

# FAYETTEVILLE STATE UNIVERSITY

## ILLEGAL DRUGS AND ALCOHOL

<b>Authority:</b>	Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor.
<b>Category:</b>	University-Wide
<b>Applies to:</b>	●Administrators      ●Faculty      ●Staff      ●Students
<b>History:</b>	Revised: August 17, 2012 Revised: August 30, 2010 Revised: March 21, 2001
<b>Related Policies:</b>	<i>Illegal Drugs</i> [UNC Policy Manual #1300.1] <i>Drug-Free Workplace Act</i> [34 C.F.R. 85.6 et seq.] <i>Drug-Free Schools and Communities Act</i> [34 C.F.R. 86]
<b>Contact for Info:</b>	Office of Human Resources (910) 672-2889 Division of Student Affairs (910) 672-1200

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### I. INTRODUCTION

Under Federal legislation entitled *The Drug Free Workplace Act* and *The Drug Free Schools and Communities Act* no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program, unless it has adopted and has implemented a program to prevent the use of illicit drugs and abuse of alcohol by students and employees.

In its efforts to adhere to the Federal legislation and regulations and to demonstrate the University's primary commitment to education, counseling, rehabilitation, and the 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, the University has adopted this policy.

### 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 Manager of Employee Relations in the Department of Human Resources shall serve as the University's Coordinator of Drug and Alcohol Education (Coordinator) and shall be responsible for overseeing all University programs related drug and alcohol education and counseling. The Coordinator shall assist the Director of the Center for Personal Development, within the limits of available resources, in providing 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 Coordinator shall provide to University employees information regarding drug counseling, rehabilitation and employee assistance programs.

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
<b>Alcohol</b>	Booze, liquor, juice, beer, brew, cold one, sauce, vino, hard stuff, poison	Toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome
<b>Amphetamines</b>	uppers, speed, meth, crack, crystal, ice, pep pills	loss of appetite, delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis
<b>Barbiturates and Tranquilizers</b>	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
<b>Cocaine</b>	coke, crack, snow, powder, blow, rock	loss of appetite, depression, weight loss, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury
<b>Gamma Hydroxy Butyrate</b>	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	memory loss, depression, severe withdrawal symptoms
<b>Heroin</b>	H, junk, smack, horse, skag	physical dependence, constipation, loss of appetite, lethargy
<b>LSD</b>	acid, stamps, dots, blotter, A-bombs	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia
<b>MDMA</b>	ecstasy, XTC, adam, X, rolls, pills	same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating
<b>Marijuana/Cannabis</b>	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	bronchitis, conjunctivas, lethargy, shortened attention span, cancer
<b>Morphine</b>	M, morf	physical dependence, constipation, loss of appetite
<b>PCP</b>	crystal, tea, angel dust	psychotic behavior, violent acts, psychosis, hallucinations at high dose
<b>Psilocybin</b>	magic mushrooms, shrooms	may intensify existing psychosis, confusion, memory loss, shortened attention span, flashbacks
<b>Steroids</b>	roids, juice	Cholesterol imbalance, acne, baldness, anger management problems, masculinization in 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 and 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" contained in Article 5 of Chapter 90 of the North Carolina General Statutes (NCGS). Students and employees are also responsible for knowing about and complying with the provisions of North Carolina law governing alcohol use, sale and purchase.

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 or employee when the alleged conduct is deemed to affect the interest of the University.

Disciplinary sanctions will be imposed by the University and will vary depending on the nature and seriousness of the offense. .

The following minimum penalties shall be imposed for the particular offenses described:

**A. Manufacturing, Sale, or Delivery of Illegal Drugs**

Any student shall be expelled from enrollment and any faculty member, administrator or other employee shall be discharged from employment for the illegal manufacture, sale, delivery, or possession with intent to manufacture, sell or deliver any controlled substance identified as follows:

- In Schedule I from NCGS 90-89 or Schedule II from NCGS Section 90-90 to include, but not limited to: heroin, mescaline, diethylamide, opium, cocaine, amphetamine, methadone.
- In Schedules III through VI from NCGS 90-91 through 90-94 or 14-401.23, to include, but not limited to marijuana, salvia and tetrahydrocannabinols.

**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, (including, but not limited to: heroin, mescaline, opium, diethylamide, opium, cocaine, amphetamine, methadone) the minimum penalty shall be suspension from enrollment or from employment for at least one semester or its equivalent. In the case of an employee, suspension for a minimum period of “one semester or its equivalent” means forfeiture of pay for a period of eighteen weeks. Since the current State Personnel Act specifies that disciplinary suspensions cannot exceed two work weeks, offenses for which an eighteen-week minimum suspension is required by this *Policy* will result in discharge of an employee subject to the State Personnel Act.

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 maybe 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 or 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 AND BIENNIAL REVIEW**

The University is required by federal law to conduct a biennial review of its alcohol and drug programs and policies to (a) determine program effectiveness and consistency of policy enforcement and to identify and implement any changes needed to either. The University shall complete its biennial review for the previous two academic years and have on file a written report by December 31st of each even-numbered calendar year.

The required review shall involve the following:

- Examining the University's environment to determine any underlying causes of illegal drug and alcohol abuse and implementing changes to the program, if needed;
- Examining campus awareness, attitudes, and behaviors regarding the abuse of alcohol/drugs and implementing changes to the program, if needed;
- Collecting and using illegal drug and alcohol-related information from police or security reports to guide program development;
- Collecting and using summary health and counseling client information to guide program development; and,
- Collecting summary data regarding illegal drug and alcohol-related disciplinary actions and using it to guide program development.

## **VIII. REPORTING**

In accordance with the *Drug Free Schools and Communities Act*, 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 Chancellor will, in accordance with the requirements of the *Drug-Free Workplace Act*, 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.