



MEMORANDUM

TO: All NC State University Faculty, Staff, and Students

FROM: W. Randolph Woodson, Chancellor 

SUBJECT: The Drug-Free Schools and Communities Act
The Drug-Free Workplace Act

DATE: September 13, 2021

Illegal or misuse of drugs or alcohol by university faculty, staff, or students can adversely affect the educational environment and interfere with maximum achievement of personal, social, and educational goals. Therefore, it is the policy of North Carolina State University to maintain a drug-free workplace and campus. The unlawful manufacture, distribution, possession and/or use of controlled substances or the unlawful possession, use or distribution of alcohol is prohibited on NC State’s campus, in the workplace, or as part of any of the university’s activities. The workplace and campus include all NC State premises where the activities of the university are conducted. The information below provides NC State’s policies, as well as the applicable state and federal laws, on illegal drugs and alcohol, and is intended to assist you in gathering information about alcohol and other drugs and the problems and concerns associated with their misuse. In addition, the below information is to make you aware of the many resources available if you, or a friend or family member, are needing help for a substance use problem. Furthermore, in compliance with the Drug-Free Schools and Communities Act and The Drug-Free Workplace Act, the university is providing you with this information as part of its annual notification designed to reduce drug and alcohol misuse, and to promote the health and safety of our students and employees.

UNIVERSITY POLICIES

NC State expects its students and employees to maintain an environment that is safe and healthy. The university shall take actions necessary, consistent with state and federal law and applicable university policies, to eliminate illegal drugs from the university community and promote responsible alcohol use. As part of NC State’s awareness of possible drug and alcohol misuse in the university community, policies have been adopted on the use of alcohol and other drugs. NC State holds its students and employees responsible for the consequences of their decisions, and students or employees who violate these policies will be subject to sanctions by the university in accordance with procedural safeguards of the applicable student or employee disciplinary procedures.

Policy on Illegal Drugs

Pursuant to the direction of the Board of Governors, NC State's Board of Trustees adopted a Policy on Illegal Drugs. Every student and employee of the university is responsible for being familiar with and complying with the terms of this policy. Under the policy, students and employees at NC State are held responsible as citizens for knowing and complying with federal and North Carolina laws that make it a crime to possess, sell, deliver, or manufacture any illegal drug. Any member of the university community who violates these laws may be subject both to criminal prosecution and punishment by the Justice System and to disciplinary proceedings by the university. The penalties imposed by the university for students or employees found to have violated applicable law or university policies concerning illegal drugs will vary depending upon the nature and seriousness of the offense and may include a range of disciplinary actions up to and including expulsion from enrollment or discharge from employment. Copies of the full text of the policy are available on the University's Policies, Regulations & Rules website at <http://policies.ncsu.edu/policy/pol-04-20-05>.

Alcohol Policy

NC State's Alcohol Policy establishes the university policy on the sale, use and consumption of alcoholic beverages on campus and at NC State-sponsored events, as well as University enforcement responses for violations of this policy. Under state law, it is unlawful for any person less than twenty-one (21) years of age to purchase or possess any alcoholic beverage and further that it is against the law for anyone to sell or give any alcoholic beverage to a person under 21 or to aid or abet such person in selling, purchasing or possessing any alcoholic beverage. Any student or employee in violation of NC State's alcohol policy or North Carolina law may be subject to disciplinary measures by the university. The Alcohol Policy can be found on the University's Policies, Regulations & Rules website at <http://policies.ncsu.edu/policy/pol-04-20-02>.

The university also has certain procedures and guidelines for serving alcohol at University-sponsored events. These procedures may be found at <http://policies.ncsu.edu/regulation/reg-04-20-01>. Alcohol served at events held at certain University facilities shall be provided in accordance with the procedures referenced above and consistent with the rules of those facilities.

Howl for Help

NC State recognizes there may be a time when the consumption of alcohol or other drugs leads to a situation where medical intervention is necessary to ensure the health and safety of a student or others. Students are strongly encouraged to call for medical assistance (911) for themselves or for a friend/acquaintance who is dangerously intoxicated. NC State's "Howl for Help" program encourages students to make responsible decisions when faced with such emergencies and promotes safety as a top university priority.

Howl for Help is a procedural intervention to provide support and education in lieu of disciplinary action for underage possession and/or consumption of alcohol or possession and/or use of controlled substances. Howl for Help is an available option for students who seek or receive medical assistance from emergency personnel or a University official; students who are reporting a crime or incident to emergency personnel or University Officials; and student organizations or groups hosting an event in which one or more representatives seek medical assistance on behalf of another student. For more information on Howl for Help, see <https://policies.ncsu.edu/regulation/reg-11-35-02/>.

