

*Review History: Reviewed by the Policy Review Committee 01/18/19.*

## **ELIZABETH CITY STATE UNIVERSITY**

### **Student Policy on Illegal Drugs**

#### **Preamble**

Elizabeth City State University's Board of Trustees is committed to the proposition that students, faculty, and staff should be able to engage in the scholarly pursuits of teaching, learning discourse, and research free from illegal drug use and/or abuse. Knowing the dangers of illegal drug use, the Board of Trustees has adopted a policy to safeguard the welfare and integrity of the University community. The University rules and regulations on illegal drugs are designed to promote academic integrity and an appropriate learning atmosphere for students, faculty and staff. To accomplish these goals, the possession and/or use of illegal drugs is prohibited at Elizabeth City State University.

#### **1. Educational Programs and Activities**

Drug prevention on ECSU's campus has at its base educational programming and activities on drug abuse. In implementing its educational programming on illegal drug use and possession ECSU will conduct activities including but not limited to:

- a. Anonymous surveys to identify the extent to which campus drug problems exist;
- b. Seminars on substance abuse;
- c. Drug and Alcohol Awareness Week activities with print and electronic media advertising;
- d. Outreach programs utilizing community services;
- e. Contacting academic departments to address substance abuse in appropriate health and physical education courses;
- f. Special events such as film fairs, sporting events, campus extravaganzas, panel discussions, etc.;
- g. Publishing and distribution of fact sheets and other printed literature on substance abuse; and
- h. Providing drug abuse awareness training.

#### **2. Counseling and Referrals**

The entire university community is responsible for assisting in maintaining a drug-free campus. Members of the university community are urged to bring forward any information to university officials regarding drug abuse treatment needs and/or illegal drug use of illegal drug possession. The identity of an individual who brings forth information regarding illegal drug use and/or possession shall remain confidential unless law requires disclosure. ECSU's Counseling Center will make referrals to appropriate local or State agencies for students who voluntarily contact the Counseling Center to seek drug abuse treatment.

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### **3. Enforcement and Penalties**

This policy is expressly subject to all applicable laws relative to “controlled substances” including Chapter 90, Article 5 North Carolina Controlled Substance Act of the North Carolina General Statutes.

Any student who violated the laws on illegal drug use and possession shall be subject both to criminal prosecution and punishment by the State of North Carolina and disciplinary action by the university. It is not considered “double jeopardy” for the university to impose sanctions in addition to criminal penalties for the same specified conduct. University sanctions for violation of this policy shall be imposed in accordance with the procedural safeguards applicable to disciplinary actions against students as set forth in the current student handbook.

#### **A. Penalties for Trafficking Illegal Drugs**

- i. Any student who violates this policy by the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver of any controlled substance as identified in Chapter 90, Article 5 of the North Carolina General Statutes (Schedule I-V, N.C.G.S. 90-89 and 90-93) including but not limited to heroin, mescaline, lysergic acid, diethylamide, opium, cocaine, amphetamine or methaqualone shall be expelled from the university.
- ii. Any student who violates this policy by the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver of any controlled substance as identified in Chapter 90, Article 5 of the North Carolina General Statutes (Schedule VI, N.C.G.S. 90-94) including but not limited to marijuana for a first offense shall be suspended from enrollment at the university for at least one semester or its equivalent
- iii. Any student who violates this policy by the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver of any controlled substance as identified in Chapter 90, Article 5 of the
  - a. North Carolina General Statutes (Schedule VI, N.C.G.S. 90 –94) including but not limited to marijuana for a second offense shall be expelled from the university.

#### **B. Penalties for Illegal Possession of Drugs**

- i. Any student who violates this policy by possession and controlled substance as identified in Chapter 90, Article 5 of the North Carolina General Statutes (Schedule VI, N.C.G.S. 90-98) including but not limited to heroin, mescaline, lysergic acid, diethylamide, opium, cocaine, amphetamine or methaqualone shall be suspended from enrollment at the university for at least one year. Parents or legal guardians of students under the age of twenty-one shall be notified.

