



Ferris State University Statement Supporting Drug-Free Schools and Communities Act

Standards for Conduct at Ferris State University

The unlawful manufacture, distribution, dispensation, possession or use of illicit drugs and the unlawful use of alcohol (e.g. underage use, distribution to minors, or operating a University vehicle while under the influence) by employees or students on University property or work sites, or as part of University activity is specifically prohibited by Ferris State University regulations, and/or by state or federal law. Those University regulations governing the use of alcohol and other drugs are so noted below for your information:

Consistent with state and federal law, Ferris State University will maintain a workplace and an educational environment free from the unlawful manufacturing, distribution, dispensation, possession or use of a controlled substance, (as defined under the Controlled Substances Act, 21 U.S.C. 812 and the Drug Free Schools and Communities Act, as may be amended from time to time). The unlawful manufacture, distribution, dispensation, possession or use of alcohol and other drugs, including narcotics by employees and students, is prohibited on any property under the control of and governed by the Board of Trustees of Ferris State University, or on any site where work or student activity is performed by individuals on behalf of the University.

The Ferris State University Code of Student Community Standards Administrative Policies and Procedures include specific sections related to alcohol and other drug use or abuse.

Statement of Purpose

This statement is designed to communicate a comprehensive approach to dealing with issues related to alcohol and other drugs. This statement will assist all members of the Ferris State University community, as it provides an educational context for these issues, identifies resources available, and enunciates specific policies that relate directly to faculty, staff, and students. The foundations for this statement reflect the University's core values:

- *Collaboration:* Ferris contributes to the advancement of society by building partnerships with students, alumni, business and industry, government bodies, accrediting agencies, and the communities the University serves.
- *Diversity:* By providing a campus which is supportive, safe, and welcoming, Ferris embraces a diversity of ideas, beliefs, and cultures.
- *Ethical Community:* Ferris recognizes the inherent dignity of each member of the University community and treats everyone with respect. Our actions are guided by fairness, honesty, and integrity.
- *Excellence:* Committed to innovation and creativity, Ferris strives to produce the highest quality outcomes in all its endeavors.

- *Learning:* Ferris State University values education that is career-oriented, balances theory and practice, develops critical thinking, emphasizes active learning, and fosters responsibility and the desire for the lifelong pursuit of knowledge.
- *Opportunity:* Ferris, with a focus on developing career skills and knowledge, provides opportunities for civic engagement, leadership development, advancement, and success.

Applicability of University Polices on Alcohol and Other Drugs

University polices on Alcohol and Other Drugs pertains to all activities on University property. These policies also pertains to off-campus, University-sponsored activities and to off-campus activities (social or otherwise) sponsored by students, organizations or individuals associated with the University.

Ferris State University, like all other institutes of higher education, supports the Drug Free Schools and Community Act Amendments of 1989. This legislation promotes the adoption and implementation of a program to prevent the abuse of alcohol and illicit use of alcohol and other drugs by employees and students. This program has given the University direction to compile and distribute annually this educational material to each employee and student affiliated with our University.

One purpose of this material is to make all of us more aware of the health risks involved with alcohol abuse and illicit alcohol and other drug use, as well as to be aware of the resources available should a student or employee determine that they would like or need assistance. In addition, it is important for each of us to be aware of legal consequences and University sanctions indicated by violations of local, state and federal laws and University policies and procedures.

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.

Big Rapids Ordinances

Consumption on Street or Parking Lot [Section 131.04 (as amended)]

It shall be a municipal civil infraction to consume any alcoholic beverage on any street, alley, sidewalk, parkway, alley or parking lot open to the public. Penalty, see § 10.99

Possessing Open Alcoholic Beverage [Section 131.05 (as amended)]

It shall be a municipal civil infraction for any person to transport or possess any alcoholic liquor in a container which is open, uncapped, or upon which the seal is broken on any street, sidewalk, parkway, alley or parking lot open to the public. Penalty, see § 10.99

Sale to Minors Prohibited [Section 131.07 (as amended)]

Alcoholic liquor shall not be sold or furnished to a person unless the person has attained 21 years of age. A person who knowingly sells or furnishes alcoholic liquor to a person who is less than 21 years of age, or who fails to make diligent inquiry as to whether the person is less than 21 years of age, is guilty of a misdemeanor. A person who violates § 131.07 and who is not a retail licensee or a retail licensee's clerk, agent, or employee shall be fined 1,000 and may be sentenced to imprisonment for up to 60 days for a first offense, and shall be sentenced to imprisonment for up to 90 days for a second or subsequent offense, and may be ordered to perform community service.

