

ALCOHOL AND OTHER DRUGS: (Updated October 2019)

Alcohol Policy

The State of North Carolina prohibits the use of alcohol by persons under the age of 21. It is also illegal, in our state, for a person of legal alcohol drinking age to purchase for or provide alcohol to anyone who is underage. Methodist University fully supports and upholds the state law. **Methodist University students, their visitors and/or guests, are prohibited from possessing or consuming any alcoholic beverage on the campus regardless of their age.** Possession is defined as having any alcoholic beverage, or its commercially produced container, or materials used to create consumption of alcohol such as beer bong, funnels and tubing, etc. on the student's person, in the student's room, in the student's automobile, or among properties owned or being used by the student. Given reasonable cause, residence hall rooms, common living areas, and automobiles may be searched for alcohol. All residents and/or visitors who are found in the presence of alcohol possession or consumption are subject to the same sanctions as the individual(s) who actually brought the alcohol and/or alcohol containers into the environment or were possessing or consuming it regardless of how long they were present on the scene.

Consequences of Alcohol Related Violation

The first time that a student is found responsible for the possession, on campus, of an alcoholic beverage or a commercially produced alcoholic beverage container, he or she will be subject to the following sanctions:

1. **Up to a \$100 fine (The actual amount of the fine is related to the severity of the offense). Students will also be assigned up to 20 hours of community service, which must be completed within the designated time given.**
2. **Required participation in a substance abuse assessment and, any follow-up counseling, education, and/or treatment to be conducted by the Director of Counseling and Psychological Services in the Center for Personal Development. If a student fails to comply with the assessment, education, and/or treatment recommended by the Director of Counseling and Psychological Services he or she will be subject to a minimum of an additional \$500 fine, and a maximum of suspension.**
3. **If the student is under the age of 21, the Dean of Students will write a letter to the parent(s) or legal guardian(s) of the student informing them that the student has been found responsible for his or her first alcohol related offense. The letter will also recommend that the parents become directly involved in an effort to create a situation that will minimize the chances of the student becoming involved in a second alcohol related incident.**

The second time that a current student is found responsible for possession, on campus, of an alcoholic beverage or a commercially produced alcoholic beverage container, he or she will be subject to the following sanctions:

1. **Payment of a \$200 fine.**
2. **Additional participation in a substance abuse assessment and, if required, follow-up counseling, education, and/or treatment to be conducted by the Director of Counseling and Psychological Services. As in the case of the first offense, if a student fails to comply with the assessment, education, and or treatment related directions provided by the Director of Counseling and Psychological Services, he or she will be subject to a minimum of an additional \$500 fine, and a maximum of expulsion.**
3. **If the student is under the age of 21, the Dean of Students will write a letter to the parent(s) or legal guardian(s) of the student informing them that the student has been found responsible for his or her second alcohol related offense. The letter will also recommend that the parents become directly involved in an effort to create a situation that will minimize the chances of the student becoming involved in a third alcohol related incident (for students under 21).**
4. **Student will be placed on disciplinary probation.**

The third time that a current student is found responsible for possession, on campus, of an alcoholic beverage or a commercially produced alcoholic beverage container; he or she will be subject to a **minimum of suspension and a maximum of expulsion.**

Alcohol and Disruptive/Destructive Acts of Behavior

Maintaining a high quality of life in our community is very important to us. For this reason, we will apply even greater consequence for acts that are disruptive or destructive to our campus that include the possession of alcohol. Such acts include, but are not limited to, supplying alcohol to minors, acts of vandalism, destruction of personal or University property, disruptive noise, public drunkenness, regurgitation in shared living areas and public areas, verbal attacks, harassment, and acts of violence. If a student is found responsible of conducting acts that are disruptive or destructive to our campus community while in the possession or under the influence of alcohol, they will be subject to the following sanctions:

First incident, an additional \$150 fine

Second incident, minimum additional \$250 fine, and a maximum of suspension

Third incident, a minimum of suspension, and a maximum of expulsion

If a student's disruptive or destructive acts result in damage to personal or University property, the student will also be fined the same amount that will be required to repair or replace the damaged property. **Students who commit disruptive or destructive acts can also be held responsible for other violations of the code of conduct, if warranted.**

