Drug-Free Schools and Campuses Regulations
[Edgar Part 86] of the
Drug-Free Schools and Communities Act (DFSCA)

Drug Abuse and Alcohol Prevention Program (DAAPP)

Fall 2022
East Carolina University's Certificate of Review of the Drug and Alcohol Abuse Prevention Program (DAAPP)

Upon the recommendation of the Vice Chancellor for Student Affairs, I hereby certify that I have reviewed and approve the 2022-2023 Drug and Alcohol Prevention Program Annual Report.

Dr. Philip Rogers
Chancellor

Signature  Date

8-23-22
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A. Overview/Introduction

The Drug-Free Schools and Communities Act of 1989 requires educational institutions to notify students and employees of resources and programming pertaining to drug and alcohol use. This method of notification is called the Drug Abuse and Alcohol Prevention Program (DAAPP). The DAAPP includes information pertaining to student and employee notification, prevention efforts, programming, policies, and potential sanctions. The following University offices were represented on the ECU DAAPP task force: Center for Counseling and Student Development, Clery Coordinator, College of Nursing, Dean of Students Office, Faculty Senate, Graduate School, Human Resources, Information Technology and Computing Services, Office of Student Rights and Responsibilities, Police Department, Staff Senate, University Counsel, and Vice Chancellor for Student Affairs.

B. Annual Notification

The following notice is sent via email to all current ECU students with an active students@ecu.edu email account. Emails are sent in September of each calendar year and to all newly enrolled students at the beginning of the spring semester.

"Drug Free Schools and Campuses Act of 1989: Federal law requires that institutions of higher education provide students and employees with a copy of the written policies and law related to drugs and alcohol.

East Carolina University clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as a part of any of its activities.

To obtain information on applicable laws, the health risks associated with drug and alcohol use, available resources, and University Substance Use Policies for students and/or employees, please use the listed links below. If you would like a full copy of the Drug and Alcohol Abuse Prevention Program, see the attached PDF."

Employees are sent an email, with the same language, through “ECU OFFICIAL”. This email is sent each September as an update. New employees will be initially notified of the DAAPP as a part of New Employee Orientation.

C. Education and Prevention Efforts

ECU uses the prevention model developed by the National Academy of Medicine, which states programs should be tailored to meet the specific needs of the three prevention populations: universal (all students), selective (students that are members of high-risk groups) and indicated (individuals who have exhibited high risk behavior). Educational programs target each of these three populations in many forms and we collaborate with students, staff/faculty, parents, administration, and the local community to deliver these educational messages. ECU’s prevention approach also includes after-care programming (such as through our ECU Recovery community).
In 2016, ECU conducted the National College Health Assessment / American College Health Association (NCHA/ACHA) health survey on our campus. This survey asked questions pertinent to our students regarding alcohol and other drug behavior, amongst other health data. The NCHA/ACHA results reflect that our students use substances at a rate and pattern similar to the national statistics of comparable universities. Alcohol and other Drugs (AOD) educational programming efforts provided to our campus are, in part, driven by data from this research.

In fall 2019, ECU attempted to reconduct the NCHA/ACHA health survey on our campus. Unfortunately, there were not enough responses to validate the data. We will revisit administering the survey again at a later date. The current plan is to conduct a new ACHA/NCHA health survey in spring 2023.

ECU is dedicated to the pursuit and dissemination of knowledge. As such, our University expects members of the academic community to behave in a manner conducive toward that end. The highest standards of personal and professional conduct must be maintained by faculty, staff, and students. Illegal use and/or misuse of alcohol and other drugs by members of the ECU community adversely affects the mission of the institution. In keeping with its primary mission of education, ECU conducts a strong educational program aimed at the prevention and early intervention of alcohol and other drugs. For those members of our community who are misusing or have a substance use disorder, we provide treatment opportunities, including the ECU Collegiate Recovery Community (CRC), as well as consultation and referral as needed.

The AOD prevention efforts engage students in an educational, non-punitive fashion, and encourage active student participation and dialogue in this process. All programs are also targeted at addressing the developmental needs and issues common amongst a college population. Professional staff stay current regarding AOD trends in order to provide the most relevant education and treatment (most recent example being prescription medication and opioid misuse). In addition, Student Affairs Educators have completed training to become facilitators of the Alcohol Skills Training Program (ASTP) as well as Bystander Intervention.

First-year students receive a sizable percentage of programming efforts, as research has consistently demonstrated that this population is most immediately “at risk” for problems associated with AOD issues. All programs are designed to educate students about the issues and risks associated with alcohol and other drugs common on college campuses across the country, i.e. violence/sexual violence, overdose, accidents/injuries and other health issues, academic risks, legal ramifications, social norming messages, harm-reduction strategies, and addiction potential. Also of note, we tailor our educational programming specifically to our ECU campus based on our research data, feedback from student groups, and themes particular to our campus and the Greenville Community. We believe that this localized approach is superior to a more generic approach (for example, national “alcohol awareness speakers”) that would not contain the same ECU specific educational messages that we incorporate into all our programming. When national speakers are contracted to present on campus, we provide collaborative consultations to apprise them of our specific culture and needs at ECU. We additionally view AOD prevention and education as an essential ingredient in University resiliency and
retention efforts. Therefore, the adverse role that AOD issues have on student success, grade point average being an immediate example, is considered and made part and parcel of many programs delivered.

Our alcohol and other drug prevention and education efforts fall into eight general categories:

I. Direct Educational Outreach Programming
II. Passive AOD Information Dissemination
III. On-line Alcohol Education to First Year Students
IV. Early Intervention Education and Counseling
V. Alternative Activities
VI. Alcohol, Tobacco, and other Drug (ATOD) Committee
VII. Collegiate Recovery Community
VIII. Remote Services During COVID-19 Pandemic

For the purpose and scope of this report, AOD education done in courses for academic credit hours through various academic departments at ECU will not be detailed here. The AOD efforts section is concluded with a description of the campus coalition that helps establish ECU’s direction regarding AOD prevention. This group is called the Alcohol, Tobacco, and other Drug Committee (ATOD).

I. Direct Outreach Programming

This entails education programs directly (face-to-face) provided to various campus constituents (primarily students). These programs deliver AOD information in a variety of settings such as classrooms, residence halls, and to a wide-variety of specific student groups and sub-groups, such as Orientation students, Greek organizations, first-years, student-athletes, student leaders, and a variety of student organizations.

