

BOARD OF REGENTS
EASTERN MICHIGAN UNIVERSITY

SECTION: B
DATE: June 13, 2019

**RECOMMENDATION
TO APPROVE REVISIONS TO BOARD POLICIES**

ACTION REQUESTED

It is recommended that the Board of Regents of Eastern Michigan University approve the attached revisions to existing Board Policies:

Revisions

Section 3.7.2	Alcohol and Other Drug Policy
Section 15.1	Electronic Communications
Section 15.2	Information Technology Security and Confidentiality

STAFF SUMMARY

All University policies must be approved by The Board of Regents of Eastern Michigan University. A University policy is defined by all of the following: a) has broad application throughout the University; and b) helps to ensure compliance with applicable laws and regulations, promotes operational efficiencies, enhances the university's mission or reduces institutional risks.

In an ongoing effort to enhance the transparency of the actions of the University and to align University practice with Board policy, Board Policies are subject to ongoing review and updated as appropriate. All Board Policies are published.

The policies listed for revisions above contain recommended updates in accordance with the attachments, which include the existing policies with the changes highlighted.

FISCAL IMPLICATIONS

None.

ADMINISTRATIVE RECOMMENDATION

The proposed Board action has been reviewed and is recommended for Board approval.



University Executive Officer
Lauren M. London
General Counsel

6/13/19

Date

3.7.2 Alcohol and Other Drug Policy

[Printable Version](#)

Effective Date:

12-10-71

Revision Date:

~~8-2-16~~ [6-13-19](#)

University Policy Statement

The University is committed to promoting and maintaining a learning, living, and work environment that is free from illegal alcohol and drug use and abuse, in accordance with all federal, state, and local laws. Students and employees are prohibited from reporting to work or working under the influence of alcohol, illegal drugs or prescribed drugs that impair their employee's ability to complete their position duties.

Employees may not consume or possess (except as part of an approved educational course or research activity), distribute, or be under the influence of alcoholic beverages on University property or while on University business (except at University functions at which use of alcohol is approved). Employees, students, and campus visitors aged twenty-one (21) years or older, consuming alcohol at University functions or while on University business, where such use is approved, are expected to do so responsibly.

Students and campus visitors who have attained the legal drinking age of twenty-one (21) years of age may possess and consume alcoholic beverages only at approved University functions or in residence hall rooms of students who have attained the legal drinking age. Those under twenty-one (21) years of age are not permitted to consume or possess alcoholic beverages at any time, except as part of an approved educational course or research activity and in strict accordance with the Michigan Liquor Control Code.

Students, employees and visitors are prohibited from dispensing, selling or supplying alcoholic beverages to a person under the legal drinking age as defined by Michigan law.

Students, employees, and visitors are prohibited from possessing, consuming, manufacturing, selling, supplying, or being under the influence of illegal drugs or engaging in improper self-medication while on University property or University business. EMU is subject to the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act amendment of 1989, which prohibit controlled substances on campus. Federal law classifies marijuana as an illegal controlled

substance and, therefore, all uses of marijuana, ~~including medicinal marijuana~~, are a violation of federal law.

Employees and students who violate this policy are subject to disciplinary proceedings by the University up to and including termination, or expulsion, and may also face prosecution and punishment under federal, state and local laws.

Employees and students are encouraged to voluntarily avail themselves of treatment for a substance use disorder. The information related to individuals seeking treatment will remain confidential as stipulated and protected by federal and state laws. Voluntary disclosure and seeking treatment will not be a violation of the AOD policy.

