

Keweenaw Bay Ojibwa Community College

Drug and Alcohol Abuse Prevention Policy

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Contact information updated 10/2019

Keweenaw Bay Ojibwa Community College's Drug and Alcohol Abuse Prevention Policy, also known as the DAAPP, contains the following sections:

1. Introduction
2. Alcohol and Other Drugs (AOD) Policy
3. Standards of Conduct
4. Sanctions
5. Health Risks
6. Drug and Alcohol Programs
7. Distribution of the Annual Notification
8. Biennial Review
9. Employee Reporting Requirement

1. Introduction

Keweenaw Bay Ojibwa Community College has a zero-tolerance policy and is committed to providing a safe learning and working environment and complies with the *Drug Free Schools and Communities Act of 1989* (DFSCA) as written in Part 86 of the *Education Department General Administrative Regulations* (EDGAR) and with the *Drug-Free Workplace Act*.

For the purpose of this policy, the term "drug" includes the following:

- a. Controlled substances, as defined in 21 USC 802, which cannot be legally obtained.
- b. Legally obtained controlled substances which weren't legally obtained, including:
 - Prescribed drugs when a prescription is no longer valid or expired
 - Prescribed drugs issued in the name of another person
 - Prescribed drugs used in a way that is different from what the doctor prescribed.

The purpose of this policy is to make employees and students aware of:

- Standards of conduct that prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.
- Legal sanctions imposed under Federal, state and local laws and ordinances for unlawful possession or distribution of drugs and alcohol.
- Health risks associated with the use of tobacco, alcohol abuse, and illicit drugs.
- Available drug or alcohol prevention, counseling, treatment and rehabilitation/re-entry programs.
- A statement that KBOCC will impose disciplinary sanctions on students and employees for violations of the College's Code of Conduct.

- The College’s compliance with the Drug Free Workplace Act of 1988 and the Drug Free Schools and Community Act Amendment of 1991.
- The College’s compliance with *Higher Education Opportunity Act of 2008* (the law includes many disclosures and reporting requirements).
- The College records the number of drug and alcohol-related legal offenses and referrals for counseling and treatment.

As a condition of receiving funds from federal programs, the College must certify the adoption and implementation of a program “to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.”¹

2. Alcohol and Other Drugs (AOD) Policy

It is the policy of Keweenaw Bay Ojibwa Community College that students, employees, and visitors on campus or participating at a college sanctioned event are alcohol and drug free. It is the responsibility of all students and employees to be aware of the policy, laws, and sanctions.

The following behaviors constitute a violation of this policy:

- Consumption, possession, distribution, sale, or exchange of any alcoholic beverages or alcohol-based products on college property.
- Use of tobacco, (other than for ceremonial purposes) other than in a designated smoking area.
- Use of e-cigarettes or vaporizers other than in a designated smoking area.
- Use, possession, sale, distribution, exchange, or manufacture of any illicit drug, including marijuana.
- Possession of drug paraphernalia.
- Reporting to campus or to a campus-sponsored activity while under the influence of alcohol, marijuana, illicit drugs, or abuse of a prescription drug.
- Reporting to campus or campus-sponsored activity with a noticeable odor of alcohol or marijuana.

Persons taking prescription drugs or over-the-counter medication are responsible for ensuring that they take such medication in a way that does not put them or others at risk while on college property, or while driving a college owned or privately owned vehicle while involved in college activities or business.

Any violation of this policy will result in disciplinary action (consistent with Federal, State, and Tribal law), and may include expulsion or termination of employment and/or referral for a rehabilitation program or prosecution. Visitors who violate this policy may be mandated to leave the premises. Law enforcement may also be contacted, if warranted.

KBOCC reserves the right to contact parents of any student under the age of 21 who violates the KBOCC Drug Free Environment Policy per October 1998 reauthorization of the Higher Education Act.

