

Policy 6.02

Drug and Alcohol Abuse Policy

Beaufort County Community College (BCCC) is committed to providing its employees and students with a safe and healthy environment. Beaufort County Community College also recognizes the use of alcohol and illegal use of controlled substances on campus grounds is detrimental to the health and safety of students, staff, faculty, and visitors. In compliance with federal requirements of the [Drug-Free Schools and Communities Act \(DFSCA\) of 1989](#) and the [Drug-Free Workplace Act of 1988 \(41 U.S.C.A. § 8103\)](#) to have a drug and alcohol abuse prevention program, the College developed a drug and alcohol program for employees and students. Beaufort County Community College also recognizes that it has the legal authority to establish policies addressing drug and alcohol use pursuant to 1C SBCCC 200.94.

1. 1. Drug-Free Workplace Act of 1988 (41 U.S.C.A. § 8103): The purpose of this Act is to require all federal grantees to agree that they will provide drug-free workplaces as a precondition of receiving a contract or grant from a federal agency. BCCC receives federal funding and must comply with this Act.

https://www.samhsa.gov/sites/default/files/programs_campaigns/division_workplace_programs/drug-free-workplace-act-1988.pdf

2. Drug-Free Schools and Communities Act Amendments of 1989: The purpose of this act is to require institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs for faculty, staff, and students. BCCC is an institution of higher education and must comply with this Act.

<https://www.congress.gov/bill/101st-congress/house-bill/3614>

Therefore, Beaufort County Community College has set campus policies with the intent to accomplish the following:

1. prevent substance abuse through a strong educational effort;
2. encourage and facilitate the use of counseling services and rehabilitation programs by those members of the academic community who require their assistance in stopping substance abuse; and
3. discipline appropriately those members of the academic community who engage in illegal drug or alcohol related behaviors

Prohibitions

Illegal use or possession of controlled substances is prohibited by students, employees, and visitors:

1. on all campus properties or grounds including buildings, facilities and vehicles owned by or representing Beaufort County Community College;
2. at College-sponsored, conferences, meetings, activities, cultural events, trips or activities representing the College.
3. Use of alcohol is prohibited by employees, and visitors except as outlined in the provisions of the Facility Use Policy:
4. on all campus properties or grounds including buildings, facilities and vehicles owned by or representing Beaufort County Community College;

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5. Use of alcohol is prohibited by students:
6. on all campus properties or grounds including buildings, facilities and vehicles owned by or representing Beaufort County Community College;
7. at College-sponsored conferences, meetings, activities, cultural events, or trips.

The College will adopt and implement a drug and alcohol prevention program that, at a minimum, includes an annual distribution to each student and employee of the campus that clearly discusses the following:

1. The standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees on the institution's property or as part of any of the institution's activities.
2. A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illegal drugs and alcohol.
3. A description of the health-risks associated with the use of illegal drugs and the abuse of alcohol.
4. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
5. A clear statement that the institution will impose sanctions on students and employees (consistent with local, State, Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by (1) above.

The College will perform a biennial review of the institution's drug and alcohol abuse program at each campus that:

1. Determines the program's effectiveness and any needed changes,
2. Determines the number of drug and alcohol related violations and fatalities,
3. Identifies the number and type of sanctions imposed, and
4. Ensures that the sanctions are consistently enforced.

Data and methods used to support conclusions contained in review must be maintained and available upon request.

The Connecting Area Resources to Everyone (CARE) Team is responsible for the development and implementation of the Drug and Alcohol Program. The CARE team is a supportive service available to all students enrolled at the college who may need resources and intervention in order to successfully complete their academic goals. As such, the team will strongly encourage members of the campus community to report any students who have demonstrated suspicious behaviors that indicate a student may be struggling with, alcohol and/or drug use. The CARE team will review and assess the information and provide students with the necessary support, referrals, and treatment options as appropriate.

Educational Efforts to Prevent Substance Abuse

In keeping with its primary mission of education, BCCC will conduct an educational program aimed at preventing substance abuse and illegal drug or alcohol use.

