

APPENDIX H

THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE DRUG POLICY

I. Introduction

The University is dedicated to providing a work, study, and recreational environment that does not include illegal drugs, abuse of prescription medications, or excessive use of alcohol. All students, staff, faculty, and guests are viewed by the University as individually responsible and legally accountable for their actions. The illegal possession, sale or use of drugs, including alcohol, adversely affect the academic community. Toward that end, the University notifies in writing, the parents of students under the age of 21 of such offenses.

The University has developed drug education, prevention, and intervention programs; members of the University community are encouraged to become familiar with the programs and are invited to take advantage of the services provided.

II. Alcohol/Drug Education Programs

A. Alcohol Drug Abuse Prevention Team (ADAPT)

ADAPT was initiated in 1988 to provide all members of the University community with coordinated drug-related education, prevention, and intervention services. The term “drugs” includes both legal drugs (i.e., alcohol, prescription medications, over-the-counter medications, nicotine, caffeine, etc.) and illegal drugs as covered by the Controlled Substance Act (N.C.G.S. 90-88 et. seq.). ADAPT defines its mission as prevention, intervention, and education concerning the use and/or abuse of alcohol and other drugs.

A staff member of the Counseling and Testing Center serves as chairman of ADAPT. The team represents a cross-section of the University and local community. The chairman prepares an annual report for the Chancellor.

ADAPT activities encourage individuals to:

- Value and maintain sound health.
- Respect state/federal laws and University regulations.
- Recognize and resist pressure to use drugs.
- Promote drug-free activities.
- Promote the use of rehabilitation resources.
- Recognize the incompatibility of drug abuse and achievement of personal goals.

B. Educational Activities and Counseling Services

1. **Division of Student Affairs** provides the following.
 - a. Annual notification to all enrolled students of the consequences of drug use and/or abuse.
 - b. Administration of an annual, anonymous, freshman wellness survey.
 - c. Educational programs in a variety of formats.
 - d. A multimedia library on drug related topics.
 - e. Alternative programming promoting drug-free fun.
 - f. Living/Learning programs in the residence halls.
 - g. Observance of National Collegiate Alcohol Awareness Week.
 - h. Peer-educators to encourage informed choices concerning alcohol consumption and to discourage the use of illegal drugs.
 - i. Twelve-step meeting schedules, e.g., AA, NA, etc.
 - j. Referral information for students and employees.
 - k. Drug assessment and/or counseling for students and employees.
 - l. Support groups and drug awareness workshops.
 - m. Drug education for student violators of this Drug Policy.
2. **Division of Academic Affairs** provides the following.
 - a. Alcohol/drug modules in all Freshman Seminar classes.
 - b. Academic credit courses in drug abuse prevention and chemical dependency.
 - c. Academic credit courses in wellness and fitness.
 - d. A Wellness Committee to promote healthy choices.
3. **Division of Business Affairs** provides the following.
 - a. An Employee Assistance Program (EAP) which includes consultation, assessment, and referral.
 - b. Annual written notification of all employees of this Drug Policy, the consequences of drug use/abuse, and available resources, including EAP, for counseling and rehabilitation.

III. Institutional Policy on Drugs

The illegal possession, sale, or use of drugs, including alcohol, will not be tolerated at the University. Violation will result in sanctions which may include dismissal from employment or the termination of student status. The University may impose sanctions if it is proven by a preponderance of evidence that a violation has occurred. Employees and students are subject to federal, state, and local laws as well as University rules and regulations. Members of the University community are not entitled to greater immunities or privileges before the law than those enjoyed by other citizens generally. The following are the minimum penalties that shall be imposed for particular offenses.

A. Abuse of Prescription and/or Over-the-counter Medications

The abuse of legal medications can lead to serious health complications for the user. Abuse of some medications can also lead the individual to exhibit behavior which is dangerous to self and others. The University strongly supports efforts of individuals to change maladaptive

behavior and offers services through both the Counseling & Testing Center and the Student Health Services. Continued abuse and disruptive behavior may result in disciplinary action.

