

HAYWOOD COMMUNITY COLLEGE	STUDENT SERVICES STUDENTS – ALCOHOL AND DRUGS ON CAMPUS	Policy 5.3.5
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The 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 users 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:

- A. All students are prohibited from unlawfully possessing, using, being under the influence of, manufacturing, dispensing, selling or distributing alcohol, illegal or unauthorized controlled substances or impairing substances at any College location.
 - 1. *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.
 - 2. *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.
 - 3. *Impairing Substances* means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.
 - 4. *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.
 - 5. *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).

- B. 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.
- C. 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. This section does not apply to law enforcement officers serving the College through the local sheriff's department. Law enforcement officers must adhere to their normal standards when conducting a search.
- D. 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 termination or expulsion and referral for prosecution.
- E. A student who violates the terms of this Policy will be subject to disciplinary action in accordance with Policy 5.3.2 – Standards of Student Conduct. At his/her discretion, the Vice President of Student Services may require any student who violates the terms of this Policy to satisfactorily participate in a drug abuse rehabilitation program or an alcoholic rehabilitation program sponsored by an approved private or governmental institution as a precondition of continued enrollment at the College.
- F. Each student is required to inform the College, in writing, within five (5) 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. Failure to do so could result in disciplinary action.
- G. 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.

Adopted: 9-14-2017

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