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Educational efforts shall be directed toward all staff, faculty, and students and will include:

1. information about the incompatibility of the use or sale of illegal substances with the goals of BCCC;
2. the health hazards associated with illegal drug or alcohol use;
3. the incompatibility of substance abuse with the maximum achievement of educational, career, and other personal goals;
4. the medical implications and health risks associated with illegal drug use and substance abuse; and
5. the potential legal consequences of involvement with illegal drugs or alcohol.

Drug and Alcohol Programs for Students and Employees

BCCC encourages employees and students to seek help overcoming drug or alcohol abuse. Early recognition and treatment are important for successful rehabilitation. Students may contact the Counseling Department for assistance regarding counseling and treatment referral services. Employees may contact the Human Resources Office for assistance and referral services.

Programs for Students on Campus

1. BCCC will display information and resource guides regarding drug and alcohol referrals and resources in on the campus monitors.
2. The Counseling Department will provide literature for students with informational brochures from area non-profits and other centers. Information will include resources for alcohol and substance abuse.
3. Instructors will teach a segment of ACA 111 and ACA 122 on the importance of a drug free campus and the health risks associated with abuse of drugs and alcohol.
4. All students will receive the following information each semester via email:
5. The College's philosophy on providing an environment free of drug and alcohol abuse
6. Educational efforts to prevent drug and alcohol abuse
7. Counseling and rehabilitation services for drug and alcohol abuse
8. The College's policies and procedures on drug and alcohol abuse and possible disciplinary consequences
9. Common types of drugs in society
10. Information is available through the counseling staff in Student Services for community services to which students may be referred for assistance with drug and alcohol addictions.

Programs for Employees

1. Assistance with drug and alcohol abuse and prevention for College employees will be handled through the Human Resources Department and the Employee Assistance Program.
2. Annual notification will be distributed to all current employees via BCCC employee email accounts. Distribution will occur in August of each year. In addition,

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new employees will be provided with a copy of the program during or immediately following their new employee orientation.

3. Annual mandatory training will be provided for all full-time, part-time regular and adjunct curriculum instructors on a Drug Free Workplace. The training will cover the effects of substance abuse, signs of substance abuse and a description of the health risks and symptoms of commonly abused drugs.

Counseling and Rehabilitation Services to Prevent Substance Abuse

Those faculty, staff, or students who seek assistance with a substance abuse related problem shall be provided with information about drug counseling and rehabilitation services available through BCCC and community organizations. Those who voluntarily avail themselves of College services shall be assured that applicable professional standards of confidentiality will be observed.

1. Student Alcohol and Drug Treatment. For students who may experience an alcohol or substance abuse problem while enrolled at the College, a substance abuse counseling program is available. Students may call the Student Services Counseling Office at (252) 940-6252 for services and referrals.

2. Employee Alcohol and Drug Treatment. For employees who may experience an alcohol or substance abuse problem while employed at the College, the College's Employee Assistance Program (EAP) is available. Employees may call the Department of Human Resources at (252) 940-6204 for more information regarding the EAP.

Resources for Students and Employees

Misuse of drugs and alcohol often come with legal, personal, and academic consequences. BCCC will encourage students and employees to utilize treatment services and referral resources to address alcohol and drug use. If a student or employee has questions, needs counseling, treatment or rehabilitation programs, the College provides the following support services:

Resources for Students

Student alcohol and drug abuse referrals will be sent to the Director of Counseling for an initial assessment. Access to appropriate mental health/substance abuse resources will be shared with the student. Assistance in with contacting Mobile Crisis or other providers, to discuss further clinical evaluations and interventions, will be provided to students who choose this option. College staff will follow up with students to provide ongoing support as needed.

The BCCC Counseling Resources page, provides a Resource Directory that includes information on substance abuse/prevention.

Resources for Employees

BCCC will encourage the identification and treatment of alcohol and chemical dependency in its preliminary stages before work is affected. The College has retained the services of an Employee Assistance Program (EAP) to assist employees who request help with substance abuse.

Employees afflicted by substance dependence may be eligible for leave under the Family and Medical Leave Act and should consult with the Human Resources Department for more information regarding these benefits.

