

Appalachian
STATE UNIVERSITY®
BOONE, NORTH CAROLINA

2017

DRUG AND ALCOHOL PREVENTION PROGRAM DAAPP

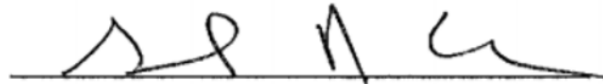


ANNUAL REPORT

2017 DRUG AND ALCOHOL PREVENTION PROGRAM REPORT

Upon recommendations by the Office of the Dean of Students and the Office of General Counsel, I hereby approve the 2017 Drug and Alcohol Prevention Program Annual Report.

Approved:



Sheri N. Everts

Date: 2.26.18 :

INTRODUCTION

Appalachian State University (“Appalachian” or the “University”) is committed to maintaining an environment that supports and encourages the pursuit and dissemination of knowledge. All members of the academic community - students, faculty, administrators and staff - share in the responsibility of protecting and promoting that environment and all are expected to exemplify high standards of professional and personal conduct. The illegal or abusive use of alcohol and other drugs by members of the academic community adversely affects this educational environment. North Carolina and federal laws restrict or prohibit the use of alcohol and other drugs in various contexts. The illegal or abusive use of alcohol and other drugs is not compatible with personal health and welfare and the pursuit of academic excellence, and will not be tolerated by the University on the campus or as part of any institutional activities.

The use and abuse of alcohol or other drugs can have serious negative consequences. High-risk choices can lead to significant academic, legal, financial, job performance and relationship problems, as well as problems with physical, mental and emotional health. High-risk use of alcohol and other drugs is also a factor in injuries and deaths related to overdose, accidents and crimes.

As long as one person is involved in high-risk behavior, all are at risk because problems related to the use of alcohol and other drugs affect not only the user, but friends, family, classmates, coworkers and the entire Appalachian community. The goal is a safe and healthy University environment. Drug and alcohol use by students is as much part of our campus culture as it is part of our societal culture. As such, illegal, excessive and irresponsible drug and alcohol use introduces the same problems on our campus as it does in society. Appalachian’s Drug and Alcohol Prevention Programs (DAAPP) seek to help students to develop mature and responsible attitudes toward legal drug and alcohol use while they are on campus so that they may continue to exercise such healthy behaviors after leaving college.

The Drug-Free Schools and Communities Act (DFSCA) and Part 86 of the Department of Education’s General Administrative Regulations requires institutions of higher education to certify that they have developed and implemented drug and alcohol abuse education and prevention programs. Such programs should be designed to prevent the unlawful possession, use and distribution of drugs and alcohol on campus and at recognized events and activities.

On an annual basis, universities must distributed their DAAPP report to all students and employees. The distribution plan must make provisions for providing materials to students who enroll at a date after the initial distribution and for employees who are hired at different times of the year.

In addition, Appalachian must conduct a biennial review in order to measure the effectiveness of its drug prevention program, and to ensure consistent treatment in enforcement of its disciplinary sanctions. The University must prepare a report of findings and maintain its biennial review report and supporting materials and make them available to the Department of Education and interested parties upon request.

HEALTH RISKS

Substance abuse may result in a wide array of serious health and behavioral problems. Substance abuse has both long and short-term effects on the body and the mind. Alcohol and drugs are toxic to the human body. In addition to the problem of toxicity, contaminant poisonings often occur with illegal drug use. HIV infection with intravenous drug use is a prevalent hazard.

Acute health problems may include heart attack, stroke, and sudden death, which can occur for first time cocaine users. Long lasting effects caused by drug and alcohol abuse can cause problems such as disruption of normal heart rhythm, high blood pressure, leaks of blood vessels in the brain, bleeding and destruction of brain cells, possible memory loss, infertility, impotency, immune system impairment, and kidney failure, cirrhosis of the liver, and pulmonary damage. Drug use during pregnancy may result in fetal damage and birth defects causing hyperactivity, neurological abnormalities, and developmental difficulties.

Known Facts

Illicit drug users make over 527,000 costly emergency room visits each year for drug related problems.

