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:

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

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

- 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 Status (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.

- 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

- 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 second offense shall be expelled from the university.

B. Penalties for Illegal Possession of Drugs

- Any student who violates this policy by possession and controlled substance as identified in Chapter 90, Article 5 of the North Carolina General Status (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.

- 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 the Chancellor’s designee deems appropriate. Refusal or failure to abide by the term of return or re-enrollment shall result in suspension.

- 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 Statues 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 DISPOSITION

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.