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When appropriate, students and employees are referred to off-campus treatment providers, which include the following:

1. NC Drug Abuse Hotline 1-800-688-4232
2. Treatment Referral Routing Services 1-800-662-HELP (4357)
3. Mobile Crisis 1-866-437-1821
4. Walter B. Jones Alcohol & Substance Abuse Treatment 252-830-3426
5. Alcoholism/Drug Abuse Alcoholics Anonymous (AA) 252-947-5317
6. Port Human Services DETOX Facility-Based Crisis Services 252-413-1637
7. The Family Wellness Center 1035 C Director Court 252-215-9011 Greenville, North Carolina 27858

National Resources

1. National Alcohol and Drug Abuse Help Line 1-800-821-4357
2. Alcohol Abuse 24 Hour Hotline 1-800-950-7226
3. Department of Drug Enforcement: Drug Fact Sheets
4. Narcotics Anonymous
5. National Institute on Alcohol Abuse and Alcoholism
6. National Institute on Drug Abuse (NIDA)
7. NIDA's Principles of Drug Addiction Treatment

Drug and Alcohol Health Risk Outlined below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration website. [A complete resource guide provided by the U.S. Department of Justice, Drug Enforcement Administration can be obtained by following this link.](#)

Alcohol

Alcohol (beer, wine, or liquor) has a high potential for physical and psychological dependence and increased tolerance. Possible effects include impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may include trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions. Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. Alcohol use is often related to acquaintance rape and failure to protect oneself from sexually transmitted diseases (STDs). Additionally, alcohol-related accidents are the number one cause of death in the 16- to 24-year-old age group.

Narcotics

Narcotics (including heroin, morphine, hydrocodone, oxycodone, codeine, and others) have a high potential for physical and psychological dependence and increased tolerance. The possible effects of using narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Overdose may result in shallow breathing, clammy skin, convulsions, coma, and death. Withdrawal may include irritability, tremors, panic, nausea, chills, and sweating.

Other Depressants

Other depressants (including GHB or liquid ecstasy, valium, Xanax, Ambien, and barbiturates) have a potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible side effects include slurred speech, disorientation, appearance of intoxication, and impaired memory. Overdose may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, and possible death. Withdrawal may include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants

Stimulants (including cocaine, methamphetamine, and methylphenidate) have a possible risk of physical dependence and elevated risk for psychological dependence. Tolerance can develop in all stimulants. The possible side effects include increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and decreased appetite. Overdose may result in agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal may result in apathy, prolonged periods of sleep, irritability, depression, and disorientation.

Hallucinogens

Hallucinogens (including MDMA, LSD, Phencyclidine, and others) are less likely to result in physical dependence, except for phencyclidines and analogs, and vary in terms of psychological dependence, ranging from none to moderate (MDMA) to high (phencyclidine and analogs). Tolerance can develop. Possible effects include heightened senses, teeth grinding, and dehydration (MDMA and analogs) and hallucinations, altered perception of time and distance in other types of hallucinogens. Overdose may result in increased body temperature and cardiac arrest for MDMA and more intense episodes for LSD. Some hallucinogens may result in muscle aches and depression when in withdrawal (MDMA) or may result in drug seeking behavior.

Cannabis

Cannabis includes marijuana, tetrahydrocannabinol (THC), and hashish or hashish oil. All may result in moderate psychological dependence with THC resulting in physical dependence. Tolerance can develop in all forms. Possible effects include euphoria, relaxed inhibitions, increased appetite, and disorientation. Overdose may result in fatigue, paranoia, and possible psychosis. Withdrawal may occasionally result in insomnia, hyperactivity, and decreased appetite.

Anabolic Steroids

Anabolic Steroids (including testosterone and others) may result in psychological dependence. Less is known as to their potential for physical dependence and increased tolerance levels. Possible effects may include virilization, edema, testicular atrophy, gynecomastia, acne, and aggressive behavior. Effects of overdose are unknown. Withdrawal may possibly include depression.