- One dollar out of every 14 of the nation's health care bill is spent to treat those suffering from smoking-related illnesses.
- Drug offenders account for more than one-third of the growth in the state prison population and more that 80 percent of the increase in the number of federal prison inmates since 1985.
- More than 75 percent of domestic violence victims report that their assailant had been drinking or using illicit drugs at the time of the incident.
- Substance abuse and addition are fully treatable.
- 45% of individuals with an untreated substance use disorder commit suicide.*

*PsychologyToday.Com

Injuries

More deaths, illnesses and disabilities stem from substance abuse than from any other preventable health condition. Today, one in four deaths is attributable to illicit drug use. People who live with substance dependence have a higher risk of all bad outcomes including unintentional injuries, accidents, risk of domestic violence, medical problems, and death.

Health Problems

The impact of drug abuse and dependence can be far-reaching, affecting almost every organ in the human body. Drug use can:

- Weaken the immune system, increasing susceptibility to infections.
- Cause cardiovascular conditions ranging from abnormal heart rate to heart attacks. Injected drugs can also lead to collapsed veins and infections of the blood vessels and heart valves.
- Cause nausea, vomiting and abdominal pain.
- Cause the liver to have to work harder, possibly causing significant damage or liver failure.
- Cause seizures, stroke and widespread brain damage that can impact all aspects of daily life by causing problems with memory, attention and decision-making, including sustained mental confusion and permanent brain damage.

- Produce global body changes such as breast development in men, dramatic fluctuations in appetite and increases in body temperature, which may impact a variety of health conditions.

Effects on the Brain

Although initial drug use may be voluntary, drugs have been shown to alter brain chemistry, which interferes with an individual's ability to make decisions and can lead to compulsive craving, seeking and use. This then becomes a substance dependency.

All drugs of abuse - nicotine, cocaine, marijuana, and others - affect the brain's "reward" circuit, which is part of the limbic system.

- Drugs hijack this "reward" system, causing unusually large amounts of dopamine to flood the system.
- This flood of dopamine is what causes the "high" or euphoria associated with drug abuse.
- Behavioral Problems
- Paranoia
- Aggressiveness
- Hallucinations
- Addiction
- Impaired Judgment
- Impulsiveness
- Loss of Self-Control

Birth Defects

Nearly 4 percent of pregnant women in the United States use illicit drugs such as marijuana, cocaine, Ecstasy and other amphetamines, and heroin. These and other illicit drugs may pose various risks for pregnant women and their babies. Some of these drugs can cause a baby to be born too small or too soon, or to have withdrawal symptoms, birth defects or learning and behavioral problems. Additionally, illicit drugs may be prepared with impurities that may be harmful to a pregnancy. Finally, pregnant women who use illicit drugs may engage in other unhealthy behaviors that place their pregnancy at risk, such as having extremely poor nutrition or developing sexually transmitted infections.

Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV.
- Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

Long-Term Health Risks

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including lost productivity, family problems, and unemployment.
- Alcohol dependence, or alcoholism.
- By not drinking too much, you can reduce the risk of these short- and long-term health risks.

EDUCATION AND COUNSELING

Appalachian shall make alcohol and drug abuse education and counseling services available to all members of the academic community. These services shall include:

1. Educating the campus community about the health and safety hazards associated with alcohol and drug abuse and the incompatibility of alcohol and drug abuse with achievement of personal and educational goals.
2. Encouraging members of the campus community to make use of available campus and community counseling, and medical and rehabilitation resources in dealing with drug abuse problems. Appalachian State University assures persons who voluntarily avail themselves of these services that applicable professional standards of confidentiality will be observed.
3. Informing the campus community of the potential legal and educational consequences (including both criminal law and University discipline) of abuse or illegal use and/or distribution of alcohol and drugs.
4. Distributing annually to all members of the University community copies of Appalachian State University's Drug Policy Statement that addresses penalties, prevention, counseling and rehabilitation. Copies of the statement will also be distributed to all new employees upon employment.
5. The Student Wellness Center provides education and evaluation counseling to all students charged in violation of the campus drug policy. Individual confidential substance abuse evaluation offers students an objective perspective of their relationship to substances, information about personal risk factors, and intervention to those who may be experiencing a problem or dependence. Educational information and material is included in the evaluation process. Students with need of additional services to recover from substance abuse problems are referred to twelve-step groups and to appropriate treatment clinical facilities. Students are also referred from Counseling Center therapists, University faculty, staff, paraprofessionals, and by self-referral.
6. Counseling and rehabilitation services in the local community are limited and do not offer a full range of options for substance abuse issues. Regional inpatient treatment services can be accessed through Daymark Recovery Services for those who meet eligibility requirements. Private inpatient and intensive outpatient treatment centers are available in the surrounding urban areas. The primary local providers of substance abuse services are Daymark Recovery

Services and Against All Odds, Inc., offering group and individual outpatient services. The primary local opioid addiction treatment providers are McLeod Addictive Disease Center and Stepping Stone of Boone. Some private practitioners offer outpatient counseling for persons preferring a private setting. The recovering community of AA and NA is strongly represented in the local area with several meetings each day of the week. Faculty and staff can access services through the Counseling for Faculty Staff Office.

