



Michigan Tech

Notification to Students Regarding University Alcohol and Other Drug Policy Fall 2022

I. Introduction

At Michigan Technological University, concern for the health, safety, and welfare of the campus community is paramount. The university recognizes that adult students will make personal choices about their use of alcohol and other substances, but those choices must not disrupt the university community, have a negative impact on other members of the surrounding community, or violate any local, state, federal law or ordinance, or University Code of Conduct.

The abuse of alcohol and other drugs by students and student organizations is contrary to the university's values and mission, and can diminish the intellectual, social, physical and moral development of its students. The risks of substance abuse and misuse include poor academic performance, poor social interactions, unwanted and inappropriate sexual activity, and negative impact on future career prospects.

Michigan Tech is committed to providing educational activities and information concerning the legal and physiological aspects of alcohol and drug use and abuse. In addition, the University provides wellness programs to support a healthy lifestyle and highly values responsible bystander behavior and timely reporting.

Please refer to Michigan Technological University's Student Code of Community Conduct for additional information.

II. University Policies

All students are expected to read and be familiar with the following University policies related to alcohol and controlled substances:

[Board of Control Policy 12.4 – Alcoholic Beverages](#)

[University Policy 7.01 – Abuse of Alcohol and Other Drugs By Students and Student Organizations](#)

[Student Code of Community Conduct](#)

III. Alcohol use in University Housing

Occupants of residence halls and University apartments may possess and use alcohol in approved rooms if such persons are of legal drinking age. For a complete list of provisions and more information, see the Residence Education and Housing Services Life Living Guides at <https://www.mtu.edu/housing/applications-policies/living-guide/>

IV. Alcohol use at Registered Student Organization Events

The possession, sale, use, or consumption of alcoholic beverages, while on University or organizational premises, during an organizational event, in any situation sponsored or endorsed by any Registered Student Organization, or in any event an observer would associate with the organization, must be in compliance with any and all applicable policies and laws of the state, county, city, and University. (*Organizational premises include but are not limited to any property or premises owned by, leased to, or in the permanent or temporary control of or management by a registered student organization.*)

RSOs that intend to have alcohol served on-campus or at any University-sponsored event must submit a risk management plan to The Student Leadership and Involvement Office 30 days prior to the event. This plan is subject to review and approval by The Student Leadership and Involvement Office, Dining Services, the Facility Manager, The Office of Risk Management and Compliance, and Public Safety and Police Services. All RSOs sponsoring or co-sponsoring the event must abide by the provisions of this policy.

Alcoholic beverages may not be purchased with organizational funds, University general fund monies, or any Student Activity Fee funding, nor may purchases for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the organization.

No RSO shall sponsor or co-sponsor any activity or function that permits unrestricted and/or public access to alcohol beverages. Common sources of alcoholic beverages (over one gallon), as well as any type of keg containing an alcoholic beverage, are not permitted on organizational premises or during an organizational event.

Any type of drinking game, challenge, competition, performance, or contest that involves or utilizes alcohol, on organization premises or during an organizational event is strictly prohibited.

No RSO may co-sponsor an event with an alcohol distributor or tavern where alcohol is given away, sold, or provided to those present. (A tavern is defined as an establishment generating more than half of its annual gross sales from alcohol.) This includes any event held in, at, or on the property of a tavern for the purposes of fundraising. An RSO may rent or use a room or area in a tavern as defined above for an event held within the provisions of this policy.

- Alcohol may not be provided, sold, available, or possessed by any person in the same room or immediate area that the RSO is renting or using.
- RSOs may not profit financially in any way from the event.
- RSOs may not facilitate or assist in the sale of alcohol or the operation of the tavern in any way. This includes but is not limited to bartending, verifying identification of members/guests, and/or having members act as security for the facility.

Because the University recognizes that the use of alcohol at recruitment functions goes against the best interest of the recruiting organization and the potential new members,

alcohol cannot be used in or during recruitment functions by any RSO, nor can it be present at any pre or post organizational parties or events regardless of whether they are “official” functions.

The possession, sale, or use of any illegal drugs or controlled substances while on organizational premises or during an organization event is strictly prohibited.