Inhalants

Inhalants (including amyl and butyl nitrite, nitrous oxide, and others) vary in their level of psychological dependence, with less known about their potential for physical dependence and tolerance. Possible effects may include flushing, hypotension, headache, impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in methemoglobinemia, vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may result in agitation, trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

Warning Signs of Drug and/or Alcohol Abuse

According to the [Mayo Clinic](#), some common behavior changes you may notice if someone is abusing drugs and alcohol are:

1. Sudden or extreme change in friends, eating habits, sleeping patterns, physical appearance, coordination, or school performance
2. Loss of interest in hobbies or family activities
3. Hostile or uncooperative attitude
4. Secrecy about actions or possessions
5. Stealing money or an unexplained need for money
6. Medicine containers, despite a lack of illness, or drug paraphernalia in the individual's room
7. An unusual chemical or medicine smell on the individual or in the individual's room

Additional Information on Health Risks Associated with Substance Abuse:

1. <https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>
2. <https://www.niaaa.nih.gov/alcohols-effects-health/alcohols-effects-body>
3. <https://www.cdc.gov/pwid/addiction.html>
4. <https://archives.drugabuse.gov/publications/media-guide/science-drug-use-addiction-basics>

Enforcement and Penalties Related to Unlawful Drug Possession and Use or Distribution of Illegal Drugs and/or Alcohol

Students, faculty, staff members, and other employees are responsible, as citizens, for knowing about and complying with the provisions of North Carolina law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as “controlled substances” in Article 5 of Chapter 90 of the North Carolina General Statutes. Any staff, faculty or student who violates that law is subject both to prosecution and punishment by judicial or local authorities and to disciplinary proceedings by the College. It is not “double jeopardy” for both the civil authorities and the College to proceed against and discipline a person for the same specified conduct. The College will initiate its own disciplinary proceedings against a student, faculty member, administrator, or other employee when the alleged conduct is deemed to affect the interests of the College.

Penalties will be imposed by the College in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees, as required by applicable BCCC policy.

Penalties to be imposed by the College 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 and discharge from employment. The College may also refer matters to law enforcement for prosecution.

1. For second or other subsequent offenses involving illegal drugs or alcohol, progressively more severe penalties shall be imposed.
2. When considering appropriate sanctions for students found responsible for an offense involving illegal drugs or alcohol, the College will sanction consistent with, and through the procedures outlined in, the Student Code of Conduct.
3. When considering appropriate disciplinary action for employees found responsible for a violation of this policy, the College will consider the relationship between the

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offense and the employee's position and job performance, including assessment of the nature and gravity of the offense or conduct, the time that has passed since the offense or conduction and the nature of the job held. The penalties to be imposed by the College may range from written warnings with probationary status to discharge (or other separation) from employment.

A student, faculty, staff member or other employee found to have violated applicable law or College policies concerning illegal drugs or substance abuse may be required 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 president or the president's designee deems appropriate. Refusal or failure to abide by such conditions and restrictions may result in additional disciplinary action, up to and including expulsion from enrollment and discharge (or other separation) from employment.

Suspension. When a student, faculty, staff member, or other employee has been charged by the College with a violation of policies concerning illegal drugs or alcohol, in accordance with the Student Code of Conduct or the policies/regulations that apply to that particular employee, he or she may be suspended from enrollment or removed from work before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the president or, the president's designee, concludes that the person's continued presence within the College would constitute a clear and immediate danger to the health or welfare of other members of the College. If such a suspension or removal from work is imposed on an employee, it is with full pay until the time of an appropriate opportunity to be heard on the alleged charges against the suspended person, which shall be held as promptly as possible thereafter.

Notification by Employees. In the case of employees, under the Drug-Free Workplace Act of 1988, anyone convicted of a criminal drug statute violation shall notify the College no later than five (5) business days after such conviction. The College should commence with appropriate disciplinary action proceedings against such an individual within thirty business (30) days of notice of conviction. Failure to notify the College by employees may result in disciplinary action upon discovery by the College of said conviction.