EDUCATION AND AWARENESS PROGRAMS

Orientation

This program is presented to incoming students and their parents and is designed to increase awareness of crime on campus. The program addresses police related issues and how they affect the individual while attending Appalachian. This program is presented several times each year.

Resident Assistant and Resident Director Training

Resident Directors and Resident Assistants receive basic training on drug use and substance abuse awareness, along with sexual assault protocols. Through sessions with the Counseling Center, Wellness and Prevention Services, Police Department, and full-time Residence Life staff, student staff members have a better understanding of alcohol and drug use and abuse. This helps them lead and/or facilitate educational programs in their residence halls as well as refer students to resources on campus. This training also assists the University Housing staff in more effectively identifying signs and symptoms of substance use and abuse by their residents and gain a better knowledge of physical and psychological effects of drug usage.

Safety Walk

Another safety feature at Appalachian is our annual campus safety walk. This walk is led by the University Police Crime Prevention Officer and includes student representatives as well as other key university administrators. The goal of the walk is to survey the adequacy and maintenance of campus lighting and blue light phones. Also, checks are done to see that landscaping near buildings and along walkways does not obscure vision or present other safety hazards.

Personal Safety Seminars

Designed to improve safety habits within the University population, topics include resident hall security, personal safety habits, reporting illegal or suspicious activity, crime on campus, and police services. This program allows students the opportunity to address safety related concerns and to receive an appropriate response.

Alcohol Awareness

This program is for the entire campus community and provides information on alcohol abuse. The program covers such topics as underage drinking, binge drinking, and effects on the body and legal ramifications of alcohol use both on and off campus. A question and answer session concludes the presentation.

Drug Awareness

This program is for the entire campus community and provides information on drug abuse. The program covers such topics as drug dogs (show the student how the dogs work), drug ID kit, effects on the body and legal ramifications of drug abuse both on and off campus.

- Student Wellness and Prevention Services
- Alcohol and Other Drug Counseling
- Alcohol and Other Drug (AOD) Counseling is an opportunity to explore your overall health and well-being, in relation to personal use of alcohol/drugs, or in relation to someone else's use of alcohol/drugs. Counseling is a confidential, supportive place to discuss what is happening in your life, with a professional who will:
 - Be caring
 - Listen
 - Help you be objective
 - Provide helpful information
 - Explore alternatives

AOD counseling can be a single session consultation, short term (2 to 6 sessions), or longer depending on the goals you want to accomplish. These sessions will help you address troubling experiences or feelings, or can be used to support changes you wish to make in your life. In addition, a counselor is available to assist with families and /or individuals in making referrals for outpatient treatment services, including inpatient treatment and rehabilitation. The demands of college life are stressful enough, and AOD counseling can give you a better chance to succeed academically and in your personal life.

Substance Education and Resources

Appalachian's Wellness and Prevention Services has numerous links to learn about the resources, services, and programs available to Appalachian students to prevent and reduce the consequences associated with the use and abuse of alcohol, tobacco and other drugs.

- Counseling
- Overdose Prevention
- Gambling
- Alcohol
- Tobacco
- Marijuana
- Prescription Drugs
- Date Rape Drugs
- MDMA (Ecstasy, Molly, etc.)
- Sizzurp (other names: "purple drank," "syrup" and "lean")
- Cocaine
- GHB
- Ketamine
- Rohypnol
- Energy Drinks
- Education and Risk Reduction
- Appalachian Resources and Links

Student Wellness and Prevention Services: (828) 262-3148.

Confidential appointments for drug or alcohol concerns for yourself or for a friend. We are located on the 2nd floor of the Miles Annas Building (post office building).

Health Service: (828) 262-3100.

Confidential walk-in or appointment health care. Located on the 2nd floor of the Miles Annas Building (post office building).

Counseling Center: (828) 262-3180

Confidential appointments for any type of concern including anxiety, depression, stress, etc. Located on the 1st floor of the Miles Annas Building (post office building).

Office of Student Conduct: (828) 262-2704.

