

Memorandum

TO: All University Faculty, Staff, and Students
SUBJECT: The Drug-Free Schools and Communities Act
The Drug-Free Workplace Act
DATE: September 2024

INTRODUCTION

Illegal use or misuse of drugs or alcohol by UNCSA faculty, staff, or students can adversely affect the educational environment and interfere with the achievement of personal, social, and educational goals. Therefore, it is the policy of the University of North Carolina School of the Arts 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 UNCSA's campus, in the workplace, or as part of any of the university's activities. The workplace and campus include all UNCSA premises where the activities of the university are conducted. Further, student conduct infractions may be subject to adjudication whether or not they occur on university premises.

The following information provides UNCSA'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 and/or abuse. In addition, the information below is shared to make you aware of the many resources available if you, or a friend or family member, need assistance 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

UNCSA expects its students and employees to maintain a safe and healthy environment. The university shall take necessary 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 UNCSA's awareness of possible drug and alcohol misuse in the university community, policies have been adopted on the use of alcohol and other drugs. UNCSA 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

UNCSA has a clearly defined policy of 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 UNCSA 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. The full text of the policy is available on the University's website at: <https://www.uncsa.edu/mya/policy-manual/700-safety-and-health/702-illegal-drugs.aspx>. Specific disciplinary sanctions for students is available at the University's website at: <https://www.uncsa.edu/about/office-of-the-provost/handbooks/college-handbook/appendix-a.aspx>

Alcohol Policy

UNCSA's Alcohol Policy establishes the university policy on the sale, use and consumption of alcoholic beverages on campus and at UNCSA-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 any-one 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 UNCSA'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 Policy manual website at <https://www.uncsa.edu/mysa/policy-manual/100-administration-and-operations/102-alcohol-policy.aspx>. Specific disciplinary sanctions for students is available at the University's website at: <https://www.uncsa.edu/about/office-of-the-provost/handbooks/college-handbook/appendix-a.aspx>

DRUG-FREE SCHOOLS AND COMMUNITIES ACT and DRUG-FREE WORKPLACE ACT

As a precondition for receiving any federally funded grants or contracts, UNCSA is required to certify that it is providing a drug-free campus and 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 UNCSA's Policy on Illegal Drugs, the university is required to adhere to all federal policies.

Self-Reporting

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. If a student is charged with a crime equivalent to a Major Infraction of the Code of Conduct or convicted of any crime or misdemeanor prior to or after matriculation at UNCSA, the student is required to self-report such action to the Vice Provost of Student Affairs.

HEALTH RISKS

The abuse of alcohol and use of drugs increases the risk for numerous health-related and other medical, behavioral, and social problems. Below is a general description of the health risks associated with alcohol and drug use.

Alcohol

People drink to socialize, celebrate, and relax. Alcohol often has a strong effect on people—and throughout history, people have struggled to understand and manage alcohol's power. The National Institute on Alcohol Abuse and Alcoholism is actively researching the health risks associated with alcohol and here's what is known:

Alcohol's effects vary from person to person, depending on a variety of factors including how much you drink, how often you drink, your age, your health status, and your family history. While drinking alcohol is not necessarily a problem, drinking too much can cause a range of consequences, and increase your risk for a variety of problems.

Alcohol enters your bloodstream as soon as you take your first sip. Alcohol's immediate effects can appear within about 10 minutes. As you drink more, you increase your blood alcohol concentration (BAC), which is the amount of alcohol present in your bloodstream. The higher your BAC, the more impaired you become by alcohol's effects. These effects can include:

- Reduced inhibitions
- Slurred speech
- Motor impairment
- Confusion
- Memory problems
- Concentration problems
- Coma
- Breathing problems
- Death

Other risks of drinking can include:

- Car crashes and other accidents
- Risky behavior
- Violent behavior
- Suicide and homicide

For more information on alcohol's effects on the body, please see the [National Institute on Alcohol Abuse and Alcoholism's](#) related web page.

Other Drugs

There are significant health risks associated with the use of illegal substances. Illicit drugs used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use. In addition to health-related problems, other concerns relating to substance abuse include the following:

- Regular users of alcohol and other drugs often have erratic lifestyles which interfere with sleep, nutrition, and exercise.
- Substance use and abuse may lead to financial difficulties, domestic violence, deterioration of the family structure, motor vehicle accident injuries, and reduced job performance.
- Repeated use of a drug can lead to dependence.

For more information on specific drug effects on the body, please see the [National Institute on Drug Abuse's](#) related web page.

AVAILABLE SUBSTANCE USE PROGRAMS

Student Resources

UNCSA's Wellness Center is a resource for students who request help with substance abuse problems. Any student who identifies themselves as having a problem with either alcohol, tobacco, or any drug, may request assistance and support to refrain from further use of these substances. A student may contact the Wellness Center for an initial consultation and/or evaluation with a medical provider and/or substance abuse counselor in the Wellness Center at no cost to the student.

Treatment resources may include a combination of on campus medical and counseling services, outpatient therapy, and/or inpatient care.

Student Support Programs

Counseling Services offers substance use evaluation and provides referrals to off campus resources as necessary.

Weekdays, students can visit the Wellness Center on the upper level of the Hanes Student Commons or can call 336-770-3288 between the hours of 8am-5pm for counseling and/or health services appointments.

During nights, weekends, and holidays, students can contact UNC Health Connect, an On-Call nurse advice line for medical concerns at 1-984-974-6303 or 984-364-4730. After Hours and Weekend Counseling Support, services are available through [UWill](#). Students begin by registering online and booking an appointment at <https://app.uwill.com/>. If students are experiencing a mental health crisis, call 833-646-1526 for help 24/7/365. If students are experiencing a medical emergency, call 911.

Note: Students under 18 may not call this number alone. Contact your High School Life or a Residential Education staff for support in making this call.

Students may also contact Campus Police at 336-770-3362 (emergency) or 336-770-3321 (non-emergency) and/or the local chapters of Alcoholics Anonymous or Narcotics Anonymous for additional support and assistance.

Employee Resources

UNCSA Employees are encouraged to use the Employee Assistance Program offered by the university at no cost. These professional counseling services are available as needed through [ComPsych](#) at 888-311-4327 or go on-line at [guidance.resources.com](#) with company Web ID: UNCSA.

LEGAL SANCTIONS

Local, state, federal and foreign laws provide a variety of legal sanctions and penalties for the unlawful possession, use or distribution of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines. The illegal or abusive use of drugs and alcohol by members of the University community may subject them to criminal prosecution by governmental agencies in addition to disciplinary action by the University. Status as a student or employee of the University in no way insulates an individual from criminal prosecution and punishment. A summary of North Carolina alcohol and drug laws is available below and can be found on the [North Carolina General Assembly Website](#) and [North Carolina Judicial Branch Website](#). The information provided is illustrative, not exhaustive or a definitive statement of all applicable laws. Instead, it sets forth examples of illegal conduct and the range of legal sanctions that can be imposed for the same. A further overview of federal laws governing the manufacture, possession, use and distribution of alcohol and illegal drugs is available at [Drugs of Abuse: A DEA Resource Guide](#). UNC School of the Arts Police Department and local municipalities adhere to and enforce state and federal laws.