The information is given in a non-judgmental and engaging manner by ECU professional staff members from: Campus Living, Campus Recreation and Wellness, Center for Counseling and Student Development, the ECU Police Department, Fraternity and Sorority Life, Office of Student Rights and Responsibilities, Student Health Services, and the Victim Services program via the Dean of Students Office. The primary emphasis is based on a harm-reduction model and safe-decision making. ECU provides a comprehensive alcohol and other drug prevention and education program based upon the best practices that currently exist in the field.

Educational programming to staff and faculty targets issues such as identification of substance use issues, general AOD education knowledge, identification of alcohol related emergencies such as alcohol poisoning, notification of the ECU Good Samaritan Regulation/NC Good Samaritan Law, education surrounding the Student Code of Conduct, and appropriate response and referral protocol for staff or faculty members working with a student population. Resources such as emotional health counseling

Drug-Free Schools and Campuses Regulations- Drug and Alcohol Abuse Prevention Plan (EDGAR Part 86) 08/2022
and well-being coaching are included in outreach presentations to help inform students of available support on campus.

In February 2020, ECU implemented a Narcan Access Program. This was created in order to create ready availability of Narcan/Naloxone (an opioid overdose reversal medication) on campus. Students, faculty, and staff have access to this medication free and it can be obtained through the Student Health Services Pharmacy. Education regarding this program and how to access are shared through all AOD educational efforts.

II. Passive AOD Information Dissemination

ECU professional staff can reach a large number of individuals through an approach other than direct face-to-face programming. These programs deliver AOD education messages broadly through outlets such as health fairs, brochures, digital media campaigns, and other means deemed necessary and appropriate.

III. Online Alcohol Education to First-year students

In the summer and fall of 2008 online alcohol education was mandated for all first-year ECU students under the age of twenty-one. This educational opportunity was endorsed and actualized through the ECU Alcohol, Tobacco, and other Drug Committee (ATOD), and financially sponsored by the Pitt County ABC Board, and ECU Division of Student Affairs. Marketing is conducted in the summer and fall to students, family, faculty/staff to encourage completion of the online program. Since its inception, this program has had a high percentage completion rate amongst our first-year students. Additional modules have since been added to include drug education, sexual assault prevention, intimate partner violence education and prevention. The evaluation of these programs has consistently found that students increase their knowledge about alcohol and other drugs and demonstrates that students report being more likely to intervene in a substance related emergency.

IV. Early Intervention Education and Counseling

The enforcement and judicial processes are closely interwoven with educational and counseling efforts regarding AOD infractions. This is done to provide a comprehensive response to students who are found responsible for violating the code of conduct. All students that violate the ECU Student Code of Conduct for AOD offenses are required to participate in an education and/or counseling program at the ECU Center for Counseling and Student Development (CCSD) or through the Office of Student Rights and Responsibilities (OSRR). The purpose of these interventions is to educate students about AOD issues, teach harm-reduction principles, and attempt to instill healthy decision making. This program emphasizes education and counseling over punitive measures. Assessment of emotional health functioning is incorporated as well. CCSD utilizes the intervention model entitled “Brief Alcohol Screening and Intervention for College Students” (BASICS) that has widely proven efficacy (including research by the National Institute of Health) using a motivational interviewing approach. The education
intervention and counseling are delivered to students via assessments, individual counseling sessions, and group psychoeducational sessions.

V. Alternative Activities

ECU is fortunate to have well-resourced Campus Recreation and Wellness (CRW) facilities that offer many substance-free and healthy activities. CRW programming includes numerous late night and weekend events. Additionally, the departments that comprise Student Involvement and Leadership offer many substance-free alternative activities. Many departments/offices in the Division of Student Affairs collaborate to offer a series of programs that deliver alternative activities throughout the year, including times especially associated with high-risk alcohol use such as at Halloween. All programs are marketed in AOD education outreach programs to encourage attendance and healthy substance-free social outlets. Every ECU residence hall offers many programs throughout the year that provide entertainment, education, and socialization opportunities. Additionally, there are “living/learning” communities that promote positive academic and extracurricular choices for students.

VI. Alcohol, Tobacco, and other Drug Committee (ATOD)

This is a multidisciplinary committee represented by many campus constituents whose mission is to coordinate AOD harm-reduction and education efforts. It is comprised of students, administration, faculty, staff, and student representatives. The committee is led by Robert Morphet and Hillary Liles-

ECU Counseling Center.

VII. Collegiate Recovery Community

The East Carolina University Collegiate Recovery Community (CRC) is designed to provide educational opportunities, personal development, and social enhancement to students in recovery from substances and to allies that support their journey to a better self. The goal of ECU Recovery is to create a welcoming environment for all students at the University and to create a culture within the University that supports abstinence (as defined by student) within a model of a recovery-based system of care.

VIII. Remote Services during COVID-19 Pandemic

In March 2020, CCSD moved all AOD prevention and intervention services to a remote format. Operations were altered in a way to continue to serve students in a virtual platform. WebEx was the platform used due to students’ ease of access as well as compliance with confidentiality guidelines. Harm reduction and education sessions were conducted for BASICS sanctions. AOD outreach programming was also provided to a variety of student groups and academic classes during the 2021-2022 academic year. AOD services are transitioning to face to face delivery in fall 2022, however some of the services offered will remain virtual.
D. Health Risks Associated with Substance Use