B. Alcohol Possession and/or Consumption Regulations

1. Programs exist on campus to assist persons of legal age in making informed choices concerning alcohol.
2. Students of legal age are permitted to possess and consume beer, unfortified wine, fortified wine, spirituous liquor, and mixed beverages only within the confines of their residence hall rooms.
3. A student, age 21 or older, is permitted to carry in and consume beer (limit 72 oz.), unfortified wine (limit 25-30 oz.), or wine coolers (limit 60 oz.) with 17% or less alcohol content at the annual semi-formal Homecoming Dance. The sharing of alcoholic beverages during the dance is not permitted. Violators will be dismissed from the Homecoming Dance and will be subject to disciplinary action. Spirituous liquor and fortified wine (more than 17% alcohol, e.g., sherry or brandy) are prohibited at the Homecoming Dance. Individuals may be prohibited from bringing in alcohol, if it appears that they have consumed alcoholic beverages prior to the dance.
4. Student possession and/or consumption of any alcoholic beverage is prohibited at any location except as indicated in Section III, Subsection B, 2 and 3 of this Drug Policy.
5. Alcoholic beverages may be used only as a complement to an event, not as a main focus. Event sponsors must provide a proportionate amount of non-alcoholic beverages.
6. Student fees cannot be used to purchase alcohol.
7. Kegs are not permitted on campus. Kegs brought onto campus will be seized as contraband by the Campus Police and the contents destroyed. Kegs may be retrieved with proof of ownership when the student is prepared to remove them from campus. The Chancellor of The University of North Carolina at Pembroke reserves the right to approve the use of alcoholic beverages (including kegs of beer) at special functions, provided appropriate permits are obtained from the North Carolina Alcoholic Beverage Control Commission.
8. For offenses involving the illegal possession, consumption or excessive use of alcohol requiring the involvement of Campus Police and the Office of Student Affairs, the minimum penalty shall be an official reprimand. In addition, all first-time offenders of the alcohol policy will be assessed an administrative fine of \$50, payable to the University Cashier. Sanctions shall be determined on a case-by-case basis and shall include mandatory participation in a drug education and/or counseling program. Failure to comply with the terms of sanctions imposed and/or the drug education required may result in suspension from the University.
9. Repeat offenders will be assessed an administrative fine of \$100, and progressively more severe sanctions will be imposed. Habitual offenders risk being suspended from the University.
10. Campus mandatory drug education/counseling must be completed within 40 days of the initial referral; if not, the student must complete an approved off-campus drug education/counseling program at his/her expense BEFORE being permitted to register

for future classes, or graduate. Failure to keep campus drug education/counseling appointments will result in a \$25 fee for each missed appointment.

11. Guests in violation of this Drug Policy may be required to leave campus. Students who have guests on campus are responsible for their guests at all times and will be held accountable for their guest's actions.

C. Illegal Possession of Drugs and/or Paraphernalia

1. For a first offense involving the illegal possession or use of any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90, the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent.
2. For a first offense involving the illegal possession or use of any controlled substance identified in Schedules III through IV, N.C. General Statutes 90-91 through 90-94, (including, but not limited to, marijuana, rohypnol, phenobarbital, codeine) and/or the possession of drug paraphernalia, the minimum penalty shall be probation, for a period to be determined on a case-by-case basis and mandatory participation in a drug education/counseling program. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment or from employment for any unexpired balance of the prescribed period of probation. A person on probation must agree to participation in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the Chancellor or the Chancellor's designee deems appropriate. For a student's first offense of simple possession or use of marijuana and/or possession of drug paraphernalia, there will be an administrative fine of \$100, payable to the University Cashier. This does not preclude criminal action from being initiated in the local courts.
3. Campus mandatory drug education/counseling must be completed within 40 days of the initial referral; if not, the student must complete an approved off-campus drug education/counseling program at his/her expense BEFORE being permitted to register for future classes, or graduate. Failure to keep campus drug education/counseling appointments will result in a \$25 fee for each missed appointment.
4. For second or other subsequent offenses involving controlled substances, the minimum penalty shall be suspension for a period to be determined on a case-by-case basis; more severe penalties may be imposed, including expulsion of students and discharge of employees. To be readmitted after a suspension, the student (at his/her own expense) must submit documentation of multiple negative drug tests over a period of time.
5. Section 483 of the Federal Higher Education Amendments of 1998 states: "A student who has been convicted of any offense under Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction" and lasting for one year, two years, or indefinitely, depending on the offense.