¹ EDGAR Part 86.1

3. Standard of Conduct

Standards of Conduct – Students and Employees

KBOCC prohibits the use of alcohol and illicit drugs by students and employees. This applies to all on-campus activities and to off-campus activities that are sponsored by the College.

Students, like employees, must submit to drug screening when applying for student employment or when requesting overnight travel as representatives of KBOCC.

Students with inconclusive or unsuccessful results will be allowed repeat screening one time per academic year. Student will be responsible for costs incurred for additional testing.

In order to ensure a drug-free workplace Keweenaw Bay Ojibwa Community College shall:

- Make a good faith effort to abide by the policy.
- Notify the grant agency within 10 days after receiving notice of a drug conviction concerning any employee whose employment is a result of the grant.
- Provide prevention programs that distribute information about health risks.

Keweenaw Bay Ojibwa Community College complies with all applicable Federal, State, and local regulations regarding smoking in either the workplace or academic buildings in order to provide an environment that promotes the well-being of its students and employees. Smoking is prohibited near the main student, employee, and visitor entrances. There is a designated outdoor smoking area at each building.

Students and Employees must notify Student Services or Administration immediately when fellow students or employees appear under the influence of alcohol or drugs. Student Services, Administration, or faculty will notify law enforcement. Any testing will be administered by law enforcement.

4. Sanctions

Alcohol and Drug violations will be treated as both a violation of policy and a criminal offense, which may also carry fines or jail time according to State of Michigan and KBIC Tribal Laws.

KBOCC Sanctions

Intervention/Correction: You will be asked to leave the campus or campus sponsored activity.

AND

Disciplinary Probation: Exclusion from participation in privileges or extracurricular College activities for a specified period of time.

AND

Referral to Law Enforcement: Criminal offenses will be reported to the appropriate law enforcement agency.

POSSIBLY

Suspension: Exclusion from classes and/or other privileges or activities as set forth in the notice of suspension for a definite period of time.

OR

Expulsion: Termination of student status for an indefinite period. The conditions for readmission, if any is permitted, shall be stated in the order of expulsion.

Federal Sanctions

A first offense for trafficking in marijuana may lead to sanctions up to life imprisonment for an offense involving 1,000 kg or more or up to 5 years imprisonment for an offense involving less than 50 kg. Such an offense carries with it fines that can reach \$4 million for an individual offender.

Under federal laws trafficking in drugs such as heroin or cocaine may result in sanctions up to and including life imprisonment for a first offense involving 100 grams or more. Fines for such an offense can reach \$4 million. Offenses involving lesser amounts, 10-99 grams may result in sanctions up to and including 20 years imprisonment and fines of up to \$20 million.

Federal sanctions for illegal possession of controlled substances range from up to one-year imprisonment and up to \$100,000 in fines to three years imprisonment and \$250,000 in fines for repeat offenders.

State of Michigan Sanctions

The State of Michigan may impose a wide range of sanctions for alcohol-related offenses. For example, a first drunk driving offense may be punished by up to 90 days in jail, a fine of not less than \$100 or more than \$500, suspended license for not less than six months or more than two years, and up to 45 days of community service. Subsequent offenses can lead to significantly increased sanctions. The vehicle of a minor transporting alcohol may be impounded for up to 30 days. Furnishing or using fraudulent identification to obtain alcohol may be punished by up to 90 days in jail and a \$100 fine.

On September 1, 1995, the Michigan Legislature expanded the law concerning minors and alcohol possession, consumption, and purchase. A minor is anyone under the age of 21. The minor may be required to submit to a preliminary chemical breath test and may be subject to suspension of his/her driver's license even if he/she was not in an automobile at the time of the arrest. In addition, it is now a misdemeanor, not a civil infraction, for a minor to attempt to possess, consume, or purchase alcohol. If the underage person is less than 18 years of age, the agency charging him/her must notify the parents or guardian with 48 hours.