Federal, State, and Local Laws

Federal Drug and Alcohol Laws:

Federal law imposes restrictions on the possession, distribution, and illegal sale of any controlled substance, and the sale or distribution of drug paraphernalia. Substances are grouped into five categories in order to easily impose restrictions on several Substances at once instead of having to draft laws on each individual substance The law prohibiting unauthorized possession of any controlled substances is found in 21 USC 844.

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance 21 U.S.C. 844 (a)

1st conviction: Up to 1-year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

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After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000 or both.

Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both if:

- 1st conviction and the amount of crack possessed exceed 5 grams.
- 2nd crack conviction and the amount of crack possessed exceed 3 grams.
- 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment.

(See

special sentencing provisions re: crack).

21 U.S.C. 881 (a) (4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844 a

Civil fine of up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 853a

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g)

Ineligible to receive or purchase a firearm.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

Federal Controlled Substances Chart

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance	Penalty	Substance	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.	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
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	

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I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	an individual.
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture	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.	Methamphetamine 50 grams or more pure or 500 grams 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.
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

Substance/Quantity	Penalty
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.
Any Drug Product Containing Gamma Hydroxybutyric Acid	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	
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 severe 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 I Substances

Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana	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, \$50 million if other than an individual.
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plants	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, \$50million 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.
Hashish More than 10 kilograms	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 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 \$250,000, \$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	First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.
Hashish Oil 1 kilogram or less	Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.

State Drug and Alcohol Laws:

Most students and employees who choose to participate in illegal drug related activities will be prosecuted under North Carolina law. The [North Carolina Controlled Substances Act](#) prohibits possession of any controlled substance, possession with intent to distribute, and trafficking in any controlled substance. North Carolina has its own scheduling system. See the links below to find more in-depth information concerning North Carolina's Controlled Substances Act.

1. https://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_90/article_5.html
2. <https://www.alcoholproblemsandsolutions.org/north-carolina-alcohol-laws-aware/>

North Carolina's Controlled Substances Chart

Each drug in North Carolina is categorized in a Schedule. Schedule I drugs are the most serious. To make you aware of the potential penalty for possession or trafficking illegal drugs, North Carolina has a chart to determine mandatory minimums in drug trafficking cases.

Schedule	Substance	First Offense	Second Offense
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<p>Schedule I Has a high potential for abuse. It has no medical use. Has a lack of accepted safety.</p>	<p>Heroin Ecstasy GHB Methaqualone Peyote Opiates (and others)</p>	<p>First Offense Class I Felony 4-5 Months</p>	
<p>Schedule II Has a high potential for abuse. It has accepted medical use with severe restrictions. Abuse may lead to physical or psychological dependence.</p>	<p>Cocaine Raw Opium Opium Extracts, Fluid and Powder Codeine Hydrocodone Morphine Methadone Methamphetamine Ritalin (and others)</p>	<p>First Offense Class 1 Misdemeanor 45 Days in Jail</p>	<p>Second Offense Class I Felony 4-5 Months</p>
<p>Schedule III It has potential for abuse, but less than Schedule I or II substances. It has an accepted medical use. Abuse may lead to limited dependence.</p>	<p>Ketamine Anabolic Steroids Some Barbiturates (and others)</p>	<p>First Offense Class 1 Misdemeanor 45 Days in Jail</p>	<p>Second Offense Class I Felony 4-5 Months</p>
<p>Schedule IV Has low potential for abuse. It has an accepted medical use. Abuse may lead to limited dependence.</p>	<p>Valium Xanax Rohypnol Darvon Clonazepam Barbital (and others)</p>	<p>First Offense Class 1 Misdemeanor 45 Days in Jail</p>	<p>Second Offense Class I Felony 4-5 Months</p>
<p>Schedule V It has low potential for abuse. It has an accepted medical use. Abuse may lead to limited dependence.</p>	<p>Over the counter cough medicines with codeine (and others)</p>	<p>First Offense Class 2 Misdemeanor 30 Days in Jail</p>	<p>Second Offense Class 1 Misdemeanor 45 Days in Jail</p>
<p>Schedule VI It has low potential for abuse. It has no accepted medical use.</p>	<p>Marijuana Hashish Hashish Oil</p>	<p>First Offense Class 3 Misdemeanor</p>	<p>Second Offense Class 2 Misdemeanor 30 Days in Jail</p>