<table>
<thead>
<tr>
<th>Drug Type</th>
<th>Common Name</th>
<th>Health Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>Booze, beer, wine, hard seltzers, liquor</td>
<td>High blood pressure, higher risk of sexually transmitted diseases &amp; unplanned pregnancy, depression, lowered resistance to disease, insomnia</td>
</tr>
<tr>
<td>Marijuana</td>
<td>Grass, reefer, pot, weed</td>
<td>Damage to heart, lungs, brain, lung cancer, decreased motivation, depression, paranoia, impaired memory</td>
</tr>
<tr>
<td>Steroids</td>
<td>Anabolic/Andreno-genic (roids, juice)</td>
<td>High blood pressure, liver and kidney damage, acne, atrophy of testes, breast enlargement in men, breast reduction in women, aggressiveness, mood swings</td>
</tr>
<tr>
<td>Solvents-Inhalants</td>
<td>Acetone, freons, nitrous oxide</td>
<td>Heart failure, respiratory arrest, liver and brain damage</td>
</tr>
<tr>
<td>Depressants</td>
<td>Alcohol, ludes, barbiturates</td>
<td>Liver damage, convulsions, depression, disorientation, insomnia</td>
</tr>
<tr>
<td>Hallucinogens</td>
<td>PCP, LSD, angel dust, mushrooms</td>
<td>Agitation, extreme hyperactivity, reduced eating, flashbacks</td>
</tr>
<tr>
<td>Stimulants</td>
<td>Cocaine, crack, amphetamines, diet pills</td>
<td>Headaches, depression; malnutrition, anorexia, strokes, seizures</td>
</tr>
<tr>
<td>Narcotics</td>
<td>Smack, codeine, heroine, lords</td>
<td>Respiratory arrest, sleepiness, organ and lung damage, nausea</td>
</tr>
<tr>
<td>Tobacco</td>
<td>Nicotine products</td>
<td>Lung cancer, emphyzema, oral cancer</td>
</tr>
</tbody>
</table>

Source: [www.cdc.gov/Alcohol/quickstats/general_info.htm](http://www.cdc.gov/Alcohol/quickstats/general_info.htm)

For further information regarding health risks for particular classes of drugs of abuse, see: [https://www.drugabuse.gov/](https://www.drugabuse.gov/)

E. Standards of Conduct and Policies

ECU actively engages in enforcement efforts pertaining to the illegal use of alcohol and other drugs. The ECU Police Department patrols all campus properties and surrounding areas. Additionally, ECU collaborates actively, and through reciprocal agreements, with local law enforcement and judicial entities to address the state and federal laws pertaining to alcohol and other drugs. The local departments that ECU works closely with regarding AOD laws are: Greenville Police Department, Alcohol Law Enforcement (ALE), Alcohol Beverage Control (ABC), Pitt County District Attorney’s Office, and The City of Greenville. Information is often shared with the Office of Student Rights and Responsibilities (OSRR); in return OSRR adjudicates each student case based upon accepted federal and Institutions for Higher Education guidelines. ECU’s OSRR office does parental notifications for AOD cases. Additionally, staff collaborates with local attorneys for AOD education and counseling per favorable court disposition.
ECU Illegal Drugs and Substance Abuse - Interim

Version 1 (Current Version)
Adopted July 15, 1988; Amended October 1990; Revised August 29, 2019

1. Introduction

East Carolina University (ECU or the University) is dedicated to the pursuit and dissemination of knowledge and, as such, expects all members of the academic community to behave in a manner conducive to that end.

The highest standards of personal and professional conduct must be maintained by faculty, staff, and students. Illegal or abusive use of drugs or alcohol, referred to in this policy as substance abuse, by members of the university community adversely affects the mission of the university and is prohibited. For example, pursuant to other applicable university policies and regulations, students accused of felony drug violations may lose their right to remain in campus residence halls, and employees with certain job functions may be subject to reasonable suspicion drug and alcohol testing.

Accordingly, the East Carolina University Board of Trustees adopts the following policy, consistent with The UNC Board of Governors' Policy on Illegal Drugs. The policy is intended to accomplish the following:

1.1 prevent substance abuse through a strong educational effort;

1.2 encourage and facilitate the use of counseling services and rehabilitation programs by those members of the academic community who require their assistance in stopping substance abuse; and

1.3 discipline appropriately those members of the academic community who engage in illegal drug or alcohol related behaviors.

2. Educational Efforts to Prevent Substance Abuse

In keeping with its primary mission of education, East Carolina University will conduct an educational program aimed at preventing substance abuse and illegal drug or alcohol use.

Educational efforts shall be directed toward all members of the academic community and will include:

2.1 information about the incompatibility of the use or sale of illegal substances with the goals of East Carolina University;

2.2 the health hazards associated with illegal drug or alcohol use;

2.3 the incompatibility of substance abuse with the maximum achievement of educational, career, and other personal goals;

2.4 the medical implications and health risks associated with illegal drug use and substance abuse; and

2.5 the potential legal consequences of involvement with illegal drugs or alcohol.
3. Counseling and Rehabilitation Services to Prevent Substance Abuse

Those faculty, staff, or students who seek assistance with a substance abuse related problem shall be provided with information about drug counseling and rehabilitation services available through East Carolina University and community organizations. Those who voluntarily avail themselves of university services shall be assured that applicable professional standards of confidentiality will be observed.

3.1 Student Alcohol and Drug Treatment. For students who may experience an alcohol or substance abuse problem while enrolled at the University, a substance abuse counseling program is available. Students may call the Center for Counseling and Student Development at (252) 328-6661 for services and referrals.

3.2 Employee Alcohol and Drug Treatment. For employees who may experience an alcohol or substance abuse problem while employed at the University, the University’s Employee Assistance Program (EAP) is available. Employees may call the Department of Human Resources, Employee Relations Unit, at (252) 328-9848 or the Benefits Unit at (252) 328-9887 for more information regarding the EAP.

4. Enforcement and Penalties Related to Unlawful Drug Possession and Use or Distribution of Illegal Drugs and/or Alcohol

4.1 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 both to prosecution and punishment by judicial or local authorities and to disciplinary proceedings by the university.

4.1.1 It is not “double jeopardy” for both the civil authorities and the University to proceed against and discipline a person for the same specified conduct. The university will initiate its own disciplinary proceedings against a student, faculty member, administrator, or other employee when the alleged conduct is deemed to affect the interests of the university.

4.2 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 applicable ECU policy.

4.3 Penalties to be imposed by the University will vary depending upon the nature and seriousness of the offense and may include a range of disciplinary actions, up to and including expulsion from enrollment and discharge from employment. The University may also refer matters to law enforcement for prosecution.

4.3.1 For second or other subsequent offenses involving illegal drugs or alcohol, progressively more severe penalties shall be imposed.

4.3.2 When considering appropriate sanctions for students found responsible for an offense involving illegal drugs or alcohol, the university will sanction consistent with, and through the procedures outlined in, the Student Code of Conduct, which is referenced in the related policies section, above.

4.3.3 When considering appropriate disciplinary action for employees found responsible for a violation of this policy, the university will consider the relationship between the offense and the employee’s position and job performance, including assessment of the nature and gravity of the offense or conduct, the time that has passed since the offense or conduction and the nature of the job held. The penalties to be imposed by the
university may range from written warnings with probationary status to discharge (or other separation) from employment.