DRUG-FREE WORKPLACE

As a precondition for receiving any federally funded grants or contracts, NC State is required to certify that it is providing a drug-free workplace. Any employee reporting to work under the influence of alcohol or illegal drugs or using alcohol or illegal drugs on the job is subject to appropriate disciplinary action. In addition to the NC State's Policy on Illegal Drugs, the university is required to adhere to all federal policies. As a condition of employment any faculty, staff, or student must notify the university of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction. It is extremely important that you comply with the policies on illegal drugs and alcohol, which

have been implemented by the federal government and the university's governing bodies. Maintaining an alcohol and drug-free workplace will benefit us all.

HEALTH CONCERNS

The use of illegal drugs and the misuse of alcohol or prescription drugs are potentially harmful to a person's health. Health risks of using illegal drugs and misusing alcohol or prescription drugs include physical, emotional and psychological effects. In particular, synthetically-produced drugs often have unpredictable emotional and physical side effects that constitute an extreme health hazard. Frequent use of alcohol and illegal drugs may lead to:

- relationship problems with friends, family, and coworkers
- substance use disorders
- impaired learning ability, memory, ability to solve complex problems
- hindrance of neurological development
- increased risk of sexually transmitted infections (STI's)
- complications due to the combination of prescription medication and other drugs/alcohol
- death, coma or toxic reactions, especially when combining alcohol with any other drug, including over-the-counter medicine or prescriptions
- guilt/regret over activities performed while under the influence of alcohol/drugs, i.e., regretting sexual encounters, fighting, excessive risk-taking, legal and employment difficulties
- damage to brain, cardiovascular system, liver, and other organs
- increased risk of cancer
- fetal alcohol spectrum disorder, birth or genetic defects
- psychosis (hallucinations, loss of contact with reality, extreme changes in personality)
- other physiological, psychological or interpersonal problems

Members of the university community are encouraged to research the health effects of drugs and alcohol abuse through reputable scientific sources, such as the National Institute on Drug Abuse (www.nida.nih.gov), the National Institute on Alcohol Abuse and Alcoholism (www.niaaa.nih.gov), and the Centers for Disease Control (www.cdc.gov). In addition, information about the health risks associated with drug and alcohol misuse is available from the Student Health Center, NC State's Alcohol and Other Drug Prevention Education Program, and the Department of Human Resources.

AVAILABLE SUBSTANCE USE PROGRAMS

Because of the strong potential of unwanted consequences involved in drug and alcohol misuse, administrative, medical, and psychiatric help for students and employees having alcohol or other drug problems are available on a confidential basis. NC State Student Health Services (919-515-2563) and Counseling Center (919-515-2423) provides treatment, counseling, and referrals for students seeking help with substance use concerns. Students can also contact Prevention Services for a free confidential screening at <http://prevention.dasa.ncsu.edu> or call 919-515-4405. In addition, students can access "Pack Recovery," which helps students in recovery from substance use disorders by providing various support services and resources. Information for Pack Recovery can be found at <https://prevention.dasa.ncsu.edu/packrecovery/> or calling 919-515-4186. The university's Faculty and Staff Assistance Program (FASAP), 866-467-0467, provides support, resources, information, and referrals for employees and their dependents. Persons who are experiencing problems with substance or alcohol use, either themselves or through their families, are encouraged to contact these resources within the university or use other resources such as family physicians, county mental health centers, Alcoholics or Narcotics Anonymous, and/or Al-Anon Family Groups. The university hopes that through our education and referral efforts we will be able to provide an effective means of dealing with the difficulties substance use can bring.

LAWS AND SANCTIONS RELATED TO UNLAWFUL POSSESSION OR DISTRIBUTION OF ILLEGAL DRUGS AND ALCOHOL

The unlawful manufacture, distribution, disposition, possession, and/or use of a controlled substance or alcohol is regulated by a number of federal, state, and local laws. These laws impose legal sanctions for both misdemeanor and felony convictions. Penalties vary based on many factors, including the type and amount of drug used, possessed or sold, the number of prior convictions, whether there was an intent to distribute, and other mitigating and aggravating factors. Criminal penalties for convictions can include probation, denial or revocation of federal benefits (such as financial aid), forfeiture of personal and real property, fines (which could be up to \$10 million), and imprisonment ranging from less than a year to a life sentence.

A summary of federal laws governing the manufacture, possession, use and distribution of alcohol and illegal drugs (including information regarding penalties) is available on the United States Drug Enforcement Administration website at <https://www.dea.gov/druginfo/csa.shtml> and in the [Drugs of Abuse a DEA Resource Guide, 2020 Edition](#).

North Carolina alcohol and drug laws are available in the North Carolina General Statutes, including for example, sections 18B-301, 18B-302, 18B-302.1, 18B-401, 20-138.1, and Article 5, North Carolina controlled Substances Act, General Statutes 90-86 through 90-113.24.

For ease of reference, the below includes some summary information regarding North Carolina drug and alcohol laws. **The chart is intended to be illustrative and not exhaustive or a definitive statement of all applicable laws.** More detailed and current information is available from University Police and the North Carolina General Statutes.

NC DRUG LAWS

Types of Drugs	Penalty for Possession	Penalty for Manufacturing, Selling or Delivering or Possessing with Intent to Manufacture, Sell or Deliver	North Carolina Statute
Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), other Hallucinogens, Methaqualone (Quaaludes), Phencyclidine (PCP), and MDA	Class 1 Misdemeanor or Class I Felony*	Class C, G or H Felony*	§90-89; §90-95
Schedule II: Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Secondal, Nembutal, Cocaine, Amphetamines and other opium and opium extracts and narcotics	Class 1 Misdemeanor or Class I Felony*	Class C, G or H Felony*	§90-90; §90-95
Schedule III: Certain barbiturates such as amobarbitol and codeine containing medicine such as Fiorinal #3, Doriden,	Class 1 Misdemeanor or Class I Felony*	Class H or I Felony*	§90-91; §90-95

Tylenol #3, Empirin #3, and codeine-based cough suppressants such as Tussionex and Hycomine, and all anabolic steroids			
Schedule IV: Barbiturates, narcotics, and stimulants including Valium, Talwin, Librium, Equanil, Darvon, Darvocet, Placidyl, Tranzene, Serax, Ionamin (yellow jackets)	Class 1 Misdemeanor or Class I Felony*	Class H or I Felony*	§90-92; §90-95
Schedule V: Compounds that contain very limited amounts of codeine, dihydrocodeine, ethylmorphine, opium, and atropine, such as Terpene Hydrate with codeine, Robitussin AC	Class 2 Misdemeanor*	Class H or I Felony*	§90-93; §90-95
Schedule VI: Marijuana, THC, Hashish, Hash Oil, Tetrahydrocannabinol	Class 1 or 3 Misdemeanor or Class I Felony*	Class H or I Felony*	§90-94; §90-95
Drug Paraphernalia	Class 1 Misdemeanor*		§90-113.22- §90-113.24

NC ALCOHOL LAWS

State Law	Penalty	North Carolina Statute
To possess, attempt to purchase or purchase, sell or give beer, wine, liquor, or mixed beverages to anyone under the age of 21.	Class 1 misdemeanor*	§18B-302 - 18B-302.1
A person under 21 years of age who aids and abets to purchase or to attempt to purchase, purchase or to possess; sell or give, alcohol to a person who is under 21 years of age	Class 2 misdemeanor*	§18B-302 - 18B-302.1
A person over 21 years of age who aids and abets to purchase or to attempt to purchase, purchase or to possess; sell or give, alcohol to a person who is under 21 years of age	Class 1 misdemeanor*	§18B-302 - 18B-302.1
Operating a motor vehicle upon any highway, any street, or any public vehicular area within this State: while under the influence of an impairing substance; after having consumed sufficient alcohol that he	Misdemeanor*	§20-138.1; §20-179

has, at any relevant time after the driving, an alcohol concentration of 0.08 or more; or with any amount of a Schedule I controlled substance.		
Operating a motor vehicle on a highway or public vehicular area by a person less than 21 years old while consuming alcohol or at any time while he has remaining in his body any alcohol or controlled substance previously consumed.	Class 2 misdemeanor*	§20-138.1; 20-138.3; §20-179
Possessing an alcoholic beverage other than in the unopened manufacturer's original container, or consume an alcoholic beverage in the passenger area of a motor vehicle while the motor vehicle is on a highway or the right-of-way of a highway.	Class 2 or 3 misdemeanor*	§18B-301; §18B-401; §20-138.7

- [North Carolina Courts Misdemeanor Punishment Chart](#)
- [North Carolina Courts Felony Punishment Chart](#)