D. Trafficking in Illegal Drugs

1. For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, any controlled substance identified in Schedule I, N.C. General Statutes 90-89 or Schedule II, N.C. General Statutes 90-90 (including, but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone) any student shall be expelled and any employee shall be discharged.
2. For a first offense involving the illegal manufacture, sell or delivery, or possession with intent to manufacture, sale or deliver, any controlled substance identified in Schedules III through IV, N.C. General Statutes 90-91 through 90-94, (including, but not limited to, marijuana, rohypnol, phenobarbital, codeine) the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent. For a second offense, any student shall be expelled and any employee shall be discharged.

E. Suspension Pending Final Disposition

A student, faculty member, administrator, or other employee charged with a Drug Policy violation may be suspended from enrollment or employment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the Chancellor or his designee concludes that the person's continued presence would constitute a clear and immediate danger to the health or welfare of other members of the University community. When a suspension is imposed, an appropriate hearing of the charges against the person suspended shall be held as promptly as possible.

F. Penalties

Students, faculty, and staff are subject to all local, state, and federal laws relating to drug abuse. Action on the part of the University is based upon its right to carry out its appropriate mission and is not designed to be merely punitive. University action is not dependent upon and does not preclude criminal or civil action in the courts.

Penalties will be imposed by the University in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees, as required by Section 502 D(3) and Section 603 of the University Code; by the Board of Governors policies applicable to other employees exempt from the State Personnel Act; and by regulations of the State Personnel Commission. Faculty should refer to Section 3-4, "Due Process Before Discharge or The Imposition of Serious Sanctions" and Appendix H in the *Faculty Handbook*. Students should refer to the "Student Government Association Constitution" in the *Student Handbook*, Article IV, "The University Hearing and Appeal System." State Personnel Act employees should refer to the *NC Personnel Manual* (located in Human Resources Office), Section 9, "Disciplinary Action, Suspension and Dismissal."

IV. Annual Report

The Chancellor will submit an annual report to the Board of Trustees and the President of The University of North Carolina.

V. Health Risks of Psychoactive Drugs

All psychoactive drugs (including alcohol) can produce negative health risks associated with long-term chronic use. Some of the related health risks are listed below.

Alcohol: (medically classified as a depressant) Central nervous system depression, impaired judgment, liver damage, malnutrition, pancreatitis, lowered immunities, and severe birth defects in babies whose mothers used alcohol during pregnancy. An overdose may result in a coma and death.

Cocaine: Anxiety, insomnia, paranoia, perforation of the nasal septum, seizures, cardiac arrest, and/or death.

Depressants: (e.g., Librium, Xanax, Valium) Central nervous system depression, staggering gait, visual disturbances, lethargy, dizziness, and nausea or death. An overdose or in combination with certain other drugs may result in death.

Hallucinogens: (e.g., LSD, PCP, and hallucinogenic mushrooms) Visual distortions, increased heart rate and blood pressure, psychotic episodes, panic disorders, and flashbacks.

Inhalants: Nausea, headaches and perceptual distortions. Permanent damage to bone marrow, lungs, liver and kidneys and a risk of lung or cardiac arrest with initial or repeated use.

Marijuana: Increased heart rate, lowered body temperature, impaired coordination, appetite stimulation, weakened immune system, increased risk of throat/lung cancer, and speech/memory/learning distortions. Long term use may result in short term memory loss, a motivational syndrome, and reproductive system abnormalities.

Narcotics: (e.g., codeine, heroin, morphine) Shallow breathing, reduced sex drive, apathy, anxiety, mood swings, nausea, and respiratory depression. Overdose may induce a coma, convulsions, respiratory arrest or death.

Rohypnol: (flunitrazepam, commonly called the *date rape* drug) Drowsiness, impaired motor skills, and inability to recall events. Combined with alcohol or other drugs may lead to respiratory depression, aspiration, and death.

Stimulants: (amphetamines) Anxiety, agitation, malnutrition, irregular heartbeat, chronic sleeplessness, and amphetamine psychosis.