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- ii. Any student who violates this policy by possessing any controlled substance as identified in Chapter 90, Article 5 of the North Carolina General Statutes (Schedule VI, N.C.G.S. 90-94), including but not limited to marijuana, shall be placed on probation for at least one semester, assessed a fifty dollar (\$50.00) administrative fee; referred to individual or group counseling sessions at the university Counseling Center and required to fulfill six hours of community service for a first offense. A first time offender may also be subject to suspension from the University for Violations that include property damage, personal assault or failure to cooperate with university officials. Parents or legal guardians of students under the age of twenty-one shall be notified of the offense. In the case of an individual who wishes to either return or re-enroll after being suspended under this policy, the person shall return under probation and must agree to participate in a drug education and counseling program, consent to regular drug testing and accept such other conditions or restrictions, including a program of community service, as the Chancellor or the Chancellor's designee deems appropriate. Refusal or failure to abide by the term of return or re-enrollment shall result in suspension.
- iii. Any student who violates this policy with a second offense of possessing any controlled substance as identified in Chapter 90, Article 5 of the North Carolina General Statutes shall be expelled from the university. Parents or legal guardians of students under the age of twenty-one shall be notified of the offense.

#### **DISCIPLINARY ACTIONS PENDING FINAL DISPOSITON**

If a student is charged with violating this policy, he or she may be suspended from enrollment before initiation or completion of disciplinary proceedings if the Chancellor or the Chancellor's designee determines that the student's continued presence within the university community poses a clear and immediate danger to the health or welfare of other members of the university community. If a suspension is imposed under such circumstances, a hearing shall be held as promptly as possible thereafter.

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<b>DRUG</b>	<b>EFFECT/HEALTH RISKS</b>	<b>PENALTIES FOR POSSESSION/ SALE N.C. LAW</b>	<b>PENALTIES FOR POSSESSION ON THE CAMPUS</b>	<b>PENALTIES FOR SELLING ON THE CAMPUS</b>
<b>LSD</b>	Mainly psychological; hallucinations/perception distortions; unable to function normally; accidents common; can produce anxiety, elevation in temperature, heart rate, and respiration	<b>POSS. - MAX: 5</b> years imprisonment and fine (for any amount) <b>SALE - MAX: 10</b> years imprisonment and fine (for any amount)	<b>MIN:</b> Suspension from enrollment for at least one year or its equivalent (first offense) with more severe penalties for second offense, including student expulsion	<b>Student expulsion.</b>
<b>HEROIN</b>	Psychological/physical dependence; relaxer and pain reliever, causing sluggishness and sleep at inappropriate/dangerous times; AIDS a possibility with intravenous injection; addition can be passed to child born to user; overdose can result in death.	<b>POSS. - MAX: 5</b> years imprisonment and fine (for any amount) <b>SALE - MAX: 10</b> years imprisonment and fine (for any amount)	Same as above	<b>Student expulsion</b>

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<b>DRUG</b>	<b>EFFECT/HEALTH RISKS</b>	<b>PENALTIES FOR POSSESSION/ SALE N.C. LAW</b>	<b>PENALTIES FOR POSSESSION ON THE CAMPUS</b>	<b>PENALTIES FOR SELLING ON THE CAMPUS</b>
<b>OPIUM</b>	Less potent than heroin; physical / psychological dependence sluggish & sleep at inappropriate times; AIDS a possibility w/intravenous injection; addiction can be passed to unborn child; death possible from overdose	<b>POSS. - MAX: 5 years</b> imprisonment and fine (100+ dosage units); for lesser amounts: 2 years imprisonment and \$2,000 fine <b>SALE - MAX: 10 years</b> imprisonment and fine (for any amount)	<b>MIN:</b> Suspension from enrollment for at least one year or its equivalent (first offense) with more severe penalties for second offense, including student expulsion	<b>Student expulsion</b>
<b>COCAINE</b>	Powder or crystals, affects respiration, heart rate, blood pressure, sugar levels; leads to tumors, chronic fatigue, dangerous weight loss, sexual impotence, insomnia, habitual use: irritability, paranoia, hallucinations. Regardless of length of use, sometimes seizures lead to heart fibrillations and stroke. Death may follow	<b>POSS. - MAX: 5 years</b> imprisonment and fine (100+ dosage units); for lesser amounts: 2 years imprisonment and \$2,000 fine <b>SALE - MAX: 10 years</b> imprisonment and fine (for any amount)	Same as above	<b>Student expulsion</b>

