:**

People with a substance use disorder may have distorted thinking and behaviors. Changes in the brain's structure and function are what cause people to have intense cravings, changes in personality, abnormal movements, and other behaviors. Brain imaging studies show changes in the areas of the brain that relate to judgment, decision making, learning, memory, and behavioral control.

Repeated substance use can cause changes in how the brain functions. These changes can last long after the immediate effects of the substance wears off, or in other words, after the period of intoxication.

Intoxication is the intense pleasure, euphoria, calm, increased perception and sense, and other feelings that are caused by the substance. Intoxication symptoms are different for each substance. When someone has a substance use disorder, they usually build up a tolerance to the substance, meaning they need larger amounts to feel the effects.

According to the National Institute on Drug Abuse, people begin taking drugs for a variety of reasons, including:

- to feel good - feeling of pleasure, "high" or "intoxication".
- to feel better - relieve stress, forget problems, or feel numb.

- to do better - improve performance or thinking.
- curiosity and peer pressure or experimenting.

*In addition to substances, people can also develop an addiction to behaviors such as gambling.*

*People with substance use and behavioral addictions may be aware of their problem but not be able to stop even if they want and try to. The addiction may cause physical and psychological problems as well as interpersonal problems such as with family members and friends or at work. Alcohol and drug use is one of the leading causes of preventable illnesses and premature death nationwide.*

**Symptoms of substance use disorder are grouped into four categories:**

- *Impaired control: a craving or strong urge to use the substance; desire or failed attempts to cut down or control substance use.*
- *Social problems: substance use causes failure to complete major tasks at work, school or home; social, work or leisure activities are given up or cut back because of substance use.*
- *Risky use: substance is used in risky settings; continued use despite known problems.*
- *Drug effects: tolerance (need for larger amounts to get the same effect); withdrawal symptoms (different for each substance).*

*Many people experience substance use disorder along with another psychiatric disorder. Oftentimes another psychiatric disorder precedes substance use disorder, or the use of a substance may trigger or worsen another psychiatric disorder.*

**References:**

- American Psychiatric Association
- The National Institute on Drug Abuse
- Substance Abuse and Mental Health Services Administration

**Applicable university policies and standards of conduct and disciplinary sanctions for students and staff regarding alcohol and drug use**

CMU's Student Code of Conduct is enforced by the Office of Student Conduct. The [Code of Student Rights, Responsibilities and Disciplinary Procedures](#) can be found online. Students receive information about alcohol and drugs during orientation programs. Students living in university housing are expected to follow policies that are outlined in the [Residence Life Handbook](#).

Students who violate the Alcohol Policy or the Controlled Substances Policy can expect the following sanctions:

*\*The Office of Student Conduct reserves the right to change/modify these sanctions as necessary*

1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
<ul style="list-style-type: none"> <li>• \$300.00 fine</li> <li>• Meeting with CMCREW</li> <li>• Parental Notification</li> </ul>	<ul style="list-style-type: none"> <li>• \$400.00 fine</li> <li>• Substance Abuse Evaluation with CMCREW</li> <li>• Disciplinary Probation</li> <li>• Parental Notification</li> </ul>	<ul style="list-style-type: none"> <li>• \$500.00 fine</li> <li>• Substance Abuse Assessment with CMREW</li> <li>• Disciplinary Probation</li> <li>• Parental Notification</li> <li>• Or Suspension/Dismissal from CMU</li> </ul>

Human Resources and the Faculty Personnel Services address allegations of policy violations by employees, and support departments in administering sanctions for policy violations, when appropriate.

**Federal and state legal sanctions**

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
- 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 and 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.
- 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:

- 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:
  - 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.