Addresses alcohol and other drug violations both on and off-campus. Located on the 3rd floor of the Student Union (new addition). View the Code of Student Conduct on the website for more information about the policies and sanctions for alcohol and other drug use and abuse.

General Alcohol, Tobacco and Other Drugs Links

[National Institute of Drug Abuse](#)

NIDA provides research reports, answers commonly-asked questions and gives related links.

[MEDLINEplus Health Information](#)

This site will give you links to drug facts, prevention and screening, research, treatment and statistics. Information available in Spanish.

DanceSafe.

DanceSafe is a harm-reduction web site centered on drugs found in nightclubs and raves. The site offers drug information, a [risk assessment](#), ecstasy testing kits and e-news.

[National Clearinghouse for Alcohol and Drug Information](#)

NCADI provides alcohol and drug facts, research briefs and related resources.

[National Institutes of Health Club Drugs Site](#)

Provides trends and statistics, research reports and [health information](#) on club drugs.

Location:

Miles Annas Student Services Building
614 Howard Street

Phone: (828) 262-3148

Fax: (828) 262-8452

<http://wellness.appstate.edu/pagesmith/56>

<http://healthservices.appstate.edu/>

<http://hr.appstate.edu>

Parent Information Campaign

Information on a number of concerns and risk for freshmen is presented to parents during their summer orientation program. Parent Connections, a publication distributed to parents at Parent Orientation, includes detailed information on alcohol and other drugs. In addition, the publication “Parenting with Families” is sent to parental contacts for students when the Office of Student

Conduct initiates their parental notification due to an alcohol violation. Information is also made available to parents of current and prospective students at the Annual Family Day and Spring Open House events.

STANDARDS OF CONDUCT

Prohibited Conduct

As citizens, students and employees are responsible for knowing about and complying with provisions of applicable federal, state and foreign laws that make it a crime to possess, sell, deliver or manufacture those drugs designated collectively as "controlled substances," as well as those laws that related to sale, possession and use of alcoholic beverages. Any member of the University community who violates pertinent state, federal or foreign laws or University policy regarding these subjects may be disciplined.

The Drug-Free Workplace Act of 1988 and related regulations (34 C.F.R. 84.100 *et seq.*) require that any employee who is convicted of any criminal drug statute violation occurring within the University community must notify the appropriate supervisor or management person no later than five (5) calendar days after such conviction. Any employee who fails to provide notification shall be subject to disciplinary action up to and including dismissal. Within 30 days after receipt of notice of the conviction, the University must either take appropriate personnel action against the employee or require the employee to participate satisfactorily in an approved drug abuse assistance or rehabilitation program. The University may, at any time, initiate its own disciplinary proceedings against a student, faculty member, administrator or other employee when the alleged conduct (either on-campus or off-campus) is deemed to affect the interests of the University.

Penalties will be imposed for violation of the policies of Appalachian only in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators and other employees, respectively. The penalties that may be imposed range from written warnings with probationary status to expulsion from enrollment and discharge from employment.

Faculty members who violate the University's policy on the illegal or abusive use of alcohol and other drugs will be subject to disciplinary action in accordance with personnel policies outlined in the University's Faculty Handbook.

EHRA administrative personnel who violate the University's policy on the illegal or abusive use of alcohol and other drugs will be subject to disciplinary action in accordance with personnel policies outlined in the Appalachian State University EHRA Administrative Personnel Handbook, University's Policy 602.3 Employee Abuse of Alcohol and Other Drugs and in accordance with applicable personnel policies outlined in *The UNC Policy Manual*, Chapter 100.1 – *The Code* Section 611 and *UNC Policy Manual* 301.1.1 or 300.2.1.

Staff employees who violate the University's policy on the illegal or abusive use of alcohol and other drugs will be subject to disciplinary action described in ADM Appendix 4 on the basis of policy and procedure outlined in the Staff Employee Handbook and Appalachian State University Resource Manual.

Students who violate the University's policy on the illegal or abusive use of alcohol and other drugs will be subject to disciplinary action in accordance with the provisions stated in the University's Code of Student Conduct

UNIVERSITY SANCTIONS

Alcohol

The possession and use of alcohol on the campus of the University must comply with the laws of the State of North Carolina and with campus regulations and procedures. The acquisition, possession, transportation and consumption of alcohol by anyone under 21 years of age is prohibited. Alcohol may be possessed or consumed on University property only by persons 21 years of age or older in their rooms or in appropriately licensed and/or approved campus facilities. Persons are expected to assume responsibility for their own behavior while drinking and must understand that being under the influence of alcohol in no way lessens their accountability to the University community. Offenders will be dealt with through established University policies and procedures.

Trafficking in Illegal Drugs

The following minimum penalties shall be imposed for the particular offenses described: For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedule I, North Carolina General Statutes, section 90-89, Schedule II, North Carolina General Statutes, section 90-90 (including, but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone) or similar relevant provisions of federal or foreign law, any student shall be expelled and any faculty member, administrator or other employee shall be discharged. For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedules III through VI, North Carolina General Statutes, sections 90-91 through 90-94 (including, but not limited to, marijuana, pentobarbital, and codeine) or similar relevant provisions of federal or foreign law, the minimum penalty shall be suspension from enrollment or employment for a period of at least one semester or its equivalent. SHRA employees will be dismissed in accordance with provisions stated in ADM Appendix 4. For a second offense, any student shall be expelled and any faculty member or EHRA administrative employee shall be discharged.

Illegal Possession of Drugs

For a first offense involving the illegal possession of any controlled substance identified in Schedule I, North Carolina General Statutes, section 90-89 or Schedule II, North Carolina General Statutes, section 90-90, or similar relevant provisions of federal or foreign law, the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent. SHRA employees will be dismissed in accordance with provisions stated in ADM Appendix 4. For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, North Carolina General Statutes, sections 90-91 through 90-94, or similar relevant provisions of federal or foreign law, the minimum penalty shall be probation, for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the Chancellor or the Chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation

shall result in suspension from enrollment or from employment for any unexpired balance of the prescribed period of probation. For second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators or other employees.

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 academic 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 a law breaker from criminal prosecution and punishment. The constitutional concept of "double jeopardy" does not prevent state and/or federal prosecution and University punishment for conduct that violates state, federal or foreign law and University policy. A summary of North Carolina alcohol and drug laws is available below. The information provided below is illustrative, not exhaustive or a definitive statement of all applicable laws, but rather it indicates the types of conduct that are against the law and the range of legal sanctions that can be imposed for such conduct. More detailed and current information is available from University Police and the North Carolina General Statutes. A further overview of federal laws governing the manufacture, possession, use and distribution of alcohol and illegal drugs is available at: <http://www.justice.gov/dea/druginfo/ftp3.shtml>.

NC DRUG LAWS

Types of Drugs	Possession	Possession With Intent to Sell or Deliver; To Manufacture; or to Sell and/or Deliver	North Carolina Statute
Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Mushrooms), other Hallucinatingogens, Methaqualone (Quaaludes), Phencyclidine (PCP), and MDA	Maximum Penalty: Five (5) years in prison and/or fine (felony)	Maximum Penalty: Ten (1) years in prison and/or fine (felony)	§ 90-89
Schedule II: Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Secondal, Nembutal, Cocaine, Ampohetamines 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.	Maximum Penalty: Ten (10) years in prison and/or fine (felony)	§ 90-90

<p>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.</p>	<p>Maximum Penalty: Possession of less than 100 tablets, capsules, other dosage units or equivalent quantity: Two (2) years in prison and/or fine (misdemeanor)</p> <p>To possess more than 100 tablets, capsules, other dosage units or equivalent quantity: Five (5) years in prison and/or fine (felony)</p>	<p>Maximum Penalty: Five (5) years in prison and/or fine (felony)</p>	<p>§ 90-91</p>
<p>Schedule IV: Barbiturates, narcotics, and stimulants including Valium, Talwin, Librium, Equanil, Darvon, Davocet, Placidyl, Tranzene, Serax, Ionamin (yellow jackets)</p>	<p>Maximum Penalty: Same as Schedule III</p>	<p>Maximum Penalty: Five (5) years in prison and/or fine (felony)</p>	<p>§ 90-92</p>
<p>Schedule V: Compounds that contain very limited amounts of codeine, dihydrocodeine, ethylmorphine, opium, and atropine, such as Terpene Hydrate with codeine, Robitussin AC</p>	<p>Maximum Penalty: Six (6) months in prison and/or fine (misdemeanor)</p>	<p>Maximum Penalty: Five (5) years in prison and/or fine (felony)</p>	<p>§ 90-93</p>
<p>Schedule VI: Marijuana, THC, Hashish, Has Oil, Tetrahydrocannabinol</p>	<p>Maximum Penalty: Possession of less than ½ ounce of Marijuana or 1/20 ounce Hashish: 20 days in prison and/or \$200 fine (misdemeanor). If Marijuana, the sentence must be suspended.</p> <p>Possession of more than ½ ounce of Marijuana or 1/20 ounce Hashish: 120 days in prison and/or fine up to \$500 (misdemeanor)</p> <p>Possession of more than 1 ½ 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: Twelve (12) months in prisons and/or fine (felony)</p>	<p>Maximum Penalty: Delivery of less than 5 grams of marijuana for no compensation is not considered sale or delivery, but may still be prosecuted as possession.</p> <p>Less than 10 pounds: a Class H felony punishable by up to 8 months in prison and a discretionary fine for the first offense.</p> <p>In excess of 10 pounds, but less than 50 pounds: a Class H felony and shall be sentenced up to a maximum of 39 months in prison, and fined \$5,000.</p> <p>50 pounds but less than 2,000 pounds: a Class G felony and shall be sentenced up to a maximum term of 51 months in prison, and fined \$25,000</p> <p>2,000 pounds but less than 10,000 pounds: a Class F felony and shall be sentenced up to a maximum term of 93 months in prison, and fined \$50,000.</p> <p>10,000 pounds or more: a Class D felon and shall be sentenced up to a</p>	<p>§ 90-94</p>

		maximum term of 222 months in prison, and fined not less than \$2000,000.	
Drug Paraphernalia	Maximum Penalty: One hundred twenty (120) days in prison and/or fine (misdemeanor).	Maximum Penalty: One hundred twenty (12) 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: One (1) year in prison and/or fine (felony). It is unlawful for any person to purchase or otherwise procure an advertisement in any newspaper, magazine, handbill, or other publication, or purchase or otherwise procure an advertisement on a billboard, sign, or other outdoor display, when he knows that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia Sixty (60) days in prison and/or fine (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.	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 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 fined up to \$1,000 (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	1st Offense: Jail – 24 hours; Fine - \$200; License Suspension – 60 days to 1 year; 2nd Offense: Jail – 4 days; Fine – varies; License Suspension – 1 to 4 years;	§ 20-138.1

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.	3rd Offense: Jail – 14 days to 2 years; Fine – varies; License Suspension – 1 year to permanent	
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; 2nd Offense: Jail – 4 days; Fine – varies; License Suspension – 1 to 4 years; 3rd 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 for Schedules I, II, III, IV, and V (except Marijuana)

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. 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 bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. 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 bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	

II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual
Substance/Quantity				
Any Amount Of Other Schedule I & II Substances		First Offense: Not more 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 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.		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		First Offense: Not more than 10 yrs. If death or serious bodily 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.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		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.		
Any Amount Of All Schedule V Drugs		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 for Marijuana, hashish and Hashish Oil, Schedule 1 Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	First Offense: 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 \$10 million if an individual, \$40 million if other than an individual. Second Offense: Not less than 20 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 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	First Offense: 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 \$5 million if an individual, \$25 million if other than an individual. Second Offense: 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 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	First Offense: Not more 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. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Hashish More than 1 kilogram	
Hashish Oil More than 1 kilogram	
Marijuana Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	First Offense: Not more than 5 yrs. Fine not more than \$250,00, \$1 million if other than an individual. Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

OVERSIGHT RESPONSIBILITY

The Dean of Students & Associate Vice Chancellor for Student Development and Clery Act Compliance Coordinator shall serve as the main contacts that will have oversight responsibility of the DAAPP including, but not limited to: updates, coordination of information required in the DAAPP, coordination of the annual notification to employees and students, and the biennial review. They will work in conjunction with the Health and Safety Committee during the biennial reviews and will work with other university officials to ensure that policy information is current and disseminated to all campus constituents.

REFERENCES

University of North Carolina Policy on Illegal Drugs, *The UNC Policy Manual*, 1300.1

Drug-Free Workplace Act of 1988, 41 U.S.C.A. 701 *et seq.*, 34 C.F.R. 85.600 *et seq.*

Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C.A. 1145g, 34 C.F.R. 86

The University of North Carolina Policy Manual The Code Section 502D(3) and Section 603

North Carolina General Statutes 18B-102

The Federal Controlled Substances Act (21 U.S.C.)

The Department of Justice, Drug Enforcement Agency, https://www.dea.gov/druginfo/ftp_chart1.pdf