Purchase, Consumption, and Possession by Minors Prohibited [Section 131.08(as amended)]

Except as otherwise permitted in the ordinance, 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, except as provided in this section. A person who violates § 131.08 shall be guilty of a misdemeanor punishable as follows:

(1) For the first violation, a fine of not more than \$100, plus community service and substance abuse screening and assessment at his or her own expense.

(2) For a second violation, a fine of not more than \$200 dollars, plus substance abuse prevention or substance abuse treatment and rehabilitation services as defined in MCL § 333.6107, and community service, and substance abuse screening and assessment at his or her own expense, and sanctions against his or her operator or chauffeur license as provided below.

(3) For a third or subsequent violation, a fine of not more than \$500 dollars, plus substance abuse prevention or substance abuse treatment and rehabilitation services as defined in MCL § 333.6107, and community service, and substance abuse screening and assessment at his or her own expense, and sanctions against his or her operator or chauffeur license as provided below.

Furnishing or Using Fraudulent Identification [Section 131.09(as amended)]

A person who furnishes fraudulent identification, or notwithstanding § 131.08(A), a minor who uses fraudulent identification to purchase alcoholic liquor is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100, or both.

§ 10.99 PENALTY.

(A) General penalty. Whenever in this code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision of this code or ordinance shall be punished by a fine not exceeding \$500 or imprisonment for a term not exceeding 90 days, or both, except whenever a specific penalty is herein otherwise provided and except as provided for civil infractions as set forth in § 10.97. ('88 Code, Title I, Ch. 1, § 1.5) (Am. Ord. 399-11-95, passed 11-20-95)

(B) Continuing violations. In addition to the penalty provided in division (A) of this section, any condition caused or permitted to exist in violation of the provisions of this code, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist. ('88 Code, Title I, Ch. 1, § 1.6)

Michigan State Laws

Operating Motor Vehicle While Intoxicated (MCL 257.625)

A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state if the person is operating while intoxicated. As used in this section, "operating while intoxicated" means any of the following:

(a) The person is under the influence of alcoholic liquor, a controlled substance, or other intoxicating substance or a combination of alcoholic liquor, a controlled substance, or other intoxicating substance.

(b) The person has an alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or, beginning October 1, 2018, the person has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(c) The person has an alcohol content of 0.17 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

Driving While Impaired

A person, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state when, due to the consumption of alcoholic liquor, a controlled substance, or other intoxicating substance, or a combination of alcoholic liquor, a controlled

substance, or other intoxicating substance, the person's ability to operate the vehicle is visibly impaired.

Minor Driving With Any Bodily Alcohol Content

A person who is less than 21 years of age, whether licensed or not, shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this state if the person has any bodily alcohol content. As used in this subsection, "any bodily alcohol content" means either of the following:

(a) An alcohol content of 0.02 grams or more but less than 0.08 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or, beginning October 1, 2018, the person has an alcohol content of 0.02 grams or more but less than 0.10 grams per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

(b) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.

Operating While Intoxicated Legal Sanctions

There are legal sanctions under state law for operating a vehicle while intoxicated or impaired for alcohol. These sanctions range from misdemeanors through felonies, fines from \$200 to \$10,000 and time served in from 5 days in jail to 20 years in prison. The Michigan Vehicle Code will have the most up-to-date legal sanctions available.

Purchase, consumption, or possession of alcoholic liquor by minor (MCL 436.1703)

(1) 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, except as provided in this section. A minor who violates this subsection is guilty of a misdemeanor punishable by the following fines and sanctions and is not subject to the penalties prescribed in section 909:

(a) For the first violation by a fine of not more than \$100.00. A court may order a minor under this subdivision to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and designated by the administrator of the office of substance abuse services, and may order that minor to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (5).