University Practice

In order to comply with this policy Eastern Michigan University will:

1. Disseminate a copy of the University Alcohol and Other Drug (AOD) policy to all employees and students on an annual basis, which will include:
 - a. Information about programs aimed at preventing alcohol abuse and drug use and abuse.
 - b. Information about the dangers and health risks of alcohol and drug use and abuse.
 - c. Information on available counseling, treatment and rehabilitation or reentry programs.
 - d. A description of all applicable local, state, federal and University sanctions for unlawful consumption, possession, or distribution of illicit or prescribed drugs and alcohol.
2. Disseminate a copy of EMU's policy on notification to parents of drug and alcohol violations related to the Family Educational Rights and Privacy Act (FERPA) to all students on an annual basis.
3. Require employees who are working on federally funded projects and who are convicted of violating any criminal drug statute while at the workplace or while on work-related activities, to notify their immediate supervisor within five (5) days. EMU will then notify the appropriate federal agency about such a violation.
4. Conduct a biennial review of its alcohol and other drug policy and program as required by the Drug-Free School and Communities Act Amendment of 1989 to determine their effectiveness and to ensure that consistent enforcement of disciplinary sanctions for violating standards of conduct is appropriately applied. Implement necessary changes to the AOD policy and program,
5. When alcohol is served or sold at approved University functions, all of the following must be met:
 - a. Alcoholic beverages shall not ~~dominate the advertising or~~ be the primary focus of any event.
 - b. Food and non-alcoholic beverage alternatives shall be available.

- c. Precautionary measures shall be implemented to insure that alcoholic beverages are not accessible to persons under the legal drinking age.
 - d. The sponsoring person/group shall comply with applicable rules and regulations of the Michigan Liquor Control Commission.
6. When alcohol is possessed or consumed as part of an approved educational course or research activity all of the following must be met:
 - a. The course or activity must be specifically approved by the Office of the Provost and Executive Vice-President for Academic and Student Affairs and only upon submission of detail regarding the content of the course or activity and the plan for appropriate and responsible instruction, consumption and storage of any fermented food and/or beverages.
 - b. The education course or research activity must be conducted in accordance with MCL 473.1703 (13), Section of Michigan's Liquor Control Code.
7. Comply with a set of ~~formal standards~~[guidelines](#) related to alcohol marketing on campus in three areas: alcohol advertising, alcohol industry promotions, and alcohol industry official sponsorship.

Responsibility for Implementation

The President of the University has overall responsibility for the implementation and administration of this policy and has delegated its overall management to the Vice President, University Human Resources and the Provost and Executive Vice-President of Academic and Student Affairs. In addition, the President or his/her designee will generate a review of the institution's alcohol and other drug policy and program as required by law.

Scope of Policy Coverage

This policy applies to all current University employees, students, and visitors. The University will have jurisdiction over student-related misconduct that occurs on university premises and/or at university sponsored activities, but may also address off-campus behavior if the University determines that the behavior, or the continued presence of the student impairs, obstructs, interferes with, or adversely affects the mission, processes or functions of the University. Additional regulations on this subject may be found and may supersede this policy for employees covered by collective bargaining agreements.

Authority for Creation and Revision

Minutes of the Board of Regents, December 10, 1971; para. 1058M.
Minutes of the Board of Regents, January 11, 1975; para. .1471M.
Minutes of the Board of Regents, January 17, 1979; para. .2039M.
Minutes of the Board of Regents, September 27, 1989; para. .4070M.
Minutes of the Board of Regents, September 25, 1990; para. .4256M.
Minutes of the Board of Regents, January 16, 2001; para. .5766M.
Minutes of the Board of Regents, December 2, 2003; para. .6194M.
Minutes of the Board of Regents, June 21, 2005; para. .6450M.
Minutes of the Board of Regents, September 20, 2011
Minutes of the Board of Regents, February 19, 2013
Minutes of the Board of Regents, August 2, 2016

[Minutes of the Board of Regents, June 13, 2019](#)

Last Review Date: ~~October 2018~~June 2019

3.7.2 Alcohol and Other Drug Policy

Effective Date:

12-10-71

Revision Date:

6-13-19

University Policy Statement

The University is committed to promoting and maintaining a learning, living, and work environment that is free from illegal alcohol and drug use and abuse, in accordance with all federal, state, and local laws. Students and employees are prohibited from reporting to work or working under the influence of alcohol, illegal drugs or prescribed drugs that impair their employee's ability to complete their position duties.