NORTH CAROLINA DRUG LAWS			
Types of Drugs	Possession	Trafficking	Statute
Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), other Hallucinogens, Methaqualone (Quaaludes), Phencyclidine (PCP), and MDA	Maximum Penalty: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Ten (10) years in prison and/or fine (felony)	§90-89
Schedule II: Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Secondal, Nembutal, Cocaine, Amphetamines and other opium and opium extracts and narcotics	Maximum Penalty: Two (2) years in prison and/or \$2,000 fine (misdemeanor)–UNLESS- 1. Exceeds 4 tablets, capsules, other dosage units or equivalent quantity of Hydromorphone. 2. Exceeds 100 tablets, capsules, other dosage units or equivalent quantity. 3. One gram or more of Cocaine Maximum Penalty: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Ten (10) years in prison and/or fine (felony)	§90-90
Schedule III: Certain barbiturates such as amobarbitol 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	Maximum Penalty: Possession of less than 100 tablets, capsules, other dosage units or equivalent quantity: Two (2) years in prison and/or fine (misdemeanor) To possess more than 100 tablets, capsules, other dosage units or equivalent quantity: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-91
Schedule IV: Barbiturates, narcotics, and stimulants including Valium, Talwin, Librium, Equanil, Darvon, Darvocet, Placidyl, Tranzene, Serax, Ionamin (yellow jackets)	Maximum Penalty: Same as Schedule III	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-92
Schedule V: Compounds that contain very limited amounts of codeine, dihydrocodeine, ethylmorphine, opium, and atropine, such as Terpene Hydrate with codeine, Robitussin AC	Maximum Penalty: Six (6) months in prison and/or fine (misdemeanor)	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-93
Schedule VI: Marijuana, THC, Hashish, Has Oil, Tetrahydrocannabinol	Maximum Penalty: Possession of less than ½ ounce of Marijuana or 1/20 ounce Hashish: Thirty (30) days in prison and/or \$100 fine (misdemeanor) Possession of more than ½ ounce of Marijuana or 1/20 ounce Hashish: Two (2) years in prison and/or fine (misdemeanor) Possession of more than 1½ ounce of Marijuana or 3/20 ounce of Hashish or consists of any quantity of synthetic Tetrahydrocannabinols or Tetrahydrocannabinols isolated from the resin of marijuana: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Five (5) years in prison and/or fine (felony)	§90-94
Drug Paraphernalia (§90-113.22- §90-113.24)	Maximum Penalty: One hundred twenty (120) days in prison and/or fine. (misdemeanor)	Maximum Penalty: One hundred twenty (120) days in prison and/or fine. (misdemeanor) However, delivery of drug paraphernalia by a person over 18 years of age to someone under 18 years of age who is at least three years younger.	§90-113.22- §90-113.24

NORTH CAROLINA ALCOHOL LAWS

STATE LAW	PENALTY	STATUTE
To possess, attempt to purchase or purchase, sell or give beer, wine, liquor, or mixed beverages to anyone under the age of 21.	Maximum Penalty: Imprisonment for a term up to 120 days and/or community service and fines up to \$1,000 (Class 1 misdemeanor)	§18B-302-18B302.1
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	Maximum Penalty: Imprisonment for a term up to 60 days and/or community service and fines (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	Maximum Penalty: Imprisonment for a term up to 120 days and/or community service and fines up to \$1,000 (Class 1 misdemeanor)	§18B-302-18B302.1
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 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.	1st Offense: Jail - 24 hours; Fine - \$200; License Suspension – 60 days to 1 year; 2d Offense: Jail – 4 days; Fine – varies; License Suspension – 1 to 4 years; 3d Offense: Jail – 14 days to 2 years; Fine – varies; License Suspension – 1 year to permanent	§20-138.1
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.	Maximum of 20 days in jail and \$200. If driving while impaired offense is also charged then: 1st Offense: Jail - 24 hours; Fine - \$200; License Suspension – 60 days to 1 year; 2d Offense: Jail – 4 days; Fine – varies; License Suspension – 1 to 4 years; 3d Offense: Jail – 14 days to 2 years; Fine – varies; License Suspension – 1 year to permanent.	§20-138.1 & 20-138.3
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.	Maximum Penalty: Imprisonment for a term up to 60 days and/or community service and fines up to \$1,000 (Class 2 or 3 misdemeanor based on number of offenses).	§18B-301; §18B-401; §20- 138.7

FEDERAL TRAFFICKING PENALTIES—

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more			
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 15 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kg marijuana (except 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish Oil (Schedule I)	1 kg or less	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is not less than 25 years imprisonment and a fine up to \$20 million if an individual and \$75 million if other than an individual.