Readmission after Alcohol Suspension

Any student who is suspended for an alcohol related offense, and who wishes to be considered for readmission to Methodist University will be required to undergo a substance abuse assessment, given by a certified substance abuse counselor or licensed addictions specialist. The student must also successfully complete all prescribed education and treatment. The student's substance abuse counselor must then write a formal letter to the Dean of Students that clearly indicates what specific treatment/education was administered to the student. The letter must also note that the student has successfully completed that treatment, and that the counselor recommends that the student be allowed to return to Methodist University. The student must

also sign a release, for his/her substance abuse counselor, that allows that individual to freely discuss the student's treatment and rehabilitation status with both the Dean of Students and with the Director of Counseling and Psychological Services. Once the contents of the letter are verified, the Dean of Students will inform the student, in writing, of the Dean's decision on his/her request for readmission. **Any student who is suspended for an alcohol related offense, and is eventually allowed to return to Methodist University, will be required to continue substance abuse treatment and education at the discretion of the Director of Counseling and Psychological Services.** The Dean of Students may impose additional readmission restrictions on a case-by-case basis.

Drug Policy

Methodist University prohibits the use, possession, and/or the distribution /sale of illegal drugs.

The following are prohibited:

Illicit Drugs

- a. Possessing or using illegal substances, as defined by federal, state, and local statutes.
- b. Possessing or using controlled substances as defined by federal, state, and local statutes. (Controlled substances may be taken pursuant to a properly issued prescription, provided the controlled substance is taken as and in the amount prescribed.)
- c. Distributing, selling, or possessing with the intent to distribute illegal or controlled substances, as defined by federal, state, and local statutes.
- d. Possessing or using drug paraphernalia (including but not limited to pipes, bongs, etc.).
- e. Being under the influence of illegal or controlled substances as demonstrated by actions and/or other evidence such as the smell of marijuana on the student's clothing and/or person.
- f. Growing and/or manufacturing any illegal substance.

Given reasonable cause, drug testing may be required of students suspected of a drug related offense. **The type of drug testing will be determined by the Dean or Sr. Associate Dean of Students. Positive drug tests will result in \$150.00 being assessed to the students account to cover the cost of the test.** Reasonable Cause in Drug Use Situations is defined as the odor of marijuana on the student's clothing and/or person, in a campus residence, personal vehicle or any other confined space that belongs to or is assigned to the student and/or in a confined space where the student is located when the odor is detected. Refusal to participate in such testing may be used as grounds for probation, suspension or other discipline of a suspected violator regardless of how long they were present in the room or common living area. Student(s) who possess expired prescription drugs and/or unreasonable, large quantities of prescription drugs will be asked to provide independent, medical verification that the quantity and the prescription is valid. If students are unable to obtain medical verification, he or she will be subject to the sanctions outlined in this policy.

Odor of Marijuana

If the odor of marijuana is present (room, vehicle, etc.) without physical evidence, the student will be found responsible for "being in the presence of marijuana odor". Sanctioning will include one semester of Disciplinary Probation. A substance abuse evaluation through the Center for Personal Development will be required. Additionally, students who are in the presence of marijuana odor will be offered the option of taking a drug test to clear charges with a negative drug test result. If a student is found in the presence of the odor of marijuana for a second or any additional incidents, drug testing will be required.

If students are in the presence of physical evidence, then those who are guests may be tested if they deny responsibility. The residents of the room and/or the owner of the vehicle may be found responsible for possession without being tested.

Drug Sanctions

First Offense: Any student who is found in violation of Methodist University's policy against use, possession, and/ or the distribution and/ or sale of illegal drugs, or drug-related paraphernalia, or in violation of the University's policy against the abuse or sale of prescription drugs or over-the-counter drugs will be subject to a **minimum of probation** and to a **maximum of expulsion**. **In addition, the student will be charged a \$150.00 fine. A substance abuse evaluation through the Center for Personal Development will be required.** When large quantities (1.5 ounces or more of marijuana) of illegal drugs are involved or there is evidence of drug distribution, the implicated student will be subject to immediate suspension to expulsion regardless of whether it's the first offense or **criminal arrest and will face prosecution by civil authority**. All students, who are present at a time that illegal drug possession or consumption is established are subject to the same sanctions as the individual(s) who brought the drug into the environment or were possessing it or consuming it.