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Abuse may lead to limited dependence.		10 Days in Jail or Suspended Sentence	
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Illegal Trafficking Penalties:

Marijuana	10 – 49 lbs. 50 – 1,999 lbs. 2,000 – 9,999 lbs. 10,000 lbs. or more	Class H Felony 25 – 30 Months Class G Felony 35 – 42 Months Class F Felony 70 – 84 Months Class D Felony 175 – 219 Months	\$5,000 Fine \$25,000 Fine \$50,000 Fine \$200,000 Fine
Heroin	4 – 13 grams 14 – 27 grams 28 grams or more	Class F Felony 70 – 84 Months Class E Felony 90 – 117 Months Class C Felony 225 – 279 Months	\$50,000 Fine \$100,000 Fine \$250,000 Fine
Cocaine	28 – 199 grams 200 – 399 grams 400 grams or more	Class G Felony 35 – 42 Months Class F Felony 70 – 87 Months Class D Felony 175 – 219 Months	\$50,000 Fine \$100,000 Fine \$250,000 Fine
Methamphetamines	28 – 199 grams 200 – 399 grams 400 grams or more	Class F Felony 70 – 84 Months Class E Felony 90 – 117 Months Class C Felony 225 – 279 Months	\$50,000 Fine \$100,000 Fine \$250,000 Fine

More in depth information concerning penalties is available in [N.C.G.S. 90-95 Page 1 § 90-95. Violations.](#)

Local Drug and Alcohol Laws

Local drug and alcohol laws follow state laws.

Drug and Alcohol Testing of Employees

Any drug/alcohol screening is conducted in an approved laboratory identified by the College and in accordance with the NC Controlled Substance Examination Regulation Act. All drug/alcohol screens must be approved by, and coordinated through, the Human Resources Department. Drug and/or alcohol testing may occur under the following circumstances:

Post-Offer, Pre-employment Testing: Pre-employment drug screens are required for employees in certain safety-sensitive positions and/or positions requiring a valid operator’s license. Pre-employment drug testing is also required in College programs

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where such screening is a requirement for placement at clinicals or other sites. Before employment with the College commences, these particular applicants who have been given a conditional offer of employment may be required to satisfactorily complete a drug test pursuant to the College's guidelines. In the event an applicant's test results are positive, the applicant will not be considered further for employment with the College, the application will be terminated and such applicant shall have no further rights or privileges under this procedure or otherwise with the College.

Post-Accident/Unsafe Activity Testing: If an employee's impairment could have been a factor in causing the accident or unsafe activity, the College may require the employee to submit to a drug and/or alcohol test after any work-related accident. If the employee is too seriously injured to provide a sample and/or specimen, authorization must be provided for the College to obtain and review hospital records or other documents that would indicate whether there were any prohibited drugs or alcohol in the employee's system at the time of the accident or unsafe activity. The College will treat any such records as confidential medical records. If testing is required under this policy, post-accident/unsafe activity testing should be conducted as soon as possible after an accident or unsafe activity, generally within 32 hours in the case of drug testing, and within 8 hours in the case of alcohol testing. An employee must not use alcohol following an accident or unsafe activity for which a post-accident/unsafe activity alcohol test is required until the alcohol test has been conducted.

Reasonable Suspicion/For Cause Testing: If the College has a reasonable suspicion that an employee is in violation of the 6-15 Drug Free Workplace Policy, the employee may be required to submit to drug and/or alcohol testing immediately upon request by his or her supervisor or any other member of management. The decision to test an employee should be based on specific and contemporaneous observations concerning the appearance, behavior, or body odor of the employee, or performance indicators of probable prohibited drug use and/or alcohol misuse. This may include involvement in any unusual circumstance that merits further investigation, violence, conduct exhibiting less than total consciousness or self-control, difficulty in performing normal tasks and other behavior for which there appears to be no explanation. The supervisor or other College administrator will arrange for transportation of the employee to an approved testing facility. The employee will not be allowed to drive and will be escorted to the testing facility.