4.4 A student, faculty member, administrator or other employee found to have violated applicable law or university policies concerning illegal drugs or substance abuse may be required 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 such conditions and restrictions may result in additional disciplinary action, up to and including expulsion from enrollment and discharge (or other separation) from employment.

4.5 Suspension. When a student, faculty member, administrator, or other employee has been charged by the university with a violation of policies concerning illegal drugs or alcohol, in accordance with the Student Code of Conduct or the policies/regulations that apply to that particular employee, he or she may be suspended from enrollment or removed from work before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the chancellor or, 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.

4.5.1 If such a suspension or removal from work is imposed on an employee, it is with full pay until the time of an appropriate opportunity to be heard on the alleged charges against the suspended person, which shall be held as promptly as possible thereafter.

4.6 Notification by Employees. In the case of employees, anyone convicted of a criminal drug statute violation shall notify the university no later than five (5) business days after such conviction. The university should commence with appropriate disciplinary action proceedings against such an individual within thirty business (30) days of notice of conviction.

4.6.1 Failure to notify the university by employees may result in disciplinary action upon discovery by the university of said conviction.

5. Responsibilities Under This Policy

5.1 All employees and students shall be responsible for abiding by the provisions of this policy. In the case of employees, adherence with the provisions of the policy shall be a condition of employment. Students and Employees are encouraged to report suspected substance abuse to ECU Cares at (252) 737-5555.

5.2 Pursuant to the authority vested by the chancellor, the Assistant Direct for Counseling –Licensed Clinical Addiction Specialist (Coordinator) is responsible for overseeing all educational programs relating to this policy. The chancellor will render an annual report to the Board of Trustees on the effectiveness of this policy.

5.3 As required by the Drug-Free Workplace Act of 1988, the Drug Free Schools and Communities Act Amendments of 1989 and applicable UNC System policy, the Coordinator will conduct a biennial review of the effectiveness of its educational programs regarding illegal drugs and the consistency of sanction enforcement, and maintain the results of these reviews.

6. Dissemination of This Policy

A copy of this policy shall be distributed annually to each student and employee and to all new employees at the beginning of their employment or new students at the time start of their first academic semester enrolled at ECU.
The policy shall be published in the university catalogues and other materials prepared for all enrolled and prospective students and materials distributed to faculty and staff.

Possession, Consumption and Sale of Alcoholic Beverages - Interim

Version 1 (Current Version)
Approved as interim August 28, 2019

1. Introduction
Within the defined jurisdiction of the University Alcohol Policy (the “Policy”), the Possession, Consumption, and Sale of Alcoholic Beverages are prohibited: (a) for all persons under the age of 21; (b) in areas of classrooms being used for instructional purposes; and (c) in all other buildings, facilities, and grounds of the University except as permitted by the Policy or this Regulation.

Alcoholic beverages are defined as spirituous liquor, mixed beverages, malt beverages, and fortified and unfortified wines.

The following provisions apply to the various indicated facilities associated with ECU.

2. ECU Athletic Facilities

2.1. As permitted by Session Law 2019-52, the ECU Board of Trustees approved the issuance of permits for the sale of alcoholic beverages at the following ECU Athletics Facilities, subject to regulations adopted by the Chancellor:

2.1.1. Dowdy-Ficklen Stadium,
2.1.2. Williams Arena at Minges Coliseum,
2.1.3. Clark-LeClair Stadium,
2.1.4. ECU Softball Stadium, and
2.1.5. Johnson Stadium

2.2. As stated in Session Law 2019-52, “Notwithstanding the issuance of a mixed beverages permit pursuant to G.S 18B-1001(10), this subdivision does not authorize the sale of mixed beverages when the stadium, athletic facility, or arena is being used for a sports event sponsored by the public college or university.” (excluding facilities in provision 2.6 of this regulation).

2.3. ECU, its contracted vendors, businesses that contract for use of the facilities from ECU, and ECU’s Associated Entities, as recognized by ECU pursuant to N.C.G.S. Section 116-20.30, may seek such permits from the appropriate authorities and, if such permits are granted, may sell alcoholic beverages within the premises of the designated ECU Athletic Facilities, including any area that is within 500 feet of the furthest exterior building wall or permanent fixed perimeter as designated in the application for such permits. Persons at least 21 years of age possessing a government-issued identification document as proof of his or her age, such as a driver’s license, are permitted to possess and consume alcoholic beverages in the Athletics Facilities sold to them in accordance with this Interim Regulation.
2.4. The ECU Athletic Director must annually submit an Alcohol Sales Management Plan to the Chancellor.

2.4.1. The plan must be developed in collaboration with all contracted concessionaire vendors, ECU Police Department, Environmental Health & Safety, the Faculty Athletics Representative, the Office of University Counsel, and any contracted security firm.

2.4.2. The plan must address controls to mitigate risks, including, but not limited to, the following:

2.4.2.1. Appropriate Training. No one may sell or serve alcoholic beverages unless they hold a current, active and valid certification in an approved alcoholic beverage service training program from (a) TEAM (Techniques for Effective Alcohol Management) training sponsored by the TEAM Coalition ("TEAM"), or (b) Responsible Alcohol Sales Education (RASE). This training will be conducted by Pitt County ABC and/or North Carolina ALE.

2.4.2.2. In these trainings, staff will be instructed in accordance with the state certified course, which includes how to identify signs of impairment, potential for liability, and how to intervene when necessary. In addition, trained staff members will work with event management to develop a customized Facility Alcohol Management (FAM) plan.

2.4.2.3. A defined per transaction serving limit in accordance with state law.

2.4.2.4. Protocols to deny service to minors or visibly intoxicated individuals.

2.4.2.5. Increased customer service and security presence in parking lots immediately before and after games.

2.4.2.6. Security standards and staffing, which may include security cameras to monitor the program activities.

2.4.2.7. Ensuring supervisors enforce policies via staff dedicated to monitoring compliance.

2.4.2.8. Implementation of multiple layers of identification, including, but not limited to wristbands.

2.4.2.9. Enhanced gate screening to prevent entry of alcohol.

2.4.2.10. Use of existing first-aid stations.

2.4.2.11. Communication protocols for fans to share concerns about alcohol sales.

2.4.2.12. Promotion of responsible drinking, ride sharing, and designated drivers.

2.5. Tailgating

2.5.1. Persons at least 21 years of age (sometimes referred to as "of legal age") possessing a government-issued identification document as proof of age, such as a driver's license, are permitted to possess and consume alcoholic beverages in the Athletics-managed Facilities parking areas in connection with tailgating at events being held in the Athletics Facilities, or on such other occasions as permitted by the Chancellor or the Chancellor's designee, during times and at locations within the Athletics Facilities parking area specified by the University.