Second Offense: Any student who is found in violation of Methodist University's policy against use, possession, and/or the distribution and/or sale of illegal drugs, or drug-related paraphernalia, or in violation of the University's policy against the abuse or sale of prescription drugs or over-the-counter drugs for a second time will be subject to a **minimum of suspension** and to a **maximum of expulsion**. When large quantities (1.5 ounces or more of marijuana) of illegal drugs are involved or there is evidence of drug distribution, the implicated student will be subject to immediate suspension to expulsion or **criminal arrest and will face prosecution by civil authority**. All students, who are present at a time that illegal drug possession or consumption is established are subject to the same sanctions as the individual(s) who brought the drug into the environment or were possessing it or consuming it.

Third Offense: Any student who is found in violation of Methodist University's policy against use, possession, and/or the distribution and/or sale of illegal drugs, or drug-related paraphernalia, or in violation of the University's policy against the abuse or sale of prescription drugs or over-the-counter drugs for a third time will be expelled from the University. When large quantities

(1.5 ounces or more of marijuana) of illegal drugs are involved or there is evidence of drug distribution, the implicated student will be subject to **criminal arrest and will face prosecution by civil authority**. All students, who are present at a time that illegal drug possession or consumption is established are subject to the same sanctions as the individual(s) who brought the drug into the environment or were possessing it or consuming it.

Readmission after Drug Suspension

Any student who is suspended for a drug related offense, and wishes to be considered for readmission to Methodist University, will be required to undergo a substance abuse assessment, conducted by a certified substance abuse counselor or licensed addictions specialist. The student must also successfully complete all prescribed education and treatment and must pass periodic drug testing during the period of their suspension, as directed by the Dean of Students.

The student's substance abuse counselor must then write a formal letter to the Dean of Students, clearly indicating the specific treatment and education administered to the student and reporting that the student has successfully completed that treatment. Finally, the letter must clearly recommend that the student be allowed to return to Methodist University.

The student must also sign a release that allows his or her substance abuse counselor to freely discuss the student's treatment and rehabilitation status with both the Dean of Students and with the Director of Counseling and Psychological Services.

Once the contents of the letter are verified, the Dean of Students will inform the student, in writing, of the Dean's decision on the request for readmission. Any student who is suspended for a drug related offense and is eventually allowed to return to Methodist University will be subject to periodic and unannounced drug testing for a period of one year from the date of his or her registration. Additionally, the readmitted student will be required to continue substance abuse treatment and education at the discretion of the Director of Counseling and Psychological Services. The Dean of Students may impose additional readmission requirements on a case-by-case basis.

Health Risk and Effects:

Alcohol and drug usage causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including domestic violence and date rape. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to retain and recall information. Very high doses cause respiratory depression and death. Repeated use of alcohol and drugs can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Long-term consumption of large quantities of alcohol and drugs particularly with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Tobacco Policy

Smoking is strictly prohibited in all campus buildings, and there is no smoking allowed within fifty (50) feet of any campus building. This prohibition extends to all hallways, lobbies, stairwells, restrooms, offices, classrooms and residence halls and apartments. The use of smokeless tobacco, to include e-cigarettes and Water Vapor cigarettes, is also prohibited in all of the above places. Hookahs are not allowed on campus.

Tobacco Sanctions

Students who violate the community's policy against the use of tobacco will be subject to a minimum of a warning and a maximum of a \$100 fine.

Resources for Help

Methodist University provides counseling and guidance for its students, employees, and their families who have substance abuse problems or are concerned about substance abuse in others. There is no fee for counseling services provided on campus.

The Center for Personal Development: The Methodist University Center for Personal Development is located in Pearce Hall. The counseling staff can provide substance abuse education and assist in making a referral to a Certified Substance Abuse Counselor or Licensed Clinical Addictions Specialist. Services provided by the Center for Personal Development may be obtained by calling 910-630-7150.

Campus Chaplain: The Campus Chaplain also provides help and assistance. The Chaplain's office is in Chris's House, and can be reached by calling 910-630-7515.

