

FAYETTEVILLE STATE UNIVERSITY

ILLEGAL DRUGS AND ALCOHOL

Authority:	Fayetteville State University Board of Trustees
Category:	General University Policies
Applies to:	●Administrators ●Faculty ●Staff ●Students
History:	Revised: August 30, 2010 Revised: March 21, 2001
Related Policies:	<i>Illegal Drugs</i> [UNC Policy Manual #1300.1] <i>Drug-Free Workplace Act of 1988</i> [41 U.S.C.A. 701 et seq. , 34 C.F.R. 85.600 et seq.] <i>Drug-Free Schools and Communities Act Amendments of 1989</i> [20 U.S.C.A. 1011i, 34 C.F.R. 86]
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I. INTRODUCTION

The University of North Carolina Board of Governors requires each constituent institution's Board of Trustees to develop a policy on illegal drugs applicable to all students, faculty, and other employees. Additionally, the *Drug-Free Schools and Communities Act Amendments of 1989* requires institutions receiving federal financial assistance to establish drug and alcohol abuse prevention programs for students and employees. Also, the *Drug-Free Workplace Act of 1988* requires the University to enact a policy for the purpose of creating and maintaining a drug-free workplace.

To assist Fayetteville State University (University) in its continuing efforts to meet the threat of illegal drug and alcohol abuse, and to comply with the Board of Governors' directive and applicable federal law, the Board of Trustees adopted a drug and alcohol policy, which is set forth below.

The purpose of this *Policy* is to adhere to the laws and regulations mentioned above, and to demonstrate the University's primary commitment to education, counseling, rehabilitation, and elimination of illegal drug and alcohol abuse, as well as its determination to impose penalties in the event of a violation of state and federal drug laws and laws governing the use and sale of alcohol.

II. POLICY IMPLEMENTATION

Each unit head is responsible for ensuring adherence to this Policy by ensuring that each individual under his or her supervision is provided information as required by this *Policy*. Each unit head shall also maintain verification that such information has been provided. The Division of Student Affairs is responsible for policy implementation among the student body and for ensuring that all students are provided information specified in this *Policy*.

III. EDUCATION AND COUNSELING

The University shall make alcohol and drug abuse education and counseling services available to members of the University community. The Director of the Center for Personal Development shall, within the limits of available resources, provide services and programs to students seeking assistance with problems of illegal drug use or alcohol abuse. In cases in which the treatment needs of such students exceed the resources of the Center, the Center shall provide referral to appropriate facilities in the community. The Manager of Employee Relations in the Department of Human Resources shall provide faculty and staff information regarding the University's Employee Assistance Program (EAP), which will offer consultation about alcohol and drug problems and referral to alcohol and drug treatment facilities in the community.

In addition, the University shall provide services to include:

- Educating the University community about the health and safety hazards associated with drug/alcohol abuse and the incompatibility of alcohol and drug abuse with achievement of personal and educational goals.
- Encouraging members of the University community to make use of available campus and community counseling, and medical and rehabilitation resources in dealing with drug/alcohol abuse problems. The University shall assure persons, who voluntarily avail themselves of these services, that applicable professional standards of confidentiality will be observed.
- Informing the University community of the potential legal and educational consequences (including both criminal law and University discipline) of abuse or illegal use and/or distribution of drugs/alcohol.
- Distributing annually to all members of the University community copies of the University's Drug and Alcohol Policy Statement that addresses standards of conduct, legal and disciplinary sanctions, health risks, prevention, counseling and rehabilitation. Copies of the statement shall also be distributed to all new employees upon employment and all new students upon enrollment.

IV. HEALTH RISKS ASSOCIATED WITH ALCOHOL AND DRUGS

Drugs and alcohol are toxic to the human body and if abused can have catastrophic consequences. Some drugs, such as crack, are so toxic that even one experimental use can be fatal.

The following table summarizes the various health risks associated with alcohol abuse and use of specific types of drugs; it is not intended to be an exhaustive or final list of all possible health consequences of substance abuse.

Substance	Nicknames/Slang Terms	Risks/Long Term Effects
Alcohol	Booze, liquor, juice, beer, brew, cold one, sauce, vino, hard stuff, poison	Toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	loss of appetite, delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis
Substance	Nicknames/Slang Terms	Risks/Long Term Effects
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, crack, snow, powder, blow, rock	loss of appetite, depression, weight loss, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	memory loss, depression, severe withdrawal symptoms
Heroin	H, junk, smack, horse, skag	physical dependence, constipation, loss of appetite, lethargy
LSD	acid, stamps, dots, blotter, A-bombs	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia
MDMA	ecstasy, XTC, adam, X, rolls, pills	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating
Marijuana/Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	bronchitis, conjunctivas, lethargy, shortened attention span, cancer
Morphine	M, morf	physical dependence, constipation, loss of appetite
PCP	crystal, tea, angel dust	psychotic behavior, violent acts, psychosis, hallucinations at high dose
Psilocybin	magic mushrooms, shrooms	may intensify existing psychosis, confusion, memory loss, shortened attention span, flashbacks
Steroids	roids, juice	Cholesterol imbalance, acne, baldness, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage

V. ENFORCEMENT AND PENALTIES

Students, faculty members and other employees of the University are responsible, as citizens, for knowing about and complying with the provisions of North Carolina law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as "controlled substances" in Article 5 of Chapter 90 of the North Carolina General Statutes (NCGS). Students, faculty and staff are also responsible for knowing about and complying with the provisions of North Carolina law governing alcohol use, sale and purchase.

In compliance with the *Drug-Free Workplace Act of 1988* and the *Drug-Free Schools and Communities Act Amendments of 1989*, and as a condition of employment with the University, all employees must notify their respective unit head of any conviction under a criminal drug statute for violations occurring on or off University premises while conducting University business, within five (5) days of the conviction. When the unit head receives notice of such a conviction, the unit head will contact the appropriate Vice Chancellor who will coordinate efforts with the General Counsel in an effort to comply with the reporting requirements of the *Drug-Free Workplace Act of 1988*. (Any employee who fails to provide notification shall be subject to disciplinary action up to and including dismissal.)

Any member of the University community who violates the law is subject both to criminal prosecution and punishment by the civil authorities and to disciplinary proceedings by the University. It is not "double jeopardy" for civil and criminal authorities and the University to proceed against and punish a person for the same specified conduct. The University will initiate its own disciplinary proceeding against a student, faculty member, administrator or other employee when the alleged conduct is deemed to affect the interest of the University.

Penalties will be imposed by the University in accordance with the Student *Code of Conduct* (students), *The Code* of the University of North Carolina (faculty), the Board of Governors' policies applicable to employees (other than faculty members) exempt from the State Personnel Act, and by regulations of the State Personnel Commission.

The penalties to be imposed by the University may range from written warnings with probationary status to expulsions from enrollment and discharge from employment. However, the following minimum penalties shall be imposed for the particular offenses described:

A. Manufacturing, Sale, or Delivery of Illegal Drugs

For illegal manufacture, sale, delivery, or possession with intent to manufacture, sell or deliver any controlled substance identified in Schedule I from NCGS 90-89 or Schedule II, NCGS Section 90-90 (including, but not limited to: heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine,

methaqualone), any student shall be expelled from enrollment and any faculty member, administrator or other employee shall be discharged.

B. Illegal Possession of Drugs

For the *first* offense involving the illegal possession of any controlled substance identified in Schedule I from NCGS 90-89 or Schedule II, NCGS Section 90-90, the minimum penalty shall be suspension from enrollment or from employment for at least one semester or its equivalent.

For a *first* offense involving the illegal possession of any controlled substance identified in Schedules III through VI from NCGS 90-91 through 90-94 or 14-401.23, (including, but not limited to marijuana, salvia and tetrahydrocannabinols), the minimum penalty shall be probation, for a period to be determined on a case-by-case basis. A person on probation must agree to participate 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. 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 probation.

For *second* or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators or other employees.

C. Possession and Use of Alcohol

The possession and use of alcohol on the University's campus must comply with the laws of the State of North Carolina and with the University's policy on *Alcoholic Beverages at University Sponsored Events*. The University's policy allows alcohol to be possessed or consumed on University property only by persons 21 years of age at appropriately licensed and/or approved University facilities.

The University's *Code of Student Conduct* prohibits all students from the possession, consumption, or selling of any type and any amount of alcoholic beverages on University premises at anytime. Additionally, students may be charged under the Code of Student Conduct for violations of law governing the possession or consumption of alcoholic beverages.

An employee whose abuse of alcohol in the workplace interferes with the satisfactory performance of employment responsibilities shall be subject to established disciplinary proceedings for neglect of duty or incompetence.

VI. SUSPENSION PENDING FINAL DISPOSITION

When a student, faculty member, administrator, or other employee has been charged by the University with a violation of policies concerning illegal drugs or alcohol, the individual may be suspended from employment or enrollment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the Chancellor or his or her designee, concludes that the person's continued presence within the University community would constitute a clear and immediate danger to the health or welfare of other members of the University community. If such a suspension is imposed, an appropriate hearing of the charges against the suspended person shall be held as promptly as possible thereafter.

VII. PROGRAM ASSESSMENT

As an ongoing evaluation of this *Policy*, the University will regularly do the following:

- Apprise the University's environment to determine any underlying causes of illegal drug and alcohol abuse;
- Apprise campus awareness, attitudes, and behaviors regarding the abuse of alcohol/drugs and employee results in program development;
- Collect and use illegal drug and alcohol-related information from police or security reports to guide program development;
- Collect and use summary health and counseling client information to guide program development; and,
- Collect summary data regarding illegal drug and alcohol-related disciplinary actions and use it to guide program development.

VIII. REPORTING

The Chancellor shall submit annual reports to the Board of Trustees on campus activities related to illegal drugs. A copy of this report shall also be provided to the President of the University of North Carolina. In addition, in accordance with the *Drug Free Schools and Communities Act Amendments of 2008*, upon request by the Department of Education or the public, the Chancellor will make available the information distributed to students and employees and the results of the report.

The reports shall include, at a minimum, the following: (1) a listing of the major alcohol or drug-related educational activities conducted during the year; (2) a report of illegal alcohol or drug-related violations or fatalities occurring on campus, including the number and type of sanctions imposed; (3) an assessment by the Chancellor of the effectiveness of the campus program; (4) any proposed changes in the policy on illegal drugs, and (5) a review of the consistency in the enforcement of sanctions.

The Chancellor will, in accordance with the requirements of the *Drug-Free Workplace Act of 1988*, notify federal granting or contract agencies within ten (10) days after

receiving notice that an employee directly engaged in the grant or contracting work has been convicted of a drug offense.