(b) For a second violation of this subsection, section 33b(1) of former 1933 (Ex Sess) PA 8, or a local ordinance substantially corresponding to this subsection or section 33b(1) of former 1933 (Ex Sess) PA 8, by imprisonment for not more than 30 days but only 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, by a fine of not more than \$200.00, or both. A court may order a minor under this subdivision to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and designated by the administrator of the office of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (5).

(c) For a third or subsequent violation of this subsection, section 33b(1) of former 1933 (Ex Sess) PA 8, or a local ordinance substantially corresponding to this subsection or section 33b(1) of former 1933 (Ex Sess) PA 8, by imprisonment for not more than 60 days but only 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, by a fine of not more than \$500.00, or both. A court may order a minor under this subdivision to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and designated by the administrator of the office of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (5).

(2) An individual who furnishes fraudulent identification to a minor, or notwithstanding subsection (1) a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

(3) When an individual who has not previously been convicted of or received a juvenile adjudication for a violation of subsection (1) pleads guilty to a violation of subsection (1) or offers a plea of admission in a juvenile delinquency proceeding for a violation of subsection (1), the court, without entering a judgment of guilt in a criminal proceeding or a determination in a juvenile delinquency proceeding that the juvenile has committed the offense and with the consent of the accused, may defer further proceedings and place the individual on probation. The terms and conditions of that probation include, but are not limited to, the sanctions set forth in subsection (1)(a), payment of the costs including minimum state cost as provided for in section 18m of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18m, and section 1j of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1j, and the costs of probation as prescribed in section 3 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.3. If a court finds that an individual violated a term or condition of probation or that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt, or a determination in a juvenile delinquency proceeding that the individual has committed the offense, and proceed as otherwise provided by law. If an individual fulfills the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings. Discharge and dismissal under this section shall be without adjudication of guilt or without a determination in a juvenile delinquency proceeding that the individual has committed the offense and is not a conviction or juvenile adjudication for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. An individual may obtain only 1 discharge and dismissal under this subsection. The court shall maintain a nonpublic record of the matter while proceedings are deferred and the individual is on probation and if there is a discharge and dismissal under this subsection. The secretary of state shall retain a nonpublic record of a plea and of the discharge and dismissal under this subsection. These records shall be furnished to any of the following:

(a) To a court, prosecutor, or police agency upon request for the purpose of determining if an individual has already utilized this subsection.

(b) To the department of corrections, a prosecutor, or a law enforcement agency, upon the department's, a prosecutor's, or a law enforcement agency's request, subject to all of the following conditions:

(i) At the time of the request, the individual is an employee of the department of corrections, the prosecutor, or the law enforcement agency, or an applicant for employment with the department of corrections, the prosecutor, or the law enforcement agency.

(ii) The record is used by the department of corrections, the prosecutor, or the law enforcement agency only to determine whether an employee has violated his or her conditions of employment or whether an applicant meets criteria for employment.

(4) A violation of subsection (1) successfully deferred, discharged, and dismissed under subsection (3) is considered a prior violation for the purposes of subsection (1)(b) and (c).

(5) A court may order an individual convicted of violating subsection (1) to undergo screening and assessment by a person or agency as designated by the substance abuse coordinating agency as defined in section 6103 of the public health code, 1978 PA 368, MCL 333.6103, in order to determine whether the individual is likely to benefit from rehabilitative services, including alcohol or

drug education and alcohol or drug treatment programs. A court may order an individual subject to a conviction or juvenile adjudication of, or placed on probation regarding, a violation of subsection (1) to submit to a random or regular preliminary chemical breath analysis. The parent, guardian, or custodian of a minor under 18 years of age not emancipated under 1968 PA 293, MCL 722.1 to 722.6, may request a random or regular preliminary chemical breath analysis as part of the probation.

(6) The secretary of state shall suspend the operator's or chauffeur's license of an individual convicted of violating subsection (1) or (2) as provided in section 319 of the Michigan vehicle code, 1949 PA 300, MCL 257.319.