State sanctions for illegal possession of controlled substances ranges from up to one-year imprisonment and up to \$100,000 in fines to three years imprisonment and \$250,000 in fines for repeat offenders. The use of marijuana is a misdemeanor punishable by up to 90 days in jail and a \$100 fine. Delivery of marijuana is a felony punishable by up to four years imprisonment and up to \$2,000 in fines. Violations may also lead to forfeiture of personal and real property and denial of federal benefits, such as grants, contracts, and student loans.

Tribal Sanctions

The Alcohol and Controlled Substance laws of the Keweenaw Bay Indian Community may be found in the compiled Tribal Code of Laws at §3.17 *Offenses involving Alcoholic Beverages and Controlled Substances*, and in various other Chapters such as §3.14 *Offenses involving Children, Minors, and Juveniles*; and in other Titles such as the Traffic Code. These laws carry a wide range of sanctions for alcohol and drug-related offenses.

In the Traffic Code, a violation of §5.14 *Operating Under the Influence*, may be punished by up to 1 year in jail, a fine of no more than \$1000, or both together with the costs of prosecution. You may also have your vehicle impounded; driving privileges suspended or revoked, community service, random drug-testing, and is required to attend an alcohol rehabilitation program.

It is unlawful for a person under 21 years of age to possess, use, or transport alcohol. A violation of §3.1414 Possession, Use, or Transportation of Alcohol by Persons under 21 Years of Age may be punished by maximum period of incarceration of 90 days, and a maximum fine of \$1500, or both together with the costs of prosecution. Persons who assist someone less than 21 years of age in their possession, use, or transportation of alcohol also face stiff penalties. A violation of §3.1413, Furnishing Alcohol to a Person Under 21 Years of Age, may be punished by maximum period of incarceration of 180 days, and a maximum fine of \$2000, or both together with the costs of prosecution.

Any person who shall do any act, or who shall fail to do any act, involving a substance defined as a controlled substance by the Michigan Controlled Substance Act shall be guilty of a violation of §3.1706 Controlled Substance, which carries a maximum period of incarceration of 180 days, and a maximum fine of \$2000, or both together with the costs of prosecution.

5. Health Risks

There are significant health risks with smoking and overuse of alcohol and drugs. Physical or psychological damage may occur when substances are abused. The following tables provide information about health risks of alcohol abuse and the effects of controlled substances. For more information on the health risks associated with the use of tobacco, drugs, and alcohol, visit *The National Institute on Drug Abuse*: <http://www.drugabuse.gov/>

Effects of Alcohol Abuse

Signs & Symptoms	Short-term Effects	Long-term Effects
Binge drinking	Nausea	Blackouts
Loss of interest in work or school	Vomiting	Memory Loss
Decreased involvement in activities	Headaches	Liver Disease
Depression	Slurred speech	Increased risk for diseases
Lack of interest in family or friends	Impaired judgment	Increased risk for permanent damage to vital organs
Inability to control drinking	Impaired Coordination	Death
Erratic behavior or mood swings		Fetal Alcohol Syndrome
Violent behavior		Impairments in higher mental functions

Effects of Controlled Substances

Drugs	Short-term Effects	Overdose Effects
NARCOTICS	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death
DEPRESSANTS	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death

STIMULANTS	Increased alertness, increased pulse rate and blood pressure, insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, convulsions, possible death
HALLUCINOGENS	Illusions and hallucinations, poor perceptions of time and distance	Longer, more intense "trip" episodes, psychosis, possible death
CANNABIS	Euphoria, relaxed inhibitions, increased appetite, disoriented behavior	Fatigue, paranoia, possible psychosis

6. Drug and Alcohol Programs

Drug and Alcohol Abuse Prevention

The Drug Free Workplace Act of 1988 and Drug Free Schools and Communities Act Amendment of 1991 mandate that the College have a Drug and Alcohol Abuse Prevention Program. Keweenaw Bay Ojibwa Community College will provide information about drug and alcohol counseling, rehabilitation, and re-entry programs to students and employees.