2.5.2. Alcoholic beverages may be possessed and consumed by persons at least 21 years of age within the following Pirate Club tailgating lots during a period beginning no earlier than six (6) hours immediately before
and ending no later than two (2) hours immediately following the official conclusion of the related athletic event:

2.5.2.1. Stratford Arms
2.5.2.2. Williams Jungle
2.5.2.3. Clark-LeClair Lot
2.5.2.4. Carol Belk Lot
2.5.2.5. Elmhurst School
2.5.2.6. Silver Lot
2.5.2.7. Gold Lot
2.5.2.8. Blue Lot
2.5.2.9. Gray Lot
2.5.2.10. White Lot
2.5.2.11. Purple Lot
2.5.2.12. Lower Minges
2.5.2.13. Hight Field
2.5.2.14. College Hill Lot

2.5.3. The time and access restrictions listed in 2.5.2 do not include those with valid Recreational Vehicle (RV) parking passes.

2.6. Pirate Club Sponsored Events

2.6.1. Possession and consumption of alcoholic beverages in the areas specified below may occur only in connection with and through service of alcoholic beverages by one or more professional bartender(s) secured by the Pirate Club or the ECU Alumni Association for that purpose, in compliance with a duly issued permit or license from a State or local agency with jurisdiction over such service under applicable provisions of the General Statutes of North Carolina.

2.6.1.1. TowneBank Tower (excluding Suites and Loge Boxes, which are governed by the manuals for their use)
2.6.1.2. Murphy Center
2.6.1.3. Williams - Clark Club Level

2.7. Disciplinary Action

2.7.1. No alcoholic beverage may be taken inside the Athletics Facilities except as served and restricted by an Associated Entity of ECU that has applied for and obtained permission to serve alcoholic beverages in compliance with ECU policy and applicable law, regulations, and ordinances.
2.7.2. Persons found in possession of alcoholic beverages within the Athletics Facilities, except as otherwise permitted by the Policy or as designated herein, will forfeit their game or event ticket(s) with no right of refund and be expelled from the game or event and may be permanently banned from all or any part of the University, including the Athletics Facilities, for violation(s) of the Policy, including but not limited to this Regulation.

2.7.3. Disciplinary actions taken against University students and employees for violations shall be in accordance with applicable University policies, such as the ECU Student Code of Conduct (for students only).

2.8. The Director of Athletics may permit possession and consumption of alcoholic beverages at occasions unrelated to any athletic event, tailgating, or any other event being held in the Athletics Facilities if the service of such beverages is pursuant to an applicable license issued by the State Board of Alcoholic Control, under pertinent provisions of the General Statutes of North Carolina.

3. **Other Approved Areas**

3.1. The provisions below designate the Other Approved Areas where the Chancellor has approved the possession and consumption of alcoholic beverages, as defined by the Policy.

3.2. Wherever alcoholic beverages are possessed or consumed:

3.2.1. The persons possessing and/or serving the alcohol must ensure adequate safeguards are in place for compliance with federal, state, and municipal ordinances and laws and all University Policies;

3.2.2. For University or University Associated Entity (e.g., foundation) sponsored events or activities, alcoholic beverages must be distributed by a bartender through the University contracted catering services or through a University-approved bartender;

3.2.3. Approval for the possession and consumption of alcoholic beverages must be obtained in advance and to the extent specified in the Policy; and

3.2.4. The designation of an Other Approved Area notwithstanding, alcoholic beverages will not be made available, possessed, or consumed within areas designated for use by the University as “Alcohol Free” (such as at alcohol free student events sponsored by the Division of Student Affairs).

3.3. New requests to add a location to the list of Other Approved Areas are to be submitted to the Chancellor’s Chief of Staff.

3.4. Alcoholic beverages may be possessed and consumed if served by professional bartenders, as referenced above, at University-approved special events held by the University or University Associated Entities at the following locations

3.4.1. East Campus Locations

3.4.1.1. Spilman Building (Lobby and conference rooms only)

3.4.1.2. Croatan (Green Room only)

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Drug-Free Schools and Campuses Regulations- Drug and Alcohol Abuse Prevention Plan (EDGAR Part 86) 08/2022
3.4.1.3. Whichard Building (Lobby only)
3.4.1.4. Joyner Library (Lobby of Faulkner Gallery)
3.4.1.5. Howell Science Building (Lobby only)
3.4.1.6. Brewster Building (Lobby only)
3.4.1.7. Rivers Building (Lobby only)
3.4.1.8. Jenkins Fine Art Center (Lobby and Gray Gallery only)
3.4.1.9. Science and Technology (1st & 2nd floor lobby)
3.4.1.10. Rawl Annex (Faculty Senate office only)
3.4.1.11. Willis Building (multipurpose room and lobby only)
3.4.1.12. ECU Mall (at formally approved ECU Alumni Association events only)
3.4.1.13. Mendenhall Student Center (Great Rooms)
3.4.1.14. Greenville Centre (Room 1200)
3.4.1.15. Gateway West (The Sounds/Belk Plaza)
3.4.1.16. Wright Auditorium (Lobby)
3.4.1.17. Main Student Center (all non-public areas as well as Student Center Art Galleries and 3rd Floor Outdoor Deck)

3.4.2. West Campus Locations
3.4.2.1. Brody School of Medicine (2 West rooms only)
3.4.2.2. Brody School of Medicine-Commons
3.4.2.3. Ross Hall (2nd Floor Rotunda and Conference room 3001; rooms 4001 and 4100)
3.4.2.4. East Carolina Heart Institute (Lobby, Conference Rooms A-D only)
3.4.2.5. Medical & Health Foundation Building (Room #2; Courtyard)
3.4.2.6. Family Medicine Building (conference room)
3.4.2.7. Health Sciences Campus Student Center (all non-public areas as well as 2nd Floor Student Center Art Gallery and the 3rd Floor Beacon Lounge)

3.4.2.8. Health Sciences Building
3.4.2.8.1. College of Nursing (Lobby; Room 4300)
3.4.2.8.2. Laupus Library (2nd floor Donor Wall/Reference Floor; 4th floor-Gallery)
3.4.2.8.3. College of Allied Health (Lobby and Conference Room 4415)
3.4.3. Other

3.4.3.1. Chancellor’s Residence

3.4.3.2. Instructional classrooms where the subject matter of the curriculum of a course listed in a University Catalog is related to alcoholic beverages (e.g., zymology, viticulture and/or oenology, food and beverage science, nutrition, etc.); provided, however, the possession and consumption of alcoholic beverages in a classroom setting must be approved in advance in writing by the Dean or Director of the academic unit, as applicable, and must comport to the highest industry standards of instructional practice (e.g., the use of spittoons for wine tasting, etc.).