Employees may not consume or possess (except as part of an approved educational course or research activity), distribute, or be under the influence of alcoholic beverages on University property or while on University business (except at University functions at which use of alcohol is approved). Employees, students, and campus visitors aged twenty-one (21) years or older, consuming alcohol at University functions or while on University business, where such use is approved, are expected to do so responsibly.

Students and campus visitors who have attained the legal drinking age of twenty-one (21) years of age may possess and consume alcoholic beverages only at approved University functions or in residence hall rooms of students who have attained the legal drinking age. Those under twenty-one (21) years of age are not permitted to consume or possess alcoholic beverages at any time, except as part of an approved educational course or research activity and in strict accordance with the Michigan Liquor Control Code.

Students, employees and visitors are prohibited from dispensing, selling or supplying alcoholic beverages to a person under the legal drinking age as defined by Michigan law.

Students, employees, and visitors are prohibited from possessing, consuming, manufacturing, selling, supplying, or being under the influence of illegal drugs or engaging in improper self-medication while on University property or University business. EMU is subject to the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act amendment of 1989, which prohibit controlled substances on campus. Federal law classifies marijuana as an illegal controlled substance and, therefore, all uses of marijuana are a violation of federal law.

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 - c. Information on available counseling, treatment and rehabilitation or reentry programs.
 - d. A description of all applicable local, state, federal and University sanctions for unlawful consumption, possession, or distribution of illicit or prescribed drugs and alcohol.
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3. Require employees who are working on federally funded projects and who are convicted of violating any criminal drug statute while at the workplace or while on work-related activities, to notify their immediate supervisor within five (5) days. EMU will then notify the appropriate federal agency about such a violation.
4. Conduct a biennial review of its alcohol and other drug policy and program as required by the Drug-Free School and Communities Act Amendment of 1989 to determine their effectiveness and to ensure that consistent enforcement of disciplinary sanctions for violating standards of conduct is appropriately applied. Implement necessary changes to the AOD policy and program,
5. When alcohol is served or sold at approved University functions, all of the following must be met:
 - a. Alcoholic beverages shall not be the primary focus of any event.
 - b. Food and non-alcoholic beverage alternatives shall be available.
 - c. Precautionary measures shall be implemented to insure that alcoholic beverages are not accessible to persons under the legal drinking age.
 - d. The sponsoring person/group shall comply with applicable rules and regulations of the Michigan Liquor Control Commission.

6. When alcohol is possessed or consumed as part of an approved educational course or research activity all of the following must be met:
 - a. The course or activity must be specifically approved by the Office of the Provost and Executive Vice-President for Academic and Student Affairs and only upon submission of detail regarding the content of the course or activity and the plan for appropriate and responsible instruction, consumption and storage of any fermented food and/or beverages.
 - b. The education course or research activity must be conducted in accordance with MCL 473.1703 (13), Section of Michigan's Liquor Control Code.
7. Comply with a set of guidelines related to alcohol marketing on campus in three areas: alcohol advertising, alcohol industry promotions, and alcohol industry official sponsorship.

Responsibility for Implementation

The President of the University has overall responsibility for the implementation and administration of this policy and has delegated its overall management to the Vice President, University Human Resources and the Provost and Executive Vice-President of Academic and Student Affairs. In addition, the President or his/her designee will generate a review of the institution's alcohol and other drug policy and program as required by law.

Scope of Policy Coverage

This policy applies to all current University employees, students, and visitors. The University will have jurisdiction over student-related misconduct that occurs on university premises and/or at university sponsored activities, but may also address off-campus behavior if the University determines that the behavior, or the continued presence of the student impairs, obstructs, interferes with, or adversely affects the mission, processes or functions of the University. Additional regulations on this subject may be found and may supersede this policy for employees covered by collective bargaining agreements.