V. Disciplinary Action

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

Students or student groups are subject to disciplinary action as outlined in the Code of Student Conduct, <http://www.mtu.edu/conduct/policies/pdfs/codeofconduct.pdf>

Any student employee convicted of a criminal drug offense or any alcohol-related driving or possession offense - that occurred in the workplace or while on University business must notify their immediate supervisor within five (5) business days of the conviction. Following notification of a student employee’s conviction, the supervisor shall notify the Office of Academic and Community Conduct. If the student employee is paid through a federal contract or grant, the student employee’s supervisor should also inform the Office of Research and Supported Programs. In each case, the respective offices shall apply appropriate sanctions and conditions according to University policies and procedures.

Students are required to inform the Financial Aid Office if convicted of a drug offense while receiving financial aid.

Students may be subject to prosecution by civil authorities. No student will be denied due process.

VI. Parental Notification

The 1998 Reauthorization of the Higher Education Act permits colleges and universities to inform parents when their student violates university regulations and/or local, state, or federal laws with respect to alcohol and drugs. Please see Michigan Tech’s Parental Notification Policy: <http://www.mtu.edu/conduct/policies/student-conduct/parent/>.

VII. Prevention and Assistance

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

Department of Public Safety and Police Services

Emergency? Dial 911

206 MacInnes Drive (Widmaier House)

(906)487-2216

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

Anonymous, online tip form: www.mtu.edu/tips

Anonymous phone tip line: 487-0TIP (487-0847)

The Center for Student Mental Health and Well-being

(906)487-2538

<http://www.mtu.edu/counseling/>

Office of Academic and Community Conduct

(906)487-2951

<http://www.mtu.edu/conduct/>

The Office of Student Leadership and Involvement

(906)487-1963

<https://www.mtu.edu/student-leadership/>

Dean of Students Office

(906)487-2212

<http://www.mtu.edu/deanofstudents/>

Residence Education and Housing Services

(906)487-2682

<http://www.mtu.edu/housing/>

Dial Help

Helpline: (906)482-HELP (4357)

24/7 Victim Services (866)661-5589

Text Us: (906)35-NEEDS (63337)

www.dialhelp.org

Upper Great Lakes Family Health Center-University Center

600 Macinnes Drive

Houghton, MI 49931

(906)483-1860

<https://uglhealth.org/houghton-family-health-center/>

Office of Equal Opportunity Compliance and Title IX

308 Administration Building

(906)487-3310

<http://www.mtu.edu/equity/>

Title IX Contact

Abbi Halkola, ashalkol@mtu.edu , Title IX Coordinator

VIII. Summary of State and Federal Laws

A. Laws Relating to Use of Alcohol

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

1. *Legal Age for Possession and Consumption of Alcohol*-it is illegal for a person under 21 years of age to purchase, consume, or possess alcoholic beverages.
2. *Transporting Alcoholic Beverages*-It is a misdemeanor for a person under 21 years of age to knowingly transport alcoholic beverages in a motor vehicle.
3. *Fraudulent Identification*-A person under 21 years of age who furnishes fraudulent identification, or who uses fraudulent identification to purchase alcoholic beverages is guilty of a misdemeanor.
4. *Regulation of Sale*-Under Michigan Law, the sale, trade, or giving away of alcoholic beverages, including alcoholic beverages for personal use, requires a license or other prior written authorization.
5. *Open Container Laws*-It is illegal to transport or possess any alcoholic beverages in a container that is open, uncapped, or upon which the seal is broken within a motor vehicle on the highways in the state of Michigan.
6. *City Ordinances*-The Cities of Houghton and Hancock prohibit the consumption of alcoholic beverages on any public streets or sidewalks, in parks, or in any other public places.
7. *Liability*-In the state of Michigan, a person who is injured by a visibly intoxicated person, who has been furnished alcohol unlawfully, has the right of action.
8. *Drinking and Driving*-Michigan has a “zero-tolerance” law permitting no blood alcohol for drivers less than 21 years of age.

9. *Alcohol and Sexual Assault*-Engaging in sexual activity with a person who is unable to consent is considered sexual assault and is punishable under Michigan law.
10. *Disorderly Conduct* - In the state of Michigan, a person who is intoxicated in a public place and who is a danger to themselves or others is defined as a disorderly person.

B. Laws Regarding Controlled Substances

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

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

The penalty for the illegal possession, use, sale, or delivery of controlled substances depends on the quantity of the drug, and to which Schedule it belongs, Schedule I drugs carrying the most severe penalty, and Schedule V drugs carrying the least severe penalty. If the sale or transport of drugs crosses interstate lines, federal law and penalties will apply. Federal drug trafficking penalties can be found at https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30.