Employee Assistance Program: Methodist University provides free assessment and referral services for students, employees and their families through a contract with Cape Fear Valley Health Systems. To use this program, call (910) 615-1733 and ask for the Methodist University Employee Assistance Program Representative. Fees for many referral services are provided on a reduced sliding scale basis. All inquiries about counseling or treatment are strictly confidential. No student or employee will ever be penalized for seeking or accepting assistance.

Federal Law Implications:

Violation of federal drug possession and trafficking laws can result in significant fines and forfeitures of property in addition to imprisonment from 5 years up to life.

See North Carolina Sanctions Below

North Carolina Sanctions for Drug and Alcohol Violations

Offense	Minimum Punishment	Maximum Punishment
Sale or Delivery of Controlled Substance (Class G or H Felony)	Imprisonment for Term of 4 Months (Class H) or 8 Months (Class G)	Imprisonment for Term of 25 months (Class H) or 31 Months (Class G)
Possession of Controlled Substance w/ Intent to Sell or Deliver (Class H or I Felony)	Imprisonment for Term of 3 Months (Class I) or 4 Months (Class H)	Imprisonment for Term of 12 Months (Class I) or 25 Months (Class H)
Manufacture Controlled Substance (Class C, H or I Felony)	Imprisonment for Term of 3 Months (Class I) or 4 Months (Class H) or 44 Months (Class C)	Imprisonment for Term of 12 months or 25 Months (Class H) or 182 Months (Class C)
Felony Possession of Controlled Substance (Class I Felony)	Imprisonment for Term of 3 Months	Imprisonment for Term of 12 months
Misdemeanor Possession of Controlled Substance (Class 1 or 2 Misdemeanor)	Active Jail Sentence of 1 Day (Class 1 or Class 2)	Active Jail Sentence of 60 Days (Class 2) or 120 Days (Class 1)
Possession of Drug Paraphernalia (Class 1 Misdemeanor)	Active Jail Sentence of 1 Day	Active Jail Sentence of 120 Days
Driving While Impaired - Alcohol / Drugs (Misdemeanor w/ Six Possible Levels of Sentencing)	30 Day Suspension of Driver License, Up To \$200 Fine, 1 -60 Days In Jail (Level 5)	30 Day Suspension of Driver License, Up To \$10,000 Fine , 12 -36 Months In Jail (Level 1 Aggrv)
Driving By Person Under 21 After Consuming Alcohol (Class 2 Misdemeanor)	Revocation of Driver License and Up to 30 Days In Jail	Revocation of Driver License and Up To 60 Days In Jail
Intoxicated and Disruptive In Public (Class 3 Misdemeanor)	Up To 10 Days In Jail	Up To 20 Days In Jail
Consumption of Beer or Unfortified Wine By Person Under 21 Years of Age	\$25 Fine or Up To 10 Days In Jail	\$25 Fine or Up To 20 Days In Jail
Purchase or Possession of Beer of Unfortified Wine By Person Under 21 Years of Age	\$25 Fine or Up To 10 Days In Jail	\$25 Fine or Up To 20 Days In Jail
Provide Alcohol To Minor (Class 1 or 2 Misdemeanor)	Up To 30 Days In Jail (Class 2) Up To 45 Days In Jail (Class 1)	Up To 60 Days In Jail (Class 2) Up To 120 Days In Jail (Class 1)
Possess or Consume Alcohol On Unauthorized Premises	\$25 Fine or Up To 10 Days In Jail	\$25 Fine or Up To 20 Days In Jail

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	<p>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.</p> <p>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.</p>	Cocaine 5 kilograms or more mixture	<p>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.</p> <p>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.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
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	

Substance/Quantity	Penalty
Any Amount Of Other Schedule I & II Substances	<p>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.</p> <p>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.</p>
Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount Of Other Schedule III Drugs	<p>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.</p> <p>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.</p>
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	
Any Amount Of All Schedule V Drugs	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p>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.</p> <p>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.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p>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.</p> <p>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.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p>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.</p> <p>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.</p>
<p>Hashish More than 10 kilograms</p>	
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants</p>	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	