

**Winston-Salem State University**  
**Drug-Free Schools and Campus Regulations Notification**  
**2021-2022**

In accordance with the Drug-Free Schools and Campuses regulations and the Drug-Free Workplace Act of 1988, the following serves as notification to the Winston-Salem State University community (all students and employees) about the unlawful use of drugs or alcohol on University property or as part of University activities. The following information describes the legal and University sanctions for unlawful use, health risks, and resources relating to the use of alcohol and drugs. **All students, faculty and staff are responsible for knowing about and complying with WSSU policy and state and federal laws concerning drugs and alcohol.**

Questions regarding this notice should be directed to:

**For University Employees and Contractors:**

Human Resources  
336-750-2830

**For Students:**

Ms. LaMonica Sloan-Wilhelmi  
Associate Vice Chancellor for Student Affairs/Dean of Students  
[sloanl@wssu.edu](mailto:sloanl@wssu.edu)

Winston-Salem State University provides a professionally trained counseling staff for students. Additionally, WSSU offers Wellness Center and Prevention Services whose purpose is to ensure the optimal wellness of the student body, including the area of alcohol and other drugs. Students with alcohol/drug-related problems are encouraged to seek assistance from either of these two resources. The first is going to counseling which is confidential. The second is going to the Wellness Center and Prevention Services, which operates under the guidelines of the Family Education Rights to Privacy Act (FERPA). Counseling and Wellness staff are experienced in working with issues of substance abuse and can assist the student directly as well as provide information about off-campus assessments, treatment facilities and/or provide contact information for area support groups.

**I. University Policy, State Laws, Sanction for Alcohol**

**Winston-Salem State University Alcohol Policy**  
University Group Policy #900.14

*Executive Summary*

Winston-Salem State University is a dry campus. Effective September 1, 1996, the North Carolina Alcoholic Beverage Control laws made it unlawful for any person under 21 years of age to purchase, possess, or consume such beverages, or for anyone to aid or abet such a person in purchasing, to maintain, and to consume any alcoholic beverage.

### *Policy Statement*

The University recognizes the health risks associated with the use of illicit drugs and the abuse of alcohol. As a depressant, alcohol gives a feeling of well-being, causes a loss of coordination, intoxicates, and leaves one with a hangover. Some of the hazards of abuse include:

1. Physical and psychological dependence can develop.
2. Long-term heavy drinking is a factor in liver and heart damage, malnutrition, cancer, and many other illnesses.
3. Driving under the influence can cause accidents because of slowed reflexes, disorientation, etc.

### *Guidelines*

All requests to serve alcoholic beverages on campus or at university-sponsored events must be approved by the Chancellor.

The following rules and regulations are applicable to the Winston-Salem State University community:

1. Under no circumstances may any persons sell any type of alcoholic beverage or organizations or corporations on the campus of Winston-Salem State University, excluding previously cited exceptions.
2. It shall be unlawful for any person to consume any malt beverage or wine - fortified or unfortified – in any public place or upon any public street or the private business premises of WSSU, or liquor/whiskey in any public place, upon any public or university street or parking area, upon the private business premises of the University, or in or around any residence hall or institutional facility or building without the permission of the Chancellor.
3. It is unlawful for anyone to aid or abet a person under 21 years of age in purchasing, possessing, or consuming alcoholic beverages.
4. University-sponsored off-campus affairs at which alcoholic beverages are served shall be governed by all applicable local, state, and federal laws.
5. Drunkenness coupled with disorderly conduct will not be tolerated. The institution will impose disciplinary sanctions on students and employees (consistent with local, state, and federal laws), up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

### **Enforcement of State Underage Drinking Laws**

Winston-Salem State University Police Officers enforce federal and state drinking laws as well as university policy. The following information is derived from the North Carolina General Statutes. Any violations of this law by members of the university community subject the individual to prosecution both by the university disciplinary proceedings and by civil authorities.

#### Underage Drinking

N. C. G. S. § 18B-302

It is unlawful for any person to sell or give alcoholic beverages to a person who is less than 21 years old. N.C.G.S. § 18B-302 (a), (a1). Violation is a Class 1 misdemeanor. N.C.G.S. § 18B-302.1(a). Punishment may include community service, supervised probation, or up to 120 days in jail, depending on whether the person has prior convictions and/or a fine determined by the court. N.C.G.S. § 15A-1340.23(b), (c). If an active sentence is not imposed, the presiding court must impose a fine of at least \$250 and at least 25 hours of community service as conditions of probation; if the person has a previous conviction within the previous four years, the presiding court must impose a fine of at least \$500 and at least 150 hours of community service as conditions of probation. N.C.G.S. § 18B302.1(a). In addition, the Division of Motor Vehicles must revoke for one year the license of a person convicted of giving alcohol to someone who is less than 21 years old. N.C.G.S. § 18B-302(g)(4).