Return to Duty After Testing

An employee who is tested will not be allowed to return to duty if the drug or alcohol test result is positive. The employee will be instructed to make arrangements to be transported home.

Notice and Consent

Prior to drug or alcohol testing conducted under this policy, the individual will be required to sign a written consent form, which will authorize the test to be performed and the urine sample or other sample or specimen to be collected, and will authorize the sample/specimen to be analyzed and the results of the analysis to be communicated to the College, any designated representative of the College and any medical review officer retained by the College. Any applicant who refuses to sign the consent form or to submit to a drug test will not be considered further for employment with the College. Any current employee who refuses to sign the consent form or to submit to a drug or alcohol test will

be subject to disciplinary action up to and including an unpaid suspension or immediate dismissal.

Specimen Collection and Testing Procedures

Drug Testing: The College's independent collection facility will collect specimens under reasonable and sanitary conditions, in a manner reasonably calculated to prevent substitution of samples or specimens and interference with the collection, examination or screening of samples or specimens. Individual dignity and privacy will be preserved to the extent practicable.

1. An initial screening test will be conducted. If the initial screening test is positive, the same sample or specimen will be retested using a confirmation test that complies with applicable law. All confirmation tests will be performed by a laboratory approved under the North Carolina Controlled Substance Examination Act (the "CSERA"). The results of the confirmation test will take precedence over the results of the initial screening test, meaning that the results of the confirmation test must be positive before the test will be considered positive. Confirmed positive test results may be reviewed by a medical review officer retained by the College for verification. The College will be responsible for the cost of the test.
2. An applicant or employee who fails to provide an adequate sample or specimen for testing without a genuine inability to provide the sample or specimen (as determined by a medical evaluation), or who engages in conduct that obstructs the testing process, will be considered to have refused to submit to the test. Adulterated or otherwise unreadable samples or specimens, or samples or specimens that clearly are not authentic, also will be considered as evidence of an applicant's or employee's failure to cooperate with the College and its administration of this policy. If a satisfactory explanation is provided, a new drug test may be performed at the College's discretion. If a satisfactory explanation is not provided, an applicant will not be considered further for employment with the College, and his or her application will be terminated, and an employee will be subject to disciplinary action, up to and including an unpaid suspension or immediate dismissal.
3. An applicant or employee whose test is confirmed positive may request a retest of the original specimen sample by the same or another approved laboratory at his or her expense. The individual must request release of the specimen in writing to the original laboratory within 90 days of the laboratory's notification to the College of a confirmed positive test result, specifying the approved laboratory to which the sample is to be sent. Any applicant or employee requesting a retest will be responsible for all reasonable expenses for chain of custody procedures, shipping and retesting of confirmed positive specimens related to his or her request.

Alcohol Testing: Alcohol tests will be conducted by qualified individuals. The College may utilize an independent medical facility as an alcohol testing site or may permit a law enforcement officer who is competent to administer an alcohol test to conduct the alcohol test. Any designated alcohol testing site will provide for as much privacy as feasible during the testing process.

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An employee who refuses to provide a breath sample, saliva sample, or other sample or specimen, who fails to provide an adequate sample or specimen for testing without a valid medical explanation, or who engages in conduct that obstructs the testing process, will be considered to have refused to submit to the test. If a satisfactory explanation is not provided, an employee will be subject to disciplinary action, up to and including an unpaid suspension or immediate dismissal.

Notification of Results

Upon completion of the requisite procedures at the collection site and at the discretion of Human Resources, the employee may be permitted to resume his or her normal work duties, as is safe and practical, until the College receives the test results. If the test results are negative, the employee will be permitted to return to work without any loss of pay.

An individual who undergoes a drug or alcohol test conducted pursuant to this policy will be notified by the College of the results of any such test if the results are confirmed positive. The College will treat all information relating to an individual's testing as a confidential medical record accessible only to management with a need to know.

Screening and test results will be confidential with disclosure of results provided only to approved Human Resources personnel and those with a need to know. Screening and test results will be maintained separate from other personnel records.