(7) A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor or has any bodily alcohol content may require that individual to submit to a preliminary chemical breath analysis. A peace officer may arrest an individual based in whole or in part upon the results of a preliminary chemical breath analysis. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a criminal prosecution to determine whether the minor has consumed or possessed alcoholic liquor or had any bodily alcohol content. A minor who refuses to submit to a preliminary chemical breath test analysis as required in this subsection is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$100.00.

(8) A law enforcement agency, upon determining that an individual less than 18 years of age who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, allegedly consumed, possessed, purchased alcoholic liquor, attempted to consume, possess, or purchase alcoholic liquor, or had any bodily alcohol content in violation of subsection (1) shall notify the parent or parents, custodian, or guardian of the individual as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The law enforcement agency shall notify the parent, guardian, or custodian not later than 48 hours after the law enforcement agency determines that the individual who allegedly violated subsection (1) is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6. The law enforcement agency may notify the parent, guardian, or custodian by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first-class mail. If an individual less than 17 years of age is incarcerated for violating subsection (1), his or her parents or legal guardian shall be notified immediately as provided in this subsection.

Knowingly or intentionally possessing controlled substance, controlled substance analogue, or prescription form (MCL 333.7403)

(1) 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 professional practice, or except as otherwise authorized by this article.

(2) A person who violates this section as to:

(a) A controlled substance classified in schedule 1 or 2 that is a narcotic drug or a drug described in section 7214(a)(iv), and:

(i) Which is in an amount of 1,000 grams or more of any mixture containing that substance is guilty of 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.

(ii) Which is in an amount of 450 grams or more, but less than 1,000 grams, of any mixture containing that substance is guilty of a felony punishable by imprisonment for not more than 30 years or a fine of not more than \$500,000.00, or both.

(iii) Which is in an amount of 50 grams or more, but less than 450 grams, of any mixture containing that substance is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$250,000.00, or both.

(iv) Which is in an amount of 25 grams or more, but less than 50 grams of any mixture containing that substance is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$25,000.00, or both.

(v) Which is in an amount less than 25 grams of any mixture containing that substance is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$25,000.00, or both.

(b) Either of the following:

(i) A substance described in section 7212(1)(h) or 7214(c)(ii) is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$15,000.00, or both.

(ii) A controlled substance classified in schedule 1, 2, 3, or 4, except a controlled substance for which a penalty is prescribed in subparagraph (i) or subdivision (a), (c), or (d), or a controlled substance analogue is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both.

(c) Lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, or a controlled substance classified in schedule 5 is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00, or both.

(d) Marihuana is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00, or both.

(e) A prescription form is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(3) The following individuals are not in violation of this section:

(a) An individual who is less than 21 years of age and who seeks medical assistance for himself or herself or who requires medical assistance and is presented for assistance by another individual if he or she is incapacitated because of a drug overdose or other perceived medical emergency arising from the use of a prescription drug that is a controlled substance or a prescription drug that is a controlled substance analogue that he or she possesses or possessed in an amount sufficient only for personal use and the evidence of his or her violation of this section is obtained as a result of the individual's seeking or being presented for medical assistance.

(b) An individual who is less than 21 years of age and who in good faith attempts to procure medical assistance for another individual or who accompanies another individual who requires medical assistance for a drug overdose or other perceived medical emergency arising from the use of a prescription drug that is a controlled substance or a prescription drug that is a controlled substance analogue that he or she possesses or possessed in an amount sufficient only for personal use and the evidence of his or her violation of this section is obtained as a result of the individual's attempting to procure medical assistance for another individual or as a result of the individual's accompanying another individual who requires medical assistance to a health facility or agency.

(4) A health facility or agency shall develop a process for notification of the parent or parents, guardian, or custodian of a minor under the age of 18 who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, and who voluntarily presents himself or herself, or is presented by another individual if he or she is incapacitated, to a health facility or agency for emergency medical treatment as provided in subsection (3). A health facility or agency shall not provide notification to a parent or

parents, guardian, or custodian under this subsection for nonemergency treatment without obtaining the minor's consent.

(5) The exemption from prosecution under this section provided in subsection (3) shall not prevent the investigation, arrest, charging, or prosecution of an individual for any other violation of the laws of this state or be grounds for suppression of evidence in the prosecution of any other criminal charges.

(6) If an individual was sentenced to lifetime probation under subsection (2)(a)(iv) as it existed before March 1, 2003 and the individual has served 5 or more years of that probationary period, the probation officer for that individual may recommend to the court that the court discharge the individual from probation. If an individual's probation officer does not recommend discharge as provided in this subsection, with notice to the prosecutor, the individual may petition the court seeking resentencing under the court rules. The court may discharge an individual from probation as provided in this subsection. An individual may file more than 1 motion seeking resentencing under this subsection.

Additional Legal Sanctions

There are legal sanctions under the state and federal law, for the unlawful possession, use or distribution of alcohol and other drugs. Sanctions for violations of state and federal law may result in punishment for a misdemeanor or felony, depending on the nature of the crime. In the State of Michigan, the Michigan Controlled Substances Act #368 of 1978 lists a range of sanctions from up to six months in jail and up to \$500 in fines or both for misdemeanor convictions, to up to mandatory life in prison and up to \$75,000 in fines for felony convictions. Under the Federal Narcotics, Penalties and Enforcement's Act of 1986 Federal trafficking penalties range from not more than one year in jail or \$100,000 in fines for first offense violations, and up to life imprisonment with fines of not more than \$4,000,000 for repeat offenders or more serious violations.

Federal Trafficking Penalties

| Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana) | | | | |
|--|---|--|---|--|
| Schedule | Substance/Quantity | Penalty | Substance/Quantity | Penalty |
| II | Cocaine 500-4999 grams mixture | First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. 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 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual. | Cocaine 5 kilograms or more mixture | First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. |
| II | Cocaine Base 28-279 grams mixture | | Cocaine Base 280 grams or more mixture | |
| II | Fentanyl 40-399 grams mixture | | Fentanyl 400 grams or more mixture | |
| I | Fentanyl Analogue 10-99 grams mixture | | Fentanyl Analogue 100 grams or more mixture | |
| I | Heroin 100-999 grams mixture | | Heroin 1 kilogram or more mixture | |
| I | LSD 1-9 grams mixture | | LSD 10 grams or more mixture | |
| II | Methamphetamine 5-49 grams pure or 50-499 grams mixture | | Methamphetamine 50 grams or more pure or 500 grams or more mixture | |
| II | PCP 10-99 grams pure or 100-999 grams mixture | PCP 100 grams or more pure or 1 kilogram or more mixture | | |

| Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances | |
|---|---|
| <p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p> | <p>First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p> |
| <p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p> | <p>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p> |
| <p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p> | <p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p> |
| <p>Hashish More than 10 kilograms</p> | <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p> |
| <p>Hashish Oil More than 1 kilogram</p> | <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p> |
| <p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)</p> | <p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p> |
| <p>1 to 49 marijuana plants</p> | |
| <p>Hashish 10 kilograms or less</p> | |
| <p>Hashish Oil 1 kilogram or less</p> | |

Health Concerns and Health Risks

Any individual choosing to abuse alcohol or illicitly use alcohol and other drugs needs to be more aware that there may be a wide variety of health risks associated with this behavior. Chemical dependency, or addiction to alcohol and other drugs, is a chronic progressive illness that, if untreated, can be fatal.

Long term effects of alcohol abuse or alcoholism may include liver damage, especially cirrhosis (scarring of the liver); heart disease, including congestive heart failure; ulcers and gastritis; malnutrition; cancer of the mouth, esophagus or stomach; brain damage and possible psychosis; and fetal alcohol effect and fetal alcohol syndrome in infants of drinking mothers.

Use of other illicit drugs may pose some of the following hazards:

- Cocaine results in changes in blood pressure, heart and breathing rates, severe weight loss and liver damage, and it may cause seizures, coma and possibly death.
- Marijuana can affect coordination, short-term memory, visual tracking and heart rate. Regular use can produce reproductive system changes, damage to the respiratory system (lungs) and the immune system.
- Depressants in large doses can cause altered perception, blurred speech and a staggering gait. Very large doses can cause respiratory depression, coma and possibly death. In combination with alcohol, another depressant, these effects can be intensified and this multiplies the risk.
- Hallucinogens, like phencyclidine (PCP), can produce a range of effects that include slowed time and body movement, worsened muscular coordination and dulled senses. Speech can be blocked and often incoherent. Violent PCP episodes may result in self-inflicted injury. Increasing use may produce persistent memory problems and speech difficulties, depression, anxiety and violent behavior. Large doses may result in convulsions, coma, heart and lung failure and possible stroke.
- Narcotics (codeine, heroin, and a variety of prescription medications) will produce an initial feeling of euphoria followed by drowsiness, nausea and vomiting, constricted (shrinking) pupils, watery eyes and itching. Overdose may produce slow and shallow breathing, clammy skin, convulsions, coma and possible death. Due to frequent use of needles with this class of drugs, infectious diseases, including AIDS are a major concern.
- Inhalants, volatile breathable substances, which are abused by sniffing or inhaling, may interfere diversely with breathing or produce irregular heartbeats that can lead to heart failure and death. Long-term use has resulted in bone marrow damage, drastic weight loss, impairment of vision and memory, and the ability to think clearly.

It is not necessary to become addicted to or dependent upon any of these drugs to experience a wide variety of personal and/or family problems. "Harmful involvement" with any of the drugs mentioned here may show up in a number of different ways. Use of alcohol and/or the other drugs may result in poor judgment; poor coordination; lessened concentration; slower reaction times; impaired eyesight; slips and falls; self-induced burns due to fire; injuries from improper use of hazardous materials, tools or shop machinery on the job or in class; and motor vehicle crashes. In addition, personal motivation and productivity may decline. Quality of work and cooperation with others may also be jeopardized.

The impact of alcohol abuse and illicit alcohol and other drug use is also seen in both family and social circles. Continued use and abuse often times may increase problems in existing dysfunctional family/social systems or may give rise to the development of dysfunctional family/social systems impacting on significant others, spouses, children, parents, and friends. Friendships and work relationships may suffer and personal relationships, including marriages, very often become strained to the point of separation or divorce. The incidence of alcohol and other drug use involved in car crashes, violent and petty crime, and domestic violence and sexual assault is well documented and very high.

It is important to note that while we as individuals may not be personally affected by the behaviors and consequences noted above, each of us at one time during our lives will probably have to deal with a friend, family member, or co-worker who is struggling with his or her use/abuse of alcohol and/or other drugs. It is therefore important for all of us to know how we can access available resources in our community.

As a community, we encourage individual members to reach their full potential as persons and citizens, unencumbered by destructive or counterproductive patterns of behavior.

Disciplinary Sanctions

Student Policies and University

The Code of Student Community Standards, consistent with State and Federal Law, prohibits the unlawful manufacture, distribution, dispensation, possession or use of alcohol and other drugs. The University also places limitations on the use and possession of alcohol on campus, above and beyond legal standards. Individual students who are found in violation of University policies, guidelines, or expectations with regard to alcohol and other drugs are subject to discipline, pursuant to established University procedures and to criminal sanctions provided by federal, state and local law. It should be noted that disciplinary sanctions that apply to faculty and staff may differ from one another depending on the terms set forth in union contracts.

University Sanctions

Ferris State University will impose sanctions on employees and students (consistent with local, state and federal law, and within applicable collective bargaining agreements) for violations of the standards of conduct, as expressed in any University regulations. Sanctions resulting from employee or student violations of these standards of conduct will result in disciplinary action up to and including termination for employees and dismissal for students. In addition, for both employees and students, the sanctions may include referral to appropriate authorities for prosecution of violations of stated policies.

Student sanctions in the Ferris State University Code of Community Standards Administrative Policies and Procedures specifically include administrative warnings, disciplinary probation, suspension from the University, or dismissal from the University without opportunity to enroll in the future. In addition, these include the opportunity for other sanctions to be imposed, such as the requirement of reimbursement for damages, loss of special privileges, or participation in campus provided educational programs. Below are the baseline sanctions used by the Office of Student Conduct for adjudication alcohol and other drug violations.

| | Sanction | Conversation Topics |
|---------------------------|---|---|
| 1 st Violation | <ul style="list-style-type: none"> • Administrative Warning • Under The Influence/ Marijuana 101 • Parental Notification | <ul style="list-style-type: none"> • Usage & Effects On School • Responsible Drinking Strategies • Would Could Marijuana Usage Affect Future Internship/Employment • Family Views • Connection To Campus |
| 2 nd Violation | <ul style="list-style-type: none"> • Disciplinary Probation For Current Semester (Plus Next Enrolled If Appropriate) • Choices • Parental Notification | <ul style="list-style-type: none"> • How Has Usage Effected School Or Financial Situation • Frequency Of Use • Peer Groups Influence |

| | | |
|---------------------------|--|---|
| | | <ul style="list-style-type: none"> • How Future Violations Could Affect Their Ability To Be A Student |
| 3 rd Violation | <ul style="list-style-type: none"> • Disciplinary Probation For Current Semester, Plus Next Three Enrolled (If Appropriate) • Primed For Life • Parental Notification | <ul style="list-style-type: none"> • How They Are Using Their Time At Ferris • What Is Their Purpose In Coming To School • How Would Future Be Different If Removed From School • Notice That Future Violation Could Lead To Separation From Ferris • Is Using Developing A Dependency |
| 4 th Violation | <ul style="list-style-type: none"> • OSC Director Discretion | <ul style="list-style-type: none"> • Why Should You Remain Being A Student • Why They Struggle Respecting Institutional Policies • Can We Trust You To Remain In Our Community And Abide By University Policy |

The University considers involvement in the student disciplinary process to be part of a student's learning experience. Through a system of progressive discipline, it is anticipated that a student will realize the importance of functioning within the University's policies, procedures, and regulations. Though every case involving the violation of University policies or procedures is considered on the basis of the merits in that case, there are some categories of violations for which the anticipated sanction would be suspension or dismissal from the University. Such serious infractions include, but are not limited to, the distribution of alcohol to minors, distribution of illegal drugs or the use, possession, or distribution of alcohol or illegal drugs that result in a serious safety or health matter for any member of the campus or local community.

Alcohol and Other Drug Programs and Resources

Students

Campus and/or community resources are available to employees and students seeking assistance when alcohol and other drug use/abuse becomes a personal concern or problem. University students can take advantage of the assistance and referral services of the Personal Counseling Center's counseling staff, including the services of an alcohol and other drug counselor. The Personal Counseling Center is located in the Birkam Health Center, Room 210. This office is open from 8:00 AM to 5:00 PM, Monday through Friday. The telephone number is (231) 591-5968.

Counseling services, individual and/or group, provided to students at the Personal Counseling Center are completely confidential and are provided at no charge. Off-campus service provider fees can vary and payment arrangements, many times, can be flexible from a sliding fee scale for those with little or no ability to pay, to fees for those with health insurance coverage. Students with insurance should be advised that all health insurance policies written in Michigan are required by state law to provide at least some coverage for alcohol and other drug services.

Employees

Employees may access the employee assistance program through Encompass. Encompass is a free service designed to assist employees and their families resolve problems and cope with life's everyday challenges. They are available 24/7 at the toll-free number below, as well as at their website. Offices are located in Big Rapids as well as other locations. can get referral assistance, including a list of alcohol and other drug counseling service providers available in the Big Rapids area, from the Counseling Center or the Office of Human Resources, Prakken Building, Room 150. In

addition, the Counseling Center maintains a statewide directory of alcohol and other drug service providers for those seeking assistance outside of the Big Rapids area.

Questions?

This document was prepared by the Office of Student Conduct at Ferris State University, questions may be directed to the Office of Student Conduct at (231) 591-3619.

Appendix I

Code of Student Community Standards, Section IV General University Conduct Policies, Part II Personal Misconduct On or Off Campus:

Unauthorized Possession/Use or Distribution of Alcoholic Beverages

The use or possession of alcoholic beverages is prohibited by Ferris State University when the following applies:

- a. *Contrary to Law*: On or off University property, or in the course of a University activity or student organization activity, when the possession or use is contrary to law and/or University policy.
- b. *Creates Danger*: On or off University property, when possession or use creates a danger to self or others, including, but not limited to, driving while under the influence of alcohol.
- c. *Supplying to Minors*: The sale, gift, or transfer of alcohol to minors. Or where a party is hosted where underage consumption occurs.
- d. *In Public/Unauthorized area*: In or on any property of the University frequented by the public, except in areas specifically designated by the President of the University.
Please note: Excessive consumption of alcohol is also prohibited by Ferris State University regardless of age. This includes instances where an individual receives any type of medical treatment relating to consumption alcohol.