#### False Identifications

N. C. G. S. § 18B-302

- It is unlawful for any person less than 21 years old to purchase, attempt to purchase, possess, or consume an alcoholic beverage. N.C.G.S. § 18B-302(b). A 19- or 20-year-old who purchases, attempts to purchase or possesses malt beverages or unfortified wine, or who consumes any alcoholic beverage is guilty of a Class 3 misdemeanor. N.C.G.S. § 18B-302(i). A Class 3 misdemeanor is punishable by community service or supervised probation unless the person has three or more prior convictions, in which case the person may be punished by up to 20 days in jail; punishment may also include a fine of no more than \$200. N.C.G.S. § 15A-1340.23(b), (c). In addition, the Division of Motor Vehicles must revoke for one year the license of a person who is less than 21 years old and is convicted of purchasing or attempting to purchase an alcoholic beverage. N.C.G.S. § 18B302(g)(3).

#### Public Intoxication

N. C. G. S. § 14-444

It is illegal to appear in any public place under the influence of alcohol to the degree that you:

1. Block or otherwise interfere with traffic
2. Block or otherwise prevent access to or passage across a sidewalk or entrance to a building
3. Grab, shove, push, or fight with others or challenge others to fight
4. Curse or shout at, or otherwise rudely insult others; or
5. Beg for money or other property

Being intoxicated and disruptive in public also leads to other behaviors and essential health concerns. Often time's public drunkenness contributes to disorderly conduct and criminal mischief on campus. Persons must be responsible for their own actions and know their limits and tolerance levels before consuming alcohol. A violation constitutes a Class 3 misdemeanor and subjects the offender to court costs and fines.

#### Driving While Impaired (DWI) and Refusing a Chemical Test

N. C. G. S. § 20-138.1

In North Carolina, a person commits the offense of driving while impaired if they drive a vehicle upon any highway, any street, or any public vehicular area within this state:

1. While under the influence of an impairing substance; or
2. After having consumed sufficient alcohol that, at any relevant time after the driving, the individual has an alcohol level of 0.08 or more; or
3. With any amount of a Schedule I controlled substance or its metabolites in their blood or urine.

The punishment for the offense is a misdemeanor to which the structured sentencing laws do not apply. It has five different levels of discipline; the level depends on the presence of and weight assigned to certain specified aggravation and mitigating factors found by the court.

It is illegal for anyone under 21 years of age to drive a vehicle with a blood alcohol concentration of .01 or higher.

Any person who drives a motor vehicle automatically gives consent to one or more chemical analyses (e.g., breath, blood, or urine). This implied consent means that a person does not have a right to an attorney before testing, except to view the testing procedures. Under the implied consent law, you can refuse any test, but your driver's license will be revoked for one year and could be revoked for a more extended period of time under certain circumstances, and an officer can compel you to be tested under other laws.

Your driving privilege will be revoked immediately for at least 30 days if you refuse any test or the test result is 0.08, 0.04 or more if driving a commercial vehicle, or 0.01 or more if you are under the age of 21.

#### Transporting an Open Container

N. C. G. S. § 20-138.7

In North Carolina, it is illegal to drive a motor vehicle:

1. While there is an alcoholic beverage in the passenger area in other than the unopened manufacturer's original container; and
2. While the driver is consuming alcohol or while alcohol remains in the driver's body.

A violation constitutes a Class 3 misdemeanor for the first offense and shall be a Class 2 misdemeanor for a second or subsequent offense.

In North Carolina, it is illegal to possess 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. A violation of this section shall be an infraction and shall not be considered a moving violation.