Consequences of Violations

Any applicant who refuses to submit to a drug or alcohol test, has a confirmed positive result in any drug or alcohol test, or otherwise violates this policy will not be considered further for employment with the College, and his or her application will be terminated.

An employee will be immediately dismissed under any of the following circumstances:

1. When he or she refuses to sign a consent and release forms prior to being tested;
2. When he or she refuses to take a drug or alcohol test; or
3. When he or she interferes with the testing process or refuses to cooperate.
4. When the medical review officer advises the College that any employee drug or alcohol test results are verified positive, the following will occur:
5. For the first test in which the employee tests positive, the employee may be given the opportunity to enroll in a drug or alcohol rehabilitation program approved by the College. The expense for such program is the responsibility of the employee. Any employee who refuses to enroll in a program or who fails to successfully complete the program will be dismissed.
 - a. An employee whose job involves a safety-sensitive function may not be allowed to continue working in that job, during the initial drug or alcohol rehabilitation period. The College will use its best efforts to reassign the employee to a no-risk job; however, the College cannot guarantee a job will be available or that the employee will qualify for such job. If there is no available job, the employee must take accumulated leave or leave without pay.
 - b. Once the officials of the drug or alcohol rehabilitation program determine that the employee has successfully completed the program and certifies this to the College, the employee may return to work without any loss of benefits,

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except for salary if he or she was required to take leave without pay.

6. For the second test in which an employee tests positive, the employee will be dismissed from employment and will be classified as ineligible for re-employment.

Alcohol Exception

In recognition of the unique training requirements inherent in standardized field sobriety testing within the context of Continuing Education criminal justice programs, an exception to the general prohibition on alcohol use is hereby established. Trainees participating in standardized field sobriety testing training may be required to consume controlled and limited amounts of alcohol under controlled and supervised conditions, solely to gain practical experience in detecting and assessing impaired individuals. This exception is strictly limited to the training session duration and is not intended to endorse or encourage recreational alcohol consumption, and staff and faculty will follow NCGS 20-139.1 and 10A NCAC 41B.0401-0407. Any deviation from the prescribed guidelines or unauthorized use of alcohol outside the designated training context will be subject to disciplinary action in accordance with the overarching drug and alcohol abuse policy. The utmost importance is placed on maintaining a safe and controlled environment during training, ensuring that the acquisition of skills necessary for effective law enforcement does not compromise the overall principles of responsible alcohol use and professional conduct. Criminal Justice staff and faculty will follow all purchasing and inventory requirements as outlined in the Drug and Alcohol Abuse Prevention Procedure 6.0201.

Responsibilities Under This Policy

The Connecting Area Recourses to Everyone (CARE) Team is responsible for the development and implementation of the Drug and Alcohol Program.

All employees and students shall be responsible for abiding by the provisions of this policy. In the case of employees, adherence with the provisions of the policy shall be a condition of employment. Students and Employees are encouraged to report suspected substance abuse to BCCC CARE Team at (252) 940-6252.

Pursuant to the authority vested by the President, the Vice President of Student Services is responsible for overseeing all educational programs for students and the Vice President of Administrative Services is responsible for overseeing all educational programs for employees relating to this policy. The President will render an annual report to the Board of Trustees on the effectiveness of this policy.

Dissemination of This Policy

A copy of this policy shall be distributed annually to each student and employee and to all new employees at the beginning of their employment or new students at the time start of their first academic semester enrolled at BCCC. The policy shall be printed in the College catalogues and other materials prepared for all enrolled and prospective students and materials distributed to faculty and staff.

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References

Legal References: 1C SBCCC 200.94, NCGS 20-139.1, 10A NCAC 41B 0401-0407

Cross References: *Enter cross references here*

History

Leadership Council Review/Approval Dates: 9/8/2023; 2/9/2024

Senior Staff Review/Approval Dates: 3/23/2015; 8/15/2023; 1/11/2024

Board of Trustees Review/Approval Dates: 4/7/2015; 8/25/2023; 2/13/2024

Implementation Dates: *Enter date(s) here*