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<b>PSILOCYBIN</b>	Mainly psychological, hallucinations/perception distortions unable to function normally, accidents common; can produce anxiety, elevation in temperature heart rate, and respiration	<b>POSS. - MAX: 5</b> years imprisonment and fine (for any amount)  <b>SALE - Max: 10</b> years imprisonment and fine (for any amount)	<b>MIN:</b> Suspension from enrollment for at least one year or its equivalent (first offense) with more severe penalties for second offense, including student expulsion	<b>Student expulsion</b>
<b>BARBITURATES</b> (e.g. Valium and Seconal)	Psychological/physical dependence; possible difficulty in breathing, lethargy, allergic reactions, nausea, dizziness; possible infant deformities; in high doses can cause death	<b>POSS. - MAX: 5</b> years imprisonment and fine (100+ dosage units); for less amounts: 2 years imprisonment and \$2000 fine  <b>SALE - MAX: 10</b> years imprisonment and fine (for any amount)	Same as above	<b>Student expulsion</b>

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<b>DRUG</b>	<b>EFFECT/HEALTH RISKS</b>	<b>PENALTIES FOR POSSESSIONS/SALE N.C.</b>	<b>PENALTIES FOR POSSESSION ON THE CAMPUS</b>	<b>PENALTIES FOR SELLING ON THE CAMPUS</b>
<b>MARIJUANA</b>	Effects range from motor impairment to throat and lung cancer (2 ½ times tobacco tar). Particularly threatening for students is the way it damages short term memory and decreases concentration and learning abilities	<b>POSS. - Max: 2</b> years imprisonment and (more than ½ oz.) <b>POSS. - Max: 5</b> years imprisonment and fine (more than 1 ½ oz.) <b>SALE - Max: 10</b> years imprisonment and fine (for any amount)	Probation, under conditions prescribed by institutions, including participation in drug education and counseling, regular drug testing and whatever else deemed appropriate. Failure to comply shall result in suspension from enrollment. For subsequent offenses, there will be progressively more severe penalties, including student suspension	MIN: Suspension from enrollment for at least one semester or its equivalent, for second offense, expulsion for student

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<p><b>DRUG</b></p> <p><b>SPICE/K2</b>  <b>Synthetic Chemical</b>  <b>Compounds HU-</b>  <b>210, HU-211, JWH-</b>  <b>018, JWH-073</b></p>	<p><b>EFFECT/HEALTH RISKS</b></p> <p>Spice appears to have many negative side effects such as anxiety attacks, hallucinations, nausea, and a chemical dependency. There is a high quantity of synthetic chemicals found in spice and a user really has no way of knowing what they are being exposed to.</p>	<p><b>PENALTIES FOR POSSESSIONS/SALE N.C.</b></p> <p>Pending NC Legislation - As of March 17, 2011, NC passed legislation to impose penalties similar to real marijuana for possessing or selling a synthetic compound, including "Spice" and "K2." The Legislation will become law pending the signature of the Governor.</p>	<p><b>PENALTIES FOR POSSESSION ON THE CAMPUS</b></p> <p><b>MIN:</b> Suspension from enrollment for at least one year or its equivalent (first offense) with more severe penalties for second offense,</p>	<p><b>PENALTIES FOR SELLING ON THE CAMPUS</b></p> <p><b>Student expulsion</b></p>
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<p><b>DRUG</b></p> <p><b>MDPV (Bath Salt Ingredient)</b></p>	<p><b>EFFECT/HEALTH RISKS</b></p> <p>When snorted, it can cause hallucinations and paranoia</p>	<p><b>PENALTIES FOR POSSESSIONS/SALE N.C.</b></p> <p>As of March 17, 2011, NC passed legislation to impose penalties possessing or selling the synthetic compound, MDPV. The Legislation will become law pending the signature of the Governor. Under the law, trafficking MDPV carries a maximum sentence of 18 years in prison.</p>	<p><b>PENALTIES FOR POSSESSION ON THE CAMPUS</b></p> <p><b>MIN:</b> Suspension from enrollment for at least one year or its equivalent (first offense) with more severe penalties for second offense,</p>	<p><b>PENALTIES FOR SELLING ON THE CAMPUS</b></p> <p><b>Student expulsion</b></p>
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