3.4.3.3. Coastal Studies Institute, Wanchese, NC (Lobby and Conference Room(s) only)

4. Relation of Interim Regulation to University Alcohol Policy

4.1. This Interim Regulation is promulgated pursuant to the express authority of the Board of Trustees as delegated to the Chancellor in the Board’s Resolution adopted July 12, 2019. At the time of the promulgation of this Interim Regulation, the University Alcohol Policy is being revised to include the approved sale of alcoholic beverages at ECU Athletic Facilities. However, that revision may not be complete when this Interim Regulation becomes effective. Therefore, to the extent that this Interim Regulation is in conflict with the University Alcohol Policy as applied to the sale of alcoholic beverages at ECU Athletic Facilities, this Interim Regulation is controlling.
ECU Good Samaritan Regulation (GSR)
Policy REG11.30.02
Title University Good Samaritan Regulation (GSR)
Category Student Affairs
Sub-category Student Discipline
Authority Chancellor
History Approved May 28, 2014.
Contact Associate Vice Chancellor for Student Affairs, 328-2092; Director, Office of Student Rights and Responsibilities, 328-6824; Assistant Director, Center for Counseling and Student Development, 328-6661.
Related Policies Student Conduct Process

1. Purpose
1.1. The purpose of the Good Samaritan Regulation ("Regulation" or "GSR") is to remove a potential barrier and facilitate access to emergency medical care in cases of alcohol related medical emergencies. The goal is to increase the likelihood that a person needing medical assistance will receive this assistance by reducing the reluctance of students to seek out appropriate help due to fear of potential University consequences assigned by the Office of Student Rights and Responsibilities ("OSRR") to themselves or another person in need of assistance.

1.2. The GSR is part of East Carolina University's comprehensive approach to reduce the harmful consequences caused by the misuse of alcohol. It is designed to promote responsible decision making when students are faced with a potentially harmful, or deadly, alcohol related medical situation. This regulation finds support in the ECU Creed which states: "I will be thoughtful and responsible in my words and actions" and "I will engage in purposeful citizenship by serving as a positive role model," and aligns well with the University's mission to help prepare future leaders by encouraging healthy, pro-active, civically responsible actions by our students in a time of a crisis.

1.3. The minimum legal drinking age (MLDA) in the state of North Carolina is 21 years old. Nothing in this procedure should indicate that the University condones underage drinking. We are also cognizant, however, that many underage college students will choose to consume alcohol regardless of the MLDA. With this choice comes the risk of very harmful consequences; research has long demonstrated that the misuse of alcohol is the number one health risk on U.S. college campuses. This GSR regulation is designed to address this reality by reducing the risk of alcohol-related harm for students via an increased likelihood of medical intervention. The regulation stipulates that individuals who are involved in an emergency situation are provided education related to alcohol risk-reduction in order to reduce the likelihood of future occurrences.

2. Students Qualifying for Good Samaritan Amnesty
2.1. Subject to the provisions of this regulation, the ECU GSR may apply in the following situations:
2.1.1. When a student, acting in good faith and upon reasonable belief that he or she was the first to call for assistance, contacts ECU personnel or emergency services ("EMS") for medical assistance related to his or her own alcohol use or intoxication, and EMS responds and makes a medical assessment at the locale.
2.1.2. When a student calls for emergency assistance on behalf of another person experiencing an alcohol-related medical emergency and EMS responds and makes a medical assessment at the locale. The student shall use his or her own name when contacting authorities and shall remain with the person needing medical attention until help arrives.
2.1.3. When a student is named in an ECU Police Report or Campus Appearance Ticket as having been present and lending a helping hand during an alcohol-related medical emergency and it is documented that emergency
assistance was requested. Likewise, failure to call for medical assistance in an alcohol related emergency may be considered an aggravating circumstance that may affect a conduct case resolution and/or result in increased sanctions.

2.2 Gathering Information and Documents

2.2.1 In a preliminary meeting with the student or organization, OSRR will gather information pertinent to the facts for determining the appropriateness of granting GSR amnesty. This meeting will consider the available facts and documentation, including, but not limited to, the following: Documentation verifying that EMS was called, responded, and rendered medical attention; Documentation of a visit to a hospital Emergency Department; A written report from a police department, other law enforcement entity, or Campus Living; Any record of the Blood Alcohol Level as determined by medical personnel.

2.3 Procedures for case management

2.3.1 Students who receive or request on behalf of another person emergency medical attention related to the consumption of alcohol may be eligible to receive GSR amnesty. Such students should be referred to OSRR. OSRR will track each GSR amnesty request in order to maintain appropriate data and documentation. OSRR will document that the office has discussed the potential for GSR amnesty with potentially qualified students or organizations referred to it, explaining the GSR regulation, its usage, and GSR onetime per academic school year applicability. Additionally, OSRR will provide such students with an informational Good Samaritan letter detailing the GSR regulation specifics.

3. Effect of GSR Amnesty

3.1. In the discretion of OSRR, if the student qualifies for medical amnesty under this regulation, OSRR may refrain from charging or sanctioning the student for one or more violations of the Student Code of Conduct related to alcohol. As a condition of receiving amnesty, students may be required to successfully complete a substance abuse assessment through the Center for Counseling and Student Development (“CCSD”) or undergo such other educational activity or medical course of treatment as deemed appropriate by OSRR.