## **II. University Policy, State, Federal Sanctions for other Drugs**

### **Winston-Salem State University Illegal Drugs Policy**

University Group Policy #800.8

#### *Policy Statement*

Winston-Salem State University's Board of Trustees is committed to the proposition that students, faculty, and staff should be able to engage in the scholarly pursuits of teaching, learning discourse, and research free from illegal drug use and/or abuse. Knowing the dangers of illicit drug use, the Board of Trustees has adopted a policy to safeguard the welfare and integrity of the University community. The University rules and regulations on illegal drugs are designed to promote academic integrity and an appropriate learning atmosphere for students, faculty members, administrators, and all other employees. To accomplish these goals, the possession, use, and/or trafficking of illegal drugs is strictly prohibited at Winston-Salem State University. Students, faculty members, administrators, and other employees of Winston-Salem State University 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 substance" (Article 5 of Chapter 90 of the North Carolina General Statute). Any member of the university community who violates this law is subject both to prosecution and punishment under state criminal law and to disciplinary proceedings by Winston-Salem State University. The University will impose penalties in the event of a violation of state and federal drug laws consistent with due process.

#### *Guidelines*

##### **Education, Counseling, and Rehabilitation**

Winston-Salem State University shall maintain a program of education designed to help all members of the University community avoid involvement with illegal drugs. The educational program shall emphasize the incompatibility of the use or distribution of illegal drugs with the goals of the University, the legal consequences of involvement with illegal drugs, the medical and psychological implications of the use of illegal drugs, and the ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities. Specific elements of the education program are:

1. Publicizing the University's policy in the Student Code of Conduct, the undergraduate and graduate catalogs, the Faculty Handbook, and other publications distributed to students, faculty, administrators, and other employees;

2. Continuing and expanding the drug education program conducted by Student Health Services
3. Continuing development of courses on drug education;
4. Increasing the awareness and utilization of the State's Employee Assistance Program (EAP), and local Drug Abuse Prevention Programs;
5. Encouraging academic departments to address substance abuse inappropriate health and physical education courses;
6. Emphasizing the incompatibility of the use or sale of illegal drugs with the goals of the University;
7. Emphasizing the ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities;
8. Highlighting the medical implications of the use of illegal drugs; and
9. Stressing the legal consequences of involvement with illegal drugs

The University shall disseminate information about drug counseling and rehabilitation services that are available to members of the University community. All members of the University community are responsible for assisting in maintaining a drug-free campus. Members of the community are urged to utilize the drug hotline (336-750-2912) and any other means of reporting University Officials regarding drug abuse treatment needs and/or illegal drug use or possession. The identity of an individual who brings forth information regarding illegal drug use and/or possession shall remain confidential unless the law requires disclosure. Likewise, persons who voluntarily avail themselves of such services shall be assured that applicable professional standards of confidentiality will be observed and that such participation will not be the basis for disciplinary action. Specific counseling and rehabilitation efforts include:

*Campus-Based Resources*

1. Drug Prevention/Education Programs
2. Seminars
3. Films
4. Videocassette Presentations
5. Use of the Campus Radio Station
6. Student Newspaper (News-Argus)
7. Development of courses on drug education
8. Evaluation and referral services of the Counseling Center for out-patient and in-patient rehabilitation
9. Consultation and evaluation portions of the Student Health Service's drug education program

*Community-Based Resources*

1. Step One
2. Alcoholism Residential Care Authority (ARCA)
3. Salem Psychiatric Associates
4. Reynolds Health Center
5. Forsyth-Stokes Mental Health Center
6. Winston-Salem/Forsyth County Coalition on Alcohol and Drug Problems

## 7. State Employee Assistance Program

### *Notification of Law Enforcement Personnel*

Any drug violation that constitutes a felony shall be reported to local, state, and/or federal law enforcement agencies as appropriate.

### *Roles and Responsibilities*

#### Implementation and Reporting

1. The Chancellor shall file a copy of the campus policy with the President, and notice of any change that may be made in the policy from time to time also shall be filed with the President.
2. The Chancellor shall designate a coordinator of drug education. This person, acting under the authority of the Chancellor, will be responsible for overseeing all actions and programs relating to the campus policy.
3. Annually the Chancellor shall submit to the Board of Trustees a report of on-campus activities related to illegal drugs for the preceding year. The report shall include, as a minimum, the following: (1) a listing of the significant education activities conducted during the year; (2) a report on any illegal drug-related incidents, including any sanctions imposed; (3) an assessment by the Chancellor of the effectiveness of the campus program; and (4) any proposed changes in the policy on illegal drugs. A copy of the report shall be provided to the President.

### *Applicability*

This policy is applicable to the campus community of Winston-Salem State University.

### *Compliance*

#### Enforcement and Penalties

1. WSSU shall take all actions necessary, consistent with state and federal law and applicable University policy, to eliminate illegal drugs from the university community. The institutional policy on illegal drugs shall be publicized in catalogs and other materials prepared for all enrolled and prospective students and in materials distributed to faculty members, administrators, and other employees.
2. Students, faculty members, administrators, 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 member of the University community who violates that law is subject to both prosecution and punishment by the civil authorities and to disciplinary proceedings by the University. It is not "double jeopardy" for both the civil authorities and the University to proceed against and punish a person for the same specified conduct. The University will

initiate its own disciplinary proceeding against a student, faculty member, administrator, or other employees when on-campus use, possession, or distribution of illegal drugs or improper use, possession, or distribution of prescription drugs is discovered and when the alleged conduct is deemed to affect the interests of the University. Conduct involving illegal drugs beyond campus boundaries may be considered harmful to the University. Disciplinary action may be instituted when such conduct occurs within Forsyth County and has resulted in felony-level charges of possession/trafficking.

3. Penalties will be imposed by the University in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees, as required by Section 502D (3) and Section 603 of The Code, by Board of Governor's policies applicable to other employees exempt from the State Personnel Act, by regulations of the State Personnel Commission, and by Faculty Tenure Regulations and the Student Handbook. The penalties to be imposed by the University may range from written warnings with probationary status to expulsions from enrollment and discharges from employment. However, the following minimum penalties will be imposed for the particular offenses described:

#### A. Trafficking in Illegal Drugs

- i. For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedule I, N.C.G.S. § 90-89, or Schedule II, N.C.G.S. § 90-90 (including, but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone), any student shall be expelled and any faculty member, administrator or another employee shall be discharged.
- ii. 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, N.C.G.S. §§ 90-91 through 90-94, (including, but not limited to, marijuana, pentobarbital, codeine) the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent. For a second offense, any student shall be expelled, and any faculty member, administrator, or other employee shall be discharged.

#### B. Illegal Possession of Drugs

- i. For a first offense involving the illegal possession of any controlled substance identified in Schedule I, N.C.G.S. § 90-89, or Schedule II, N.C.G.S. § 90-90, the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent.
- ii. For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, N.C.G.S. §§ 90-91 through 90-94, 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.

- iii. For a 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.

#### *Suspension Pending Final Disposition*

When a student, faculty member, administrator, or other employee has been charged by the University with a violation of policies concerning illegal drugs, he or she may be suspended from enrollment or employment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the Chancellor or, in the Chancellor's absence, the Chancellor's designee concludes that the person's continued presence within the University community would constitute a clear and immediate danger to the health or welfare of other members of the University community; provided, that if such a suspension is imposed, an appropriate hearing of the charges against the suspended person shall be held as promptly as possible thereafter.

#### **Enforcement of Federal and State Drug Laws**

Winston-State University Police Officers enforce federal and state drinking laws as well as university policies. Any violations of this law by members of the university community subject the individual to prosecution both by university disciplinary proceedings and by civil authorities. The University cannot attempt to shield students or employees from criminal prosecution by handling the matter through the university disciplinary process.

#### Controlled Substance Offenses

N. C. G. S. § 90-95

It is illegal for any person to:

1. Manufacture, sell or deliver, or possess with intent to manufacture, sell, or deliver, a controlled substance.
2. To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance.
3. To possess a controlled substance.

#### Possession of Small Amount of Marijuana

It is illegal for a person to unknowingly or intentionally possess a small amount of marijuana (Hashish), a Schedule I substance, and it is not authorized by law to possess such substance, and is outlined under the Controlled Substances, Drugs, Device and Cosmetic Act of 1972. Persons engaged in such activity will most likely face criminal charges and be charged with a violation of university policy and will be subject to university disciplinary proceedings.

#### Synthetic Marijuana

Effective March 1, 2011, the U.S. Drug Enforcement Agency classified synthetic marijuana as an illegal substance. This drug may also be known as Spice, K2, Demon, Wicked, Black Magic, Voodoo Spice, and Ninja Aroma. Individuals found responsible for manufacturing, possessing, importing/exporting, or distributing these substances will face criminal and civil penalties. University members engaging in these activities will also be held responsible under university policy and will be subject to university disciplinary proceedings.

#### Possession of Drug Paraphernalia Offenses

N. C. G. S. § 90-113.22

A person is unlawful when he/she possesses, with the intent to use, drug paraphernalia that is used for packaging, manufacturing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Controlled Substances, Drugs, Device, and Cosmetic Act of 1972.

It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance which it would be unlawful to possess, or to inject, ingest, inhale, or otherwise introduce into the body a controlled substance which it would be unlawful to possess.

Violation of this section is a Class 1 misdemeanor.

#### **Federal Penalties for Illegal Trafficking of a Controlled Substance**

The Controlled Substances Act (1970) places all substances regulated under federal law into one of five schedules based on the substance's medical use, the potential for abuse, and safety or dependence liability. A description of each schedule is included below:

##### **Schedule I:**

- The drug or other substance has a high potential for abuse.
- The drug or other substance has not currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for the use of the drug or other substance under medical supervision.
- Examples of Schedule I substances include heroin, gamma-hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana, and methaqualone.

##### **Schedule II :**

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.

- Abuse of the drug or other substance may lead to severe psychological or physical dependence.
- Examples of Schedule II substances include morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine.

**Schedule III:**

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.
  - Anabolic steroids, codeine products with aspirin or Tylenol, and some barbiturates are examples of Schedule III substances.

**Schedule IV:**

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.
- Example of drugs included in Schedule IV is cough medicines with codeine.

Federal Trafficking Penalties for Marijuana and other drugs can be found on the USDOJ website at [Federal Trafficking Penalties](#)

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

First 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.

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 provisions 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:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 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 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. 844a
- 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 the 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 Penalties for Illegal Possession of a Controlled Substance**

The federal penalties for the first conviction of simple possession are a sentence of up to one year and a minimum fine of \$1,000; the penalties for a second conviction are a sentence of at least 15 days up to two years and a minimum fine of \$2,500; the penalties for a third or subsequent conviction are a sentence of at least 90 days up to three years and a minimum fine of \$5,000; except that a person convicted of possession of flunitrazepam will receive a sentence of up to three years in addition to the fines described above.

A person convicted of possession may also be required to pay the costs of the investigation and prosecution of the offense.

### **State Penalties for Illegal Possession, Manufacture, Sale or Delivery of a Controlled Substance**

The penalties imposed by the State of North Carolina for possession, manufacturing, or sale or delivery convictions depend on the schedule of the drug involved. North Carolina has established Schedules I through V, defined in the same way as Schedules I through V in the federal system. North Carolina additionally has a Schedule VI, described as follows:

Schedule VI: The drug or other substance has "no currently accepted medical use in the United States, or a relatively low potential for abuse in terms of risk to public health and potential to produce psychic or physiological dependence liability based upon present medical knowledge, or a need for further and continuing study to develop scientific evidence of its pharmacological effects." N.C.G.S. § 90-94.

In North Carolina, marijuana is included in Schedule VI instead of Schedule I (as in the federal system). Schedule VI also includes tetrahydrocannabinol and synthetic cannabinoids.

### **State Penalties for Possession**

The state penalties for possession depend on the schedule of the controlled substance and the prior record level of the offender. Note that for certain controlled substances, possession of a quantity over a specified amount elevates the offense from simple possession to trafficking (see below for penalties for trafficking offenses). The state penalties for simple possession are as follows:

<u>Substance</u>	<u>Offense Classification</u>	<u>Sentencing Range</u>	<u>Maximum Fine</u>
Schedule I	Class I felony	4-6 to 8-10 months	discretion of court
Schedule II, III, or IV	Class 1 misdemeanor	1-45 to 1-120 days	discretion of court
Schedule V	Class 2 misdemeanor	1-30 to 1-60 days	\$1,000
Schedule VI	Class 3 misdemeanor	suspended sentence	\$200

The penalties are enhanced for any person who possesses a controlled substance on the premises of a penal institution or local confinement facility; in such a case, the person is guilty of a Class H felony. N.C.G.S. § 90-95(e)(9). It is also illegal to possess certain precursor chemicals for manufacturing a controlled substance. Depending on the circumstances, a violation is punishable as either a Class H felony or a Class F felony. N.C.G.S. § 90-95(d1), (d2). The presumptive minimum sentencing range for a Class H felony, depending on prior criminal history, is from 5-6 months up to 16-20 months, with the corresponding maximum range of 15-17 up to 29-33 months, respectively, and a fine at the discretion of the court. The presumptive minimum sentencing range for a Class F felony, depending on prior criminal history, is from 13-16 months up to 26-33 months, with the corresponding maximum range of 25-29 up to 41-49 months, respectively, with a fine at the discretion of the court.

**State Penalties for manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver**

The state penalties for manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver (PWIMSD) depend on the schedule of the controlled substance and the prior record level of the offender. Note that for certain controlled substances, an offense involving a quantity over a specified amount elevates the offense to trafficking (see below for penalties for trafficking offenses). The state penalties for manufacture, sale or delivery, or PWIMSD are as follows:

<u>Substance</u>	<u>Offense Classification</u>	<u>Sentencing Range</u>	<u>Maximum Fine</u>
Schedule I or II sale	Class G felony	10-13 to 20-25	discretion of court
Schedule I, II manufacture, delivery, or PWIMSD	Class H felony	5-6 to 16-20	discretion of court
Schedule III, IV, V, VI sale	Class H felony	5-6 to 16-20	discretion of court
Schedule III, IV, V, VI manufacture, delivery, or PWIMSD	Class I felony	4-6 to 8-10	discretion of court

**There are enhanced penalties for certain offenses as follows:**

- Any person 18 years of age or over who sells or delivers a controlled substance to a person under 16 years of age or to a pregnant female will be punished as a Class D felon, and any person 18 years of age or over who sells or delivers a controlled substance to a person under 13 years of age will be punished as a Class C felon. N.C.G.S. § 90-95(e)(5). The presumptive minimum sentencing range for a Class D felony, depending on prior criminal history, is from 51-64 months up to 103-128 months, with the corresponding maximum range of 74-89 up to 136-166 months, respectively, and a fine at the discretion of the court. The presumptive minimum sentencing range for a Class C felony, depending on prior criminal history, is from 58-73 months up to 117-146 months, with the corresponding maximum range of 82-100 up to 153-188 months, respectively, and a fine at the discretion of the court.

- Any person 21 years of age or older who manufactures, sells or delivers, or possesses with intent to manufacture, sell or deliver, a controlled substance<sup>11</sup> on or within 1,000 feet of property used for a child care center or for an elementary or secondary school will be punished as a Class E felon. N.C.G.S. § 90-95(e)(8). The presumptive minimum sentencing range for a Class E felony, depending on prior criminal history, is from 20-25 months up to 40-50 months, with the corresponding maximum range of 36-42 up to 60-72 months, respectively, and a fine at the discretion of the court.

**State Penalties for Illegal Trafficking of a Controlled Substance**

A person who sells, manufactures, delivers, transports, or possesses in excess of certain quantities of controlled substances is guilty of trafficking. The penalties provided below apply to any person convicted of trafficking as well as to any person convicted of conspiracy to commit the offense. N.C.G.S. § 90-95(i). A person sentenced as described below may not receive a suspended sentence or be placed on probation. The sentencing judge may reduce the fine, impose a prison term less than the applicable minimum or suspend the prison term and place a person on probation when the person has provided substantial assistance in the identification, arrest, or conviction of any accomplices accessories, co-conspirators, or principals.

**Penalties for trafficking in marijuana:**

<u>Amount</u>	<u>Felony Type</u>	<u>Mandatory Sentence</u>	<u>Minimum Fine</u>
10 < pounds < 50	Class H	25 ≤ months ≤ 39	\$5,000
50 ≤ pounds < 2,000	Class G	35 ≤ months ≤ 51	\$25,000
2,000 ≤ pounds < 10,000	Class F	70 ≤ months ≤ 93	\$50,000
10,000 ≤ pounds	Class D	175 ≤ months ≤ 222	\$200,000

**Penalties for trafficking in synthetic cannabinoids:**

<u>Amount</u>	<u>Felony Type</u>	<u>Mandatory Sentence</u>	<u>Minimum Fine</u>
50 < DU < 250	Class H	25 ≤ months ≤ 39	\$5,000
250 ≤ DU < 1250	Class G	5 ≤ months ≤ 51	\$25,000
1250 ≤ DU < 3750	Class F	70 ≤ months ≤ 93	\$50,000
3750 ≤ DU	Class D	175 ≤ months ≤ 222	\$200,000

**Penalties for trafficking in methaqualone:**

<u>Amount</u>	<u>Felony Type</u>	<u>Mandatory Sentence</u>	<u>Minimum Fine</u>
$1,000 \leq \text{DU} < 5,000$	Class G	$35 \leq \text{months} \leq 51$	\$25,000
$5,000 \leq \text{DU} < 10,000$	Class F	$70 \leq \text{months} \leq 93$	\$50,000
$10,000 \leq \text{DU}$	Class D	$175 \leq \text{months} \leq 222$	\$200,000

**Penalties for trafficking in opium or heroin:**

<u>Amount</u>	<u>Felony Type</u>	<u>Mandatory Sentence</u>	<u>Minimum Fine</u>
$4 \leq \text{grams} < 14$	Class F	$70 \leq \text{months} \leq 93$	\$50,000
$14 \leq \text{grams} < 28$	Class E	$90 \leq \text{months} \leq 120$	\$100,000
$28 \leq \text{grams}$	Class C	$225 \leq \text{months} \leq 282$	\$500,000

**Penalties for trafficking in Lysergic Acid Diethylamide:**

<u>Amount</u>	<u>Felony Type</u>	<u>Mandatory Sentence</u>	<u>Minimum Fine</u>
$100 \leq \text{DU} < 500$	Class G	$35 \leq \text{months} \leq 51$	\$25,000
$500 \leq \text{DU} < 1,000$	Class F	$70 \leq \text{months} \leq 93$	\$50,000
$1,000 \leq \text{DU}$	Class D	$175 \leq \text{months} \leq 222$	\$200,000

**Penalties for trafficking in MDA/MDMA:**

<u>Amount</u>	<u>Felony Type</u>	<u>Mandatory Sentence</u>	<u>Minimum Fine</u>
$100 \leq \text{DU} < 500$ or $28 \leq \text{grams} < 200$	Class G	$35 \leq \text{months} \leq 51$	\$25,000
$500 \leq \text{DU} < 1,000$ or $200 \leq \text{grams} < 400$	Class F	$70 \leq \text{months} \leq 93$	\$50,000
$1,000 \leq \text{DU}$ or $\text{grams} \leq 400$	Class D	$175 \leq \text{months} \leq 222$	\$250,000

**Potential Loss of Financial Aid**

A student convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any federal financial aid shall not be eligible to receive federal financial aid for a period of time following that conviction as specified in [20 U.S Code § 1091\(r\)](#).

**Regaining Readmission and Eligibility for Financial Aid**

A student who loses eligibility to receive federal financial aid as a result of being convicted of an offense under Federal or State law involving the possession or sale of a controlled substance may be able to regain eligibility by complying with the requirements set forth in [20 U.S.C. § 1091\(r\)\(2\)](#).

### III. Risks Associated with Drug and Alcohol Abuse

As an educational institution, WSSU aims to educate its community members about prevention and the risks of unlawful use of illicit drugs and alcohol, and to encourage appropriate, responsible behavior. The health risks associated with the abuse of alcohol and the use of illicit drugs are numerous. The table below outlines the risks associated with different substances.

Substance	Associated Risks
Alcohol	Slow heart, sluggish nervous system, depressed brain function. Large amounts can make you stop breathing. Prolonged use causes liver damage.
Marijuana	Decreased ability to concentrate and learn. Short-term memory loss. Throat and lung cancer.
Synthetic Marijuana	Rapid heartbeat, vomiting, agitation, profuse sweating, confusion, hallucinations, raised blood pressure cause the reduced blood supply to the heart, in some cases, it has been associated with heart attacks.
LSD	Hallucinations, anxiety, perception disorders. Prone to accidents. Inability to function normally. Rapid heartbeat. Fast respiration. High body temperature.
Amphetamines	Malnutrition, acute psychosis, nervousness, hyperactivity, sleeplessness, high blood pressure.
Barbiturates	Addiction, physical and psychological. Deformed babies. Death in high doses. Nausea, sluggishness, dizziness, breathing difficulty.
Cocaine	Seizures, heart fibrillation, and even death with a single-use. Weight loss, sexual impotence, insomnia, irritability, paranoia, and hallucinations.
Heroin	Addiction, physical and psychological. Sluggishness. Inability to stay awake. AIDS from dirty needles—addicted babies.
Mescaline	Addiction, physical and psychological. Sluggishness. Inability to stay awake. Addicted babies. Opium: Addiction, physical and psychological. Sluggishness. Inability to stay awake. Addicted babies.
Psilocybin (Shrooms)	Hallucinations, anxiety, perception disorders. Prone to accidents. Inability to function normally. Rapid heartbeat. Fast respiration. High body temperature.
Steroids	Insomnia, aggressive behavior, impotence, and sterility. Prolonged use damages the liver, kidneys, and heart and may cause cancer.
Additional Information:	<p>Alcohol and other drug use during pregnancy increase the risk of physical harm to the fetus.</p> <p>Risks of harm may occur from the use of prescription drugs in ways other than prescribed.</p> <p>Drugs taken by injection can increase the risk of infection (e.g. HIV, hepatitis, etc.) through needle contamination.</p> <p>For more information visit: <a href="http://www.nidk.nih.gov/health/topics/drugs/abuse">National Institute of Drug Abuse</a></p>



#### IV. Drug and Alcohol Abuse Education Programs

Winston-Salem State University is in the process of establishing and maintaining a comprehensive program designed to help all members of the university community understand and avoid drug and alcohol abuse.

This program communicates annually to campus community members, including all students and employees; WSSU's standard of conduct prohibits the unlawful possession, use or distribution of illicit drugs and alcohol on campus or as a part of any of the university activities. In concert with the standards of conduct, the University disseminates to the campus community a description of the sanctions that the University may impose on an individual found in violations of university policy. In addition, students and employees are made aware of the description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol. Campus community members are informed of the health risks associated with the use of illegal drugs and the abuse of alcohol. In order to monitor and enhance the progress WSSU is making to educate the campus community about drug and alcohol abuse, WSSU will begin conducting a biennial review of the Drug and Alcohol Abuse Education Program. Based on each review, WSSU will make changes to the program necessary.

##### Resources for Students

In summer 2013, WSSU implemented AlcoholEdu for College for all new incoming first-time freshman students. Each year incoming freshmen are required to complete the AlcoholEdu online course. WSSU also utilizes AlcoholEdu as a resource for other student interest groups that have been through the disciplinary process or referred to the Wellness Center.

Other programs and resources are offered to the student community:

<b>Program/Resource</b>	<b>Description of Program</b>
Counseling Center	Pre-Spring Break Substance Misuse Event
Assessments	<i>eChug</i> and <i>eToke</i> address the use and abuse of alcohol or controlled substances for a student referred to the Wellness Center.
Responsible Rams	A campaign reflected through events on campus intended to encourage students to act responsibly. This campaign focuses on drug and alcohol prevention, general safety, and residential safety.
Ramdition and Residence Hall Trust Talks	Presentations are shown in the residence halls by WSSU Campus Police enforcing the University's dry campus and

	zero-tolerance policies, as well as other topics that encourage safe and responsible campus living.
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The Counseling Center currently offers both online education (eChug and eToke) on substance abuse issues and limited group sessions for drug and alcohol users. Intervention programs for students who self-identify or otherwise are identified as substance users are available in the Counseling Center. Intervention can be in the form of psychoeducation or therapy.

These services are afforded to students during their current matriculation. In the case that a student has been removed from campus through WSSU's disciplinary process, these services are available when the student returns to campus after the imposed sanction. For additional information about campus resources for alcohol and drug education programs, refer to the [Health Rams for Life](#) page located on the [Wellness Center's Webpage](#).

### Resources for Employees

Employees are offered a variety of resources intended to educate and aid in the prevention of and recovery from alcohol and other drug abuse. Winston-Salem State University provides the Employee Assistance Program (EAP) available to employees. This program provides support, resources, and information for personal and work-life issues, including counseling, legal aid, and guidance resources online. Employees can access more information concerning the EAP on the [Human Resources Webpage](#).

In addition, WSSU provides faculty and staff access to a Learning Management System branded LEAP: Leadership, Education, Advancement, and Performance. This resource offers a wide array of informative content, including a course on Drug and Alcohol Awareness. Some of the objectives of the course are to identify factors that can trigger substance abuse among adults, identify requirements for compliance under the 1988 Drug-Free Workplace Act, and to identify recommendations for employees to consider when they notice a coworker with a substance abuse problem. Employees can access more information concerning the EAP on the [Human Resources Learning & Development](#) Webpage.

Employees are also welcome to attend awareness and prevention events that take place on campuses, such as Safety Day or the Police and Public Safety Luau.

### **Community and other Educational Resources**

- [UNC System Policy on Illicit Drugs](#)
- [Centers for Disease Control and Prevention](#)
- [AA Winston-Salem](#)
- [Alcohol Screening](#)
- [Winston-Salem/Forsyth County Coalition on Alcohol and Drug Problems](#)

### **Post-suspension and re-employment with University**

An SHRA or EHRA employee who is suspended from University employment as a result of drug or alcohol violations may be required to provide evidence of successful completion of a recovery program during the separation period. An SHRA or EHRA employee who is dismissed from University employment as a result of drug or alcohol violations may apply for re-employment but re-employment is not guaranteed, and the employee may be asked to provide evidence of successful completion of a recovery program during the separation period. The North Carolina Department of Commerce's Division of Employment Security also has information published on its website for individuals seeking employment: [NC Department of Commerce Employment Security](#).