Authority for Creation and Revision

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Minutes of the Board of Regents, June 21, 2005; para. .6450M.
Minutes of the Board of Regents, September 20, 2011
Minutes of the Board of Regents, February 19, 2013
Minutes of the Board of Regents, August 2, 2016
Minutes of the Board of Regents, June 13, 2019

Last Review Date: June 2019



Policies, Rules and Regulations

Chapter Name: Information Technology
Chapter No. 15.1
Issue: Electronic Communications
Effective Date: 3-15-05
Revision Date: ~~11-18-08~~ ~~6-13-19~~

University Policy Statement

The University must maintain the integrity, continuity and security of its electronic information and communication infrastructure as well as the data contained or transmitted by this infrastructure. This is for the benefit of all persons depending upon the continuous availability, security and integrity of the University electronic infrastructure and data.

A communications device, telephone, computer, workstation or other computing or electronic device owned by the University, and any other device, system or service attached to the University networks, holding University data, or used in conducting University business, is- may be subject to scanning, monitoring and, in the case of University-owned devices, searching by the University:

- To maintain the security of the infrastructure and data, or
- When required by law, or
- To ensure legal compliance, or
- When reasonable grounds exist to believe an individual has caused a violation of law or published University policies, rules, regulations, or procedures, and information concerning the violation is transmitted or stored by the University information infrastructure or on an attached device, a device holding University data, or a device used for conducting University business, or
- When reasonable grounds exist to believe it is necessary to prevent substantial personal injury or property damage, or
- For billing or other lawful business purposes.

The University ordinarily does not monitor electronic communications of individuals during transmission or storage on University information infrastructure and will do so only for the reasons stated in this policy or other published University policies, rules, regulations and procedures not in conflict with this policy. No one shall monitor any communications, files or electronic activities of another for any reason not authorized herein. Violations of this policy and the lawful regulations and procedures established under the authority of this policy may result in appropriate disciplinary actions, as well as incur in addition to any applicable civil or criminal liability.

University Practice

University procedures and regulations are and shall be established which govern acceptable uses and maintain the integrity, continuity and security of University information technology resources and institutional data.

Responsibility for Implementation

The Chief Information Officer shall create regulations and procedures, with the advice of Legal Affairs, to cause the implementation of this policy.

Scope of Policy Coverage

This policy shall cover all persons or entities accessing University information and technology resources.

Authority for Creation and Revision:

Minutes of the Board of Regents, March 15, 2005; para. .6412M.

Minutes of the Board of Regents, November 18, 2008

Minutes of the Board of Regents, June 13, 2019



Policies, Rules and Regulations

Chapter Name:	Information Technology
Chapter No.	15.1
Issue:	Electronic Communications
Effective Date:	3-15-05
Revision Date:	6-13-19

University Policy Statement

The University must maintain the integrity, continuity and security of its electronic information and communication infrastructure as well as the data contained or transmitted by this infrastructure. This is for the benefit of all persons depending upon the continuous availability, security and integrity of the University electronic infrastructure and data.

A communications device, telephone, computer, workstation or other computing or electronic device owned by the University, and any other device, system or service attached to the University networks, holding University data, or used in conducting University business, may be subject to scanning, monitoring and, in the case of University-owned devices, searching by the University:

- To maintain the security of the infrastructure and data, or
- When required by law, or
- To ensure legal compliance, or
- When reasonable grounds exist to believe an individual has caused a violation of law or published University policies, rules, regulations, or procedures, and information concerning the violation is transmitted or stored by the University information infrastructure or on an attached device, a device holding University data, or a device used for conducting University business, or
- When reasonable grounds exist to believe it is necessary to prevent substantial personal injury or property damage, or
- For billing or other lawful business purposes.

The University ordinarily does not monitor electronic communications of individuals during transmission or storage on University information infrastructure and will do so only for the reasons stated in this policy or other published University policies, rules, regulations and procedures not in conflict with this policy. No one shall monitor any communications, files or electronic activities of another for any reason not authorized herein. Violations of this policy and the lawful regulations and procedures established under the authority of this policy may result in appropriate disciplinary actions in addition to any applicable civil or criminal liability.

University Practice

University procedures and regulations are and shall be established which govern acceptable use and maintain the integrity, continuity and security of University information technology resources and institutional data.

Responsibility for Implementation

The Chief Information Officer shall create regulations and procedures to cause the implementation of this policy.