3.2. In compliance with the Family Educational Rights and Privacy Act (“FERPA”) and University policies and regulations, OSRR will notify the parent(s) or legal guardian(s) of students under the age of 21 who receive GSR amnesty under this regulation. A student that does not want his or her parents to be notified may appeal to OSRR. Pursuant to the Parental Notification Policy, OSRR will, in turn, refer the student to CCSD. CCSD will make a recommendation that will be given back to OSRR for consideration in determining parental notification disposition.

3.3. A student may be granted GSR amnesty no more than once per academic school year. Records of all known requests for assistance in medical emergencies shall be maintained by OSRR, as outlined in section 2.3, above. In the event a student who previously received amnesty is involved in a subsequent conduct-related incident, the existence of a previous receipt of amnesty, and the circumstances involved in the previous incident, may be taken into account by OSRR when considering sanctions in subsequent conduct-related incidents.

4. Clubs/Organizations

4.1. Good Samaritan amnesty for a recognized club/organization may be granted to the club/organization only.

4.2. If a student representative of a university recognized club or organization hosting an event seeks medical assistance in a medical emergency as described in section 2 above, then the club/organization may be eligible for GSR amnesty as it applies to clubs/organizations.
4.3. Representatives from the organization may be required to meet with OSRR. Clubs/organizations qualifying for GSR amnesty under this regulation will not be charged or sanctioned for violations of the University's alcohol-related policies.

4.4. As a condition of receiving amnesty, such organizations/clubs may be required to participate in or organize an appropriate educational program to be presented to the club/organization members or others and/or complete such other educational activity as deemed appropriate by OSRR.

4.5. Clubs/organizations may be granted GSR amnesty no more than once per academic school year and only for appropriately recognized events of their organization.

4.6. While the act of responsibly calling for prompt medical attention in compliance with this regulation may mitigate OSRR sanctions against the club/organization resulting from Code violations that may have occurred at the time of the incident, failure to call for medical assistance in an alcohol-related emergency may be considered an aggravating circumstance that may affect a conduct case resolution, and/or result in increased sanctions

5. Limitations

5.1. The GSR applies to alcohol related incidents that require emergency medical attention as described in this regulation. This regulation does not apply to any other type of drug related behavior including use, possession, or distribution.

5.2. The GSR applies only to alcohol Student Code of Conduct violations. If other prohibited conduct occurs, including, but not limited to, assault, theft, driving while impaired, property damage etc., the student(s)/clubs/organizations will be held responsible by the University and OSRR for those violations.

5.3. Nothing in this regulation shall prevent an individual who has enforcement obligations under state or federal law to report, charge, or take other action related to the possible criminal prosecution of any student for his/her conduct.

**NC Good Samaritan Law**

SESSION LAW 2013-23, SENATE BILL 20

AN ACT TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR (1) CERTAIN DRUG-RELATED OFFENSES COMMITTED BY AN INDIVIDUAL WHO SEeks MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING A DRUG-RELATED OVERDOSE AND (2) CERTAIN DRUG-RELATED OFFENSES COMMITTED BY AN INDIVIDUAL EXPERIENCING A DRUG-RELATED OVERDOSE AND IN NEED OF MEDICAL ASSISTANCE; TO PROVIDE IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY FOR (1) PRACTITIONERS WHO PRESCRIBE AN OPIOID ANTAGONIST TO CERTAIN THIRD PARTIES AND (2) CERTAIN INDIVIDUALS WHO ADMINISTER AN OPIOID ANTAGONIST TO A PERSON EXPERIENCING A DRUG-RELATED OVERDOSE; AND TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN ALCOHOL-RELATED OFFENSES COMMITTED BY PERSONS UNDER THE AGE OF 21 WHO SEEK MEDICAL ASSISTANCE FOR ANOTHER PERSON.

The General Assembly of North Carolina enacts:
SECTION 1. Article 5 of Chapter 90 of the General Statutes is amended by adding a new section to read:
"§ 90-96.2. Drug-related overdose treatment; limited immunity.
(a) As used in this section, "drug-related overdose" means an acute condition, including mania, hysteria, extreme physical illness, coma, or death resulting from the consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe to be a drug overdose that requires medical assistance.

(b) A person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose shall not be prosecuted for (i) a misdemeanor violation of G.S. 90-95(a)(3), (ii) a felony violation of G.S. 90-95(a)(3) for possession of less than one gram of cocaine, (iii) a felony violation of G.S. 90-95(a)(3) for possession of less than one gram of heroin, or (iv) a violation of G.S. 90-113.22 if the evidence for prosecution under those sections was obtained as a result of the person seeking medical assistance for the drug-related overdose.

(c) A person who experiences a drug-related overdose and is in need of medical assistance shall not be prosecuted for (i) a misdemeanor violation of G.S. 90-95(a)(3), (ii) a felony violation of G.S. 90-95(a)(3) for possession of less than one gram of cocaine, (iii) a felony violation of G.S. 90-95(a)(3) for possession of less than one gram of heroin, or (iv) a violation of G.S. 90-113.22 if the evidence for prosecution under those sections was obtained as a result of the drug-related overdose and need for medical assistance.

(d) Nothing in this section shall be construed to bar the admissibility of any evidence obtained in connection with the investigation and prosecution of other crimes committed by a person who otherwise qualifies for limited immunity under this section."

SECTION 2. Article 5 of Chapter 90 of the General Statutes is amended by adding a new section to read:
"§ 90-106.2. Treatment of overdose with opioid antagonist; immunity.
(a) As used in this section, "opioid antagonist" means naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose.

(b) A practitioner acting in good faith and exercising reasonable care may directly or by standing order prescribe an opioid antagonist to (i) a person at risk of experiencing an opiate-related overdose or (ii) a family member, friend, or other person in a position to assist a person at risk of experiencing an opiate-related overdose. As an indicator of good faith, the practitioner, prior to prescribing an opioid under this subsection, may require receipt of a written communication that provides a factual basis for a reasonable conclusion as to either of the following:

(1) The person seeking the opioid antagonist is at risk of experiencing an opiate-related overdose.

(2) The person other than the person who is at risk of experiencing an opiate-related overdose, and who is seeking the opioid antagonist, is in relation to the person at risk of experiencing an opiate-related overdose:

a. A family member, friend, or other person.
b. In the position to assist a person at risk of experiencing an opiate-related overdose.

A person who receives an opioid antagonist that was prescribed pursuant to subsection (b) of this section may administer an opioid antagonist to another person if (i) the person has a good faith belief that the other person is experiencing a drug-related overdose and (ii) the person exercises reasonable care in administering the drug to the other person. Evidence of the use of reasonable care in administering the drug shall include the receipt of basic instruction and information on how to administer the opioid antagonist.

(d) All of the following individuals are immune from any civil or criminal liability for actions authorized by this section:

(1) Any practitioner who prescribes an opioid antagonist pursuant to subsection (b) of this section.

(2) Any person who administers an opioid antagonist pursuant to subsection (c) of this section.

SECTION 3. Chapter 18B of the General Statutes is amended by adding a new section to read:

"§ 18B-302.2. Medical treatment; limited immunity.

Notwithstanding any other provision of law, a person under the age of 21 shall not be prosecuted for a violation of G.S. 18B-302 for the possession or consumption of alcoholic beverages if law enforcement, including campus safety police, became aware of the possession or consumption of alcohol by the person solely because the person was seeking medical assistance for another individual. This section shall apply if, when seeking medical assistance on behalf of another, the person did all of the following:

(1) Acted in good faith, upon a reasonable belief that he or she was the first to call for assistance.

(2) Used his or her own name when contacting authorities.

(3) Remained with the individual needing medical assistance until help arrived."

SECTION 4. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 4th day of April, 2013.

s/ Daniel J. Forest
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

§ 18B-302.2. Medical treatment; limited immunity.
(a) Limited Immunity for Samaritan. – Notwithstanding any other provision of law, a person under the age of 21 shall not be prosecuted for a violation of G.S. 18B-302 for the
possession or consumption of alcoholic beverages if all of the following requirements and conditions are met:
(1) The person sought medical assistance for an individual experiencing an alcohol-related overdose by contacting the 911 system, a law enforcement officer, or emergency medical services personnel.
(1a) The person acted in good faith when seeking medical assistance, upon a reasonable belief that he or she was the first to call for assistance.
(2) The person provided his or her own name to the 911 system or to a law enforcement officer upon arrival.
(3) Repealed by Session Laws 2015-94, s. 2, effective August 1, 2015, and applicable to offenses committed on or after that date.
(4) The person did not seek the medical assistance during the course of the execution of an arrest warrant, search warrant, or other lawful search.
(5) The evidence for prosecution of a violation of G.S. 18B-302 for the possession or consumption of alcoholic beverages was obtained as a result of the person seeking medical assistance for the alcohol-related overdose.
(b) Limited Immunity for Overdose Victim. – The immunity described in subsection (a) of this section shall extend to the person who needed medical assistance if the requirements in subdivisions (1), (1a), (4), and (5) of subsection (a) are satisfied.
(c) Probation or Release. – A person shall not be subject to arrest or revocation of pretrial release, probation, parole, or post-release if the arrest or revocation is based on an offense for which the person is immune from prosecution under subsection (a) or (b) of this section. The arrest of a person for an offense for which subsection (a) or (b) of this section may provide the person with immunity will not itself be deemed to be a commission of a new criminal offense in violation of a condition of the person's pretrial release, condition of probation, or condition of parole or post-release.
(d) Civil Liability for Arrest or Charges. – In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer who, acting in good faith, arrests or charges a person who is thereafter determined to be entitled to immunity under this section shall not be subject to civil liability for the arrest or filing of charges. (2013-23, s. 3; 2015-94,

§ 90-96.2. Drug-related overdose treatment; limited immunity.
(a) As used in this section, "drug-related overdose" means an acute condition, including mania, hysteria, extreme physical illness, coma, or death resulting from the consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe to be a drug overdose that requires medical assistance.
(b) Limited Immunity for Samaritan. – A person shall not be prosecuted for any of the offenses listed in subsection (c3) of this section if all of the following requirements and conditions are met:
(1) The person sought medical assistance for an individual experiencing a drug-related overdose by contacting the 911 system, a law enforcement officer, or emergency medical services personnel.
(2) The person acted in good faith when seeking medical assistance, upon a reasonable belief that he or she was the first to call for assistance.
(3) The person provided his or her own name to the 911 system or to a law enforcement officer upon arrival.
(4) The person did not seek the medical assistance during the course of the execution of an arrest warrant, search warrant, or other lawful search.

(5) The evidence for prosecution of the offenses listed in subsection (c3) of this section was obtained as a result of the person seeking medical assistance for the drug-related overdose.

(c) Limited Immunity for Overdose Victim. — The immunity described in subsection (b) of this section shall extend to the person who experienced the drug-related overdose if all of the requirements and conditions listed in subdivisions (1), (2), (4), and (5) of subsection (b) of this section are satisfied.

(c1) Probation or Release. — A person shall not be subject to arrest or revocation of pretrial release, probation, parole, or post-release if the arrest or revocation is based on an offense for which the person is immune from prosecution under subsection (b) or (c) of this section. The arrest of a person for an offense for which subsection (b) or (c) of this section may provide the person with immunity will not itself be deemed to be a commission of a new criminal offense in violation of a condition of the person's pretrial release, condition of probation, or condition of parole or post-release.

(c2) Civil Liability for Arrest or Charges. — In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer who, acting in good faith, arrests or charges a person who is thereafter determined to be entitled to immunity under this section shall not be subject to civil liability for the arrest or filing of charges.

(c3) Covered Offenses. — A person shall have limited immunity from prosecution under subsections (b) and (c) of this section for only the following offenses:

(1) A misdemeanor violation of G.S. 90-95(a)(3).

(2) A felony violation of G.S. 90-95(a)(3) for possession of less than one gram of cocaine.

(3) A felony violation of G.S. 90-95(a)(3) for possession of less than one gram of heroin.

(4) A violation of G.S. 90-113.22.

(d) Construction. — Nothing in this section shall be construed to do any of the following:

(1) Bar the admissibility of any evidence obtained in connection with the investigation and prosecution of (i) other crimes committed by a person who otherwise qualifies for limited immunity under this section or (ii) any crimes G.S. 90-96.2 committed by a person who does not qualify for limited immunity under this section.

(2) Limit any seizure of evidence or contraband otherwise permitted by law.

(3) Limit or abridge the authority of a law enforcement officer to detain or take into custody a person in the course of an investigation of, or to effectuate an arrest for, any offense other than an offense listed in subsection (c3) of this section.

(4) Limit or abridge the authority of a probation officer to conduct drug testing of persons on pretrial release, probation, