

Procedure 6.0201

Drug and Alcohol Abuse Prevention Procedure

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 to have a drug and alcohol abuse prevention program, the College has a drug and alcohol program for employees and students.

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.

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

- BCCC will display information and resource guides regarding drug and alcohol referrals and resources on the campus monitors.
- 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.
- 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.
- All students will receive the following information each semester via email:
 - The College's philosophy on providing an environment free of drug and alcohol abuse
 - Educational efforts to prevent drug and alcohol abuse
 - Counseling and rehabilitation services for drug and alcohol abuse
 - The College's policies and procedures on drug and alcohol abuse and possible disciplinary consequences
 - Common types of drugs in society
 - 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.

The Campus (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.

Programs for Employees

- Assistance with drug and alcohol abuse and prevention for College employees will be handled through the Human Resources Department and the Employee Assistance Program.
- Annual notification will be distributed to all current employees via BCCC employee email accounts. Distribution will occur in August of each year. In addition, new employees will be provided with a copy of the program during or immediately following their new employee orientation.

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- 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.

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.

Local Resources

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

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

National Resources

- National Alcohol and Drug Abuse Help Line 1-800-821-4357
- Alcohol Abuse 24 Hour Hotline 1-800-950-7226
- Department of Drug Enforcement: Drug Fact Sheets
- Narcotics Anonymous
- National Institute on Alcohol Abuse and Alcoholism
- National Institute on Drug Abuse (NIDA)
- 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:

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

Additional Information on Health Risks Associated with Substance Abuse:

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

Federal and State 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.

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	<u>First Offense:</u> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than	Cocaine 5 kilograms or more mixture	<u>First Offense:</u> 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.
II	Cocaine Base 28-279 grams mixture	20 yrs. or more than life.	Cocaine Base 280 grams or more mixture	Fine of not more than \$10 million if an individual, \$50 million if not an individual.
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	<u>Second Offense:</u> Not less than 20 yrs., and not more

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I	Fentanyl Analogue 10-99 grams mixture	Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Fentanyl Analogue 100 grams or more mixture	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.
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	<u>2 or More Prior Offenses:</u> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
I	LSD 1-9 grams mixture	<u>Second Offense:</u> 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.	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	

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

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.

Any Amount of Other
Schedule III Drugs

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.

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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 plants

First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.

Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.

Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants

First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.

Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$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.

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Hashish
10 kilograms or less

Hashish Oil
1 kilogram or less

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. North Carolina law 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.

- https://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_90/article_5.html
- <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
Schedule I Has a high potential for abuse. It has no medical use. Has a lack of accepted safety.	Heroin		
	Ecstasy		
	GHB	First Offense	
	Methaqualone	Class I Felony	
	Peyote	4-5 Months	
	Opiates (and others)		

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Schedule II

Has a high potential for abuse.

It has accepted medical use with severe restrictions.

Abuse may lead to physical or psychological dependence.

Cocaine
 Raw Opium
 Opium Extracts, Fluid and Powder
 Codeine
 Hydrocodone
 Morphine
 Methadone
 Methamphetamine
 Ritalin (and others)

First Offense	Second Offense
Class 1 Misdemeanor	Class I Felony
45 Days in Jail	4-5 Months

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.

Ketamine
 Anabolic Steroids
 Some Barbiturates (and others)

First Offense	Second Offense
Class 1 Misdemeanor	Class I Felony
45 Days in Jail	4-5 Months

Schedule IV

Has low potential for abuse.

It has an accepted medical use.

Abuse may lead to limited dependence.

Valium
 Xanax
 Rohypnol
 Darvon
 Clonazepam
 Barbital
 (and others)

First Offense	Second Offense
Class 1 Misdemeanor	Class I Felony
45 Days in Jail	4-5 Months

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Schedule V

It has low potential for abuse.	Over the counter cough medicines with codeine (and others)	First Offense	Second Offense
It has an accepted medical use.		Class 2 Misdemeanor	Class 1 Misdemeanor
Abuse may lead to limited dependence.		30 Days in Jail	45 Days in Jail

Schedule VI

It has low potential for abuse.	Marijuana	First Offense	Second Offense
It has no accepted medical use.	Hashish	Class 3 Misdemeanor	Class 2 Misdemeanor
Abuse may lead to limited dependence.	Hashish Oil	10 Days in Jail or Suspended Sentence	30 Days in Jail

Illegal Trafficking Penalties:

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

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	200 – 399 grams	Class F Felony 70 – 87 Months	\$100,000 Fine
	400 grams or more	Class D Felony 175 – 219 Months	\$250,000 Fine
	28 – 199 grams	Class F Felony 70 – 84 Months	\$50,000 Fine
Metham-phetamines	200 – 399 grams	Class E Felony 90 – 117 Months	\$100,000 Fine
	400 grams or more	Class C Felony 225 – 279 Months	\$250,000 Fine

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

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 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

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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.

- 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

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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.

- 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.
- 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.

- 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:

- When he or she refuses to sign a consent and release forms prior to being tested;
- When he or she refuses to take a drug or alcohol test; or
- When he or she interferes with the testing process or refuses to cooperate.

When the medical review officer advises the College that any employee drug or alcohol test results are verified positive, the following will occur:

- 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.
 - 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.
 - 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

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

- 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 instances where the utilization of alcohol is deemed necessary within the scope of standardized field sobriety testing training in the Continuing Education Criminal Justice program, staff members are required to adhere strictly to established purchasing and inventory protocols as outlined in 10A NC Admin Code 41B .0401 - .0407. The procurement of alcoholic beverages for such purposes shall comply with the following requirements:

1. **Source of Procurement:** Alcoholic beverages intended for use in a controlled-drinking program shall be exclusively obtained from alcoholic beverage control stores, the NC Alcoholic Beverage Control Commission, or from retail establishments duly licensed to sell wine or malt beverages.
2. **Recordkeeping:** Each purchase must be meticulously documented through a requisition, bill of sale, or other record evidence. These records should include the date, place of purchase, type of alcoholic beverage, and the quantity acquired.
3. **Estimation Basis:** Alcoholic beverages required for use in standardized field sobriety testing shall be procured based on carefully estimated requirements.
4. **Quantity Restrictions:** The amounts of alcoholic beverages that may be purchased at one time shall adhere to the stipulations outlined in NC General Statute 18B-403.1(a).
5. **Safe Storage:** When not in use, all alcoholic beverages will be stored securely in a designated safe place, ensuring controlled access through lock and key mechanisms.
6. **Comprehensive Records:** Detailed records on alcoholic beverages procured for use in controlled-drinking programs shall encompass the date, place, type, and quantity of alcoholic beverages acquired. Furthermore, these records should delineate the date and quantities of alcoholic beverages, categorized by type, dispensed for controlled-drinking purposes. A running inventory reflecting the quantity of each alcoholic beverage on hand should be maintained.
7. **Age Requirement:** To ensure compliance with legal and ethical standards, all individuals participating in the training must be 21+ years of age.

Any deviation from these prescribed procedures will be considered a serious breach of policy and procedure, and staff members failing to comply will be subject to disciplinary actions as outlined in the overarching drug and alcohol abuse policy for the program. The utmost diligence is required to maintain the integrity and accountability of alcohol use within the specified contexts.

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References

Legal References: [10A NC Admin Code 41B .0401- 0407](#) NC General Statute 18B-303 (2021), NC General Statute 20-139.1. *Enter legal references here*

Cross References: *Enter cross references here*

History

Leadership Council Review/Approval Dates: 11/3/2023; 2/9/2024

Senior Staff Review/Approval Dates: 6/12/2017; 02/09/2023; 8/15/2023

Board of Trustees Review/Approval Dates: 04/07/2015

Implementation Dates: *Enter date(s) here*