



## College of The Albemarle Policy

**Policy Number: 5.3.5**

**Pages: 1 of 3**

---

**Title: Students - Alcohol and Drugs on Campus**

**Related Policy and Procedures: 2.1.7 Alcohol and Drugs on Campus; 3.3.4 Alcohol and Drugs on Campus**

**Division of Responsibility: Student Success and Enrollment Management; Human Resources; Operations**

---

College of The Albemarle (College) is committed to providing each of its students a drug and alcohol-free environment in which to attend classes and study. From a safety perspective, the use of drugs or alcohol may impair the well-being of students, interfere with the College's educational environment and result in damage to College property.

All students shall adhere to the following:

- I. All students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances, impairing substances or drug paraphernalia at any College location and/or College affiliated events.

This policy does not apply to the use of alcohol in instructional situations (e.g., cooking classes, laboratory experiments).

- a. **Controlled Substance** means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and includes, but is not limited to heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption.
- b. **Alcohol** means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor and mixed beverages.
- c. **Substances** means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.
- d. **College Location** means in any College building or on any College premises; in any College-owned vehicle or in any other College-approved vehicle used to transport students to and from College or College activities; and off College property at any College-sponsored or College-approved activity, event or function, such as a field trip or athletic event, where students are under the College's jurisdiction.



## College of The Albemarle Policy

### Policy Number: 5.3.5

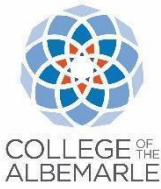
#### Pages: 2 of 3

---

- e. **Reasonable Suspicion** is the legal standard required before the College can require a student to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).
  - f. **Conviction** means the entry in a court of law or military tribunal of: (1) a plea of guilty, nolo contendere, no contest or the equivalent; (2) a verdict of guilty; or (3) a prayer for judgment continued or a deferred prosecution.
- II. Student use of drugs as prescribed by a licensed physician is not a violation of Policy; however, individuals shall be held strictly accountable for their behavior while under the influence of prescribed drugs.
  - III. Students may be required to be tested for substances, including controlled substances or alcohol, based on individualized, reasonable suspicion. The required observations for reasonable suspicion testing shall be made by an administrator, supervisor or other trained official and the person who makes the determination that reasonable suspicion exists shall not be the same person who conducts the test.

The College may permit or request law enforcement personnel to conduct drug searches on College property. Such searches may be performed by law enforcement officers on a random basis and/or when administration or law enforcement officers have a reasonable suspicion that illegal drugs may be present on campus. All searches will be executed in compliance with state and federal laws. Some programs have a more detailed substance abuse policy, which are outlined in the program's handbook.

- IV. The College does not differentiate between drug users, drug pushers or sellers. Any student in violation of Section A herein will be subject to disciplinary action up to and including suspension or dismissal and referral for prosecution.
- V. A student who violates the terms of this Policy will be subject to disciplinary action in accordance with Policy 5.3.2 Student Code of Conduct. At the discretion of the vice president of student success and enrollment management (vice president) students may be required to complete an approved drug abuse or alcohol rehabilitation program as a precondition for continued enrollment or readmission to the College.
- VI. Each student is required to inform the College, in writing, within five (5) calendar days after he/she is convicted for violation of any federal, state, or local criminal drug statute or alcoholic beverage control statute where such violation occurred while on or at a College location or College affiliated event. Failure to do so could result in disciplinary action.



## College of The Albemarle Policy

**Policy Number: 5.3.5**

**Pages: 3 of 3**

---

- VII. Students receiving Federal Student Aid must abide by the Anti-Drug Abuse Act Certification printed on the Student Aid Report.
  
- VIII. In addition to this Policy, students employed by the College, including students employed under the College's Work Study Program, shall adhere to the requirements in Policy 3.4.4 Alcohol and Drugs on Campus.

Legal Reference: 21 CFR Part 1308; 34 CFR 86; N.C.G.S. 90-86, *et seq.*

June 13, 2023

June 13, 2023

N/A

---

**Date Approved by Board of Trustees**

---

**Date of Last Review**

---

**Date of Last Revision**