Scope of Policy Coverage

This policy shall cover all persons or entities accessing University information and technology resources.

Authority for Creation and Revision:

Minutes of the Board of Regents, March 15, 2005; para. .6412M.

Minutes of the Board of Regents, November 18, 2008

Minutes of the Board of Regents, June 13, 2019



Policies, Rules and Regulations

Chapter Name: Information Technology
Chapter No. 15.2
Issue: Information Technology Security and Confidentiality
Effective Date: 9-17-96
Revision Date: ~~11-30-04~~ 13-09

University Policy Statement

Information technology resources are provided by the University to its students, faculty, staff and administration in support of the University's mission and are deemed to be critical infrastructure of the University. Information technology resources include the following: all University communication and data networks, access to and use of, the internet and other outside networks, the University Websites financial and record systems, electronic mail systems, course management and development systems, conferencing, the University Web Portal and all related devices, technology infrastructure, interactive transactional systems and services provided or used by the University for carrying out the business and its mission of the University, and all related infrastructure, as well as all attached or related devices, peripherals, media, Web pages and related resources, software and components and business operations. Institutional data includes all data and communications required to support the operation of the University. Access to the are University's information technology resources and institutional data is provided in support of the University's mission. Access is based on business-need with agreement to whose value is maximized through widespread and appropriately use the of information technology resources, and data with due adherence to requirements of confidentiality, privacy and security.

University Practice

University procedures and regulations are and shall be established which govern acceptable uses of University information technology resources and institutional data under this policy. These procedures and regulations shall be reviewed periodically.

Responsibility for Implementation

The Chief Information Officer shall be responsible for ensuring proper create regulations and procedures to cause the implementation of this policy.

Scope of Policy Coverage

This policy applies to all users of information technology resources and, including users of any device; workstation; personal computer; campus or local area network; wireless device or network; mini- or mainframe computer; voice, data and video communication equipment; related peripherals, components and software connected functionally or physically to University networks; and connected regional, national and international networks, including the Internet.

Critical infrastructure is that which is essential to the minimum operation of the University. Institutional data include all data and communications required to support the operation of the University as well as all personal data held by the University regarding its students and employees. Institutional data do not include personal records or scholarly information. The University maintains both computerized and manual data resources to support its operation. The University treats all institutional data resources with equal consideration, regardless of the media on which the information is stored and the methods by which they are transmitted or accessed. This policy statement, however, is specifically directed toward institutional data in computerized systems.

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Authority for Creation and Revision:

Minutes of the Board of Regents, September 17, 1996, para. .5143M.
Minutes of the Board of Regents, November 30, 2004, para. .6345M.

Minutes of the Board of Regents, June 13, 2019.



Policies, Rules and Regulations

Chapter Name:	Information Technology
Chapter No.	15.2
Issue:	Information Technology Security and Confidentiality
Effective Date:	9-17-96
Revision Date:	6-13-09

University Policy Statement

Information technology resources are provided by the University to its students, faculty, staff and administration in support of the University's mission and are deemed to be critical infrastructure of the University. Information technology resources include devices, technology infrastructure, systems and services provided or used by the University for carrying out its mission and business operations. Institutional data includes all data and communications required to support the operation of the University. Access to the University's information technology resources and institutional data is provided in support of the University's mission. Access is based on business-need with agreement to appropriately use the information resources and data with due adherence to requirements of confidentiality, privacy and security.

University Practice

University procedures and regulations are and shall be established which govern acceptable use of University information technology resources and institutional data under this policy. These procedures and regulations shall be reviewed periodically.

Responsibility for Implementation

The Chief Information Officer shall create regulations and procedures to cause the implementation of this policy.

Scope of Policy Coverage

This policy applies to all users of information technology resources and institutional data.

Authority for Creation and Revision:

Minutes of the Board of Regents, September 17, 1996, para. .5143M.

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Policies, Rules and Regulations

Chapter Name:	Information Technology
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University Practice

University procedures and regulations are and shall be established which govern acceptable use of University information technology resources and institutional data under this policy. These procedures and regulations shall be reviewed periodically.

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