Unauthorized Possession or Use of Illegal Drugs, Controlled Substances and/or Misuse of Over-the-counter substances (real or implied)

The term "controlled substance" is defined by Michigan law, and includes, but is not limited to, substances such as marijuana, cocaine, narcotics, certain stimulants and depressants, and hallucinogens. The following actions are prohibited by Ferris State University:

Medical Marijuana: The Michigan Medical Marijuana Act (MMA) conflicts with federal criminal laws governing controlled substances, as well as federal laws requiring institutions receiving federal funds, by grant or contract, to maintain drug-free campuses and workplaces. Ferris State University receives federal funding that would be in jeopardy if those federal laws did not take precedence over state law. Thus the use, possession, cultivation or distribution of marijuana in any form and for any purpose continues to violate the Ferris State University drug policy and is prohibited at Ferris State University.¹

- e. *Contrary to Law*: Use or possession of any drug, controlled substance, or drug paraphernalia on or off University property or in the course of a University activity or student organization activity, contrary to law or without a valid and legal prescription for such drugs or controlled substances (this includes possession/use of marijuana regardless of medical marijuana card possession).
- f. *Creates Danger*: On or off University property, when possession or use creates a danger to self or others, including, but not limited to, driving while under the influence of drugs that impair one's ability to operate a motor vehicle.
- g. *Use of Facilities*: Use of University facilities to manufacture, process, or distribute any drugs or controlled substance contrary to law.
- h. *Distribution*: Sale, attempted sale, gift, transfer, or attempted transfer of drugs, controlled substances, or drug paraphernalia, whether or not such sale, gift, or transfer occurs on or off University property or in the course of a University activity or student organization activity.
- i. *Manufacture*: Possession, production, manufacture or use of any substance that is used as a drug on or off University property.
- j. *Prescription Misuse*: Abuse or misuse of any prescription drug, the unauthorized possession of prescription medication or the sale or attempted sale of a prescription drug.
- k. *Present*: Students may not be present where illegal drugs or controlled substances are present or being used.
- l. *Medical Purposes*: The use, possession, or cultivation of marijuana for medical purposes is not allowed in any University housing or on any University property.

¹ Adapted from the University of Michigan Alcohol and Other Drug Policy: www.alcohol-drug-policy.umich.edu

Ferris State University does not discriminate on the basis of race, color, religion or creed, national origin, sex, sexual orientation, gender identity, age, marital status, veteran or military status, height, weight, protected disability, genetic information, or any other characteristic protected by applicable State or federal laws or regulations in education, employment, housing, public services, or other University operations, including, but not limited to, admissions, programs, activities, hiring, promotion, discharge, compensation, fringe benefits, job training, classification, referral, or retention. Retaliation against any person making a charge, filing a legitimate complaint, testifying, or participating in any discrimination investigation or proceeding is prohibited.

Students with disabilities requiring assistance or accommodation may contact Educational Counseling and Disabilities Services at (231) 591-3057 in Big Rapids, or the Director of Counseling, Disability and Tutoring Services for Kendall College of Art and Design at (616) 451-2787 ext. 1136 in Grand Rapids. Employees and other members of the University community with disabilities requiring assistance or accommodation may contact the Human Resources Department, 420 Oak St., Big Rapids, MI 49307 or call (231) 591-2150. Inquiries and complaints of disability discrimination may be addressed to the 504 Coordinator/Educational Counselor, 901 S. State St., Starr 313, Big Rapids, MI 49307 or by telephone at (231) 591-3057. Other inquiries or complaints of discrimination may be addressed to the Director of Equal Opportunity, 120 East Cedar St., Big Rapids, MI 49307 or by telephone at (231) 591-2152; or Title IX Coordinator, 805 Campus Dr., Big Rapids, MI 49307, or by telephone at (231) 591-2088.