Local Treatment Programs for Substance Abuse

Keweenaw Bay Ojibwa Community College recognizes the importance of programs that aid in the prevention, counseling, treatment, rehabilitation, and re-entry of individuals experiencing substance abuse concerns. Help with referrals is available from the Human Resources Office or Student Services. The following alcohol and drug programs are available to students and employees:

Emergency Services - Call or Text - 911

Baraga County Memorial Hospital
 Emergency Room - Available 24/7
 18341 US Hwy 41
 L'Anse, MI 49946
 (906) 524-3300

Hotlines

Dial Help

- Local: (906) 482-HELP (4357)
- U.P. Toll Free: (800) 562-7622
- Victim Services Unit/Sexual Assault Response Team: (800) 562-7622
- Online Chat: [Click here to begin your chat.](#)
- Text Us at: (906) 35-NEEDS (63337)
- [New Safety Net Follow Up Program](#)
- Walk-Ins welcome at 609 Sheldon Avenue, Houghton, MI 49931

Drug Alcohol Helpline

1-855-435-5596. Available 24/7

National Suicide Prevention Hotline

1-800-273-8235. Available 24/7

Non-Emergency Services

The following drug and alcohol counseling, treatment, or rehabilitation programs are available:

Alcoholic Anonymous and Al-Anon Meetings

Every Friday and Saturday at 6:30 PM in the Baraga County Memorial Hospital conference center, located at 18341 US Highway 41, L'Anse, MI 49946. It is open to the public and wheelchair accessible.

Great Lakes Recovery

241 Wright St.

Marquette, MI (906) 228-7611

In-patient adult and youth treatment center that also offers a family component.

Keweenaw Bay Indian Community New Day Treatment Program

16025 Brewery Rd. P.O. Box 69

L'Anse, MI 49946 (906) 524-4411 (800) 275-5410

In-patient treatment and prevention programs.

Keweenaw Bay Indian Community Outpatient Program

202 U.S. 41

Baraga, MI 49908 (906) 353-8121

Outpatient treatment and Access to Recovery (ATR) program.

Narcotics Anonymous Meetings

United Lutheran Church, L'Anse

Thursdays, 7:15 pm

(906) 524-6484

Phoenix House

57467 Waterworks

Calumet, MI (906) 337-0763

In-patient and outpatient services.

Suicide Survivor's Support Group

(906) 353-7427

Alcoholics Anonymous Hotline for Houghton & Keweenaw Counties

(906) 482-7778

Contact number for meeting locations and times, as well as assistance with locating a sponsor.

7. Distribution of the Annual Notification

A copy of this policy will be distributed annually to each employee and student. New employees and new students will receive the information during orientation. Records of distribution dates will be maintained by the Human Resources (for employees) and the Student Services office (for students) who receive notification. The information will also be distributed to current students and employees via KBOCC issued email.

8. Biennial Review of the DAAPP

The College will review the “Drug and Alcohol Abuse Prevention Policy” biennially, during even-numbered years, to evaluate its efficacy and recommend changes. The review will determine the effectiveness of the AOD program, recommend changes, and confirm enforcement of disciplinary sanctions. The biennial review will be conducted by Student Services and an ad hoc committee.

9. Employee Reporting Requirement

As stated in the *Drug-Free Workplace Act*, KBOCC requires all employees who work in any capacity under a federal grant or contract to acknowledge the following policy:

- Notify their immediate supervisor, in writing, within five (5) days after receiving notice of a conviction for a violation of any criminal drug statute occurring in the workplace or on a work-related activity. Failure to provide such notice will subject the employee to discipline up to and including dismissal pursuant to applicable College procedures governing employee discipline.
- Require the satisfactory participation in a drug abuse assistance or rehabilitation program, or;
- Impose a sanction on that convicted employee.