




MEMORANDUM

TO: All 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 12, 2024

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 and 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 memorandum provides information on NC State's policies and applicable state and federal laws relating to illegal drugs and alcohol, and it is intended to assist you in gathering information about alcohol and other drugs, the problems and concerns associated with their misuse, and information on the many resources available if you, a friend, or family member need help with a substance use problem. 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 reasonable actions, 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 laws 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 [POL 04.20.05 – Illegal Drugs](#)

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, it is unlawful 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 in [POL 04.20.02 – Alcohol Policy](#).

The university also has certain procedures and guidelines for serving alcohol at university-sponsored events. These procedures are included in [REG 04.20.01 – Alcohol Regulation](#). 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 a potential 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 [REG 11.35.02 – Student Discipline Procedures](#).

Code of Student Conduct

The NC State Code of Student Conduct establishes the expectations and standards for students in the University community and outlines prohibited activities involving drugs and alcohol. Please see [REG 11.35.05 Code of Student Conduct](#) for more information.

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. In February 2023, NC State adopted a new Regulation on maintaining a Drug and Alcohol Free Workplace. Every employee of the university is responsible for being familiar and complying with the terms of this regulation. Any employee reporting to work under the influence of alcohol or illegal drugs or using alcohol or illegal drugs on the job will be subject to appropriate disciplinary action and/or other corrective measures. In addition to NC State's Policy on Illegal Drugs and Regulation on a Drug and Alcohol Free Workplace, the university is required to adhere to all federal policies. As a condition of employment, any faculty, staff, or student employee must notify the university of any criminal conviction, including alcohol or drug convictions, 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 benefits us all. The Drug and Alcohol Free Workplace Regulation can be found in [REG 04.10.01 Drug and Alcohol Free Workplace](#).

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., 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 Campus Health, NC State's Alcohol and Other Drug Prevention Education Program, and University 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. Campus Health (919-515-2563) and the Counseling Center (919-515-2423) provide treatment, counseling, and referrals for students seeking help with substance use concerns. Students can also contact Prevention Services for a free confidential screening at [Prevention Services](#) or 919-515-4405. In addition, students can access "Pack Recovery," which helps students wanting to reduce their use or who are in recovery from substance use disorders by providing various support services and resources. Information for Pack Recovery can be found at [Pack Recovery | Prevention Services](#) or by 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.

The federal laws penalizing unauthorized possession of any controlled substance are found in 21 USC §§ 844 and 844a. Simple possession of any controlled substance, meaning having a small amount for personal consumption without intending to distribute or sell, is a misdemeanor under federal law carrying a criminal fine of at least \$1,000 and no more than one year in prison. Possession of certain controlled substances may also result in a civil penalty of up to \$10,000. However, possession of Flunitrazepam, more commonly known as “roofies,” is a felony and carries a greater penalty. It is also unlawful to sell or buy weapons while unlawfully using or being addicted to controlled substances or to sell weapons to someone else who is unlawfully using or is addicted to controlled substances. Repeat possession offenders may be charged with a felony, which carries a longer prison sentence and greater fine. Possession with intent to distribute carries additional penalties. In addition to prison time and fines, persons convicted of possession and other crimes may also be fined for the reasonable costs of the investigation and prosecution of the offense, may be subjected to real or personal property forfeiture, and can be denied federal benefits.

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 [Federal Trafficking Penalties](#) and in the [Drugs of Abuse: a DEA Resource Guide, 2022 Edition](#). Additional information is available here: [US DOJ Frequently Used Federal Drug Statutes](#).

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 chart 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, Seconal, 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 |

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| Schedule III: Certain barbiturates such as amobarbital and codeine containing medicine such as Fiorinal #3, Doriden, Tylenol #3, Empirin #3, and codeine-based cough suppressants such as Tussionex and Hycomine, and all anabolic steroids | Class 1 Misdemeanor or Class I Felony* | Class H or I Felony* | §90-91; §90-95 |
| Schedule IV: Barbiturates, narcotics, and stimulants including Valium, Talwin, Librium, Equanil, Darvon, Darvocet, Placidyl, Tranxene, 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 Terpin 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 | Class 1 misdemeanor* | §18B-302 - 18B-302.1 |

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| give, alcohol to a person who is under 21 years of age. | | |
| 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 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. | Misdemeanor* | §20-138.1; §20-179 |
| Operating a motor vehicle on a highway or public vehicular area by a person less than 21 years of age 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](#)

Please also see [Chapter 4 of Part 12](#) of the City of Raleigh ordinances for additional prohibitions on the consumption of alcohol in public spaces, such as city property, roads, parks, and other areas, except where otherwise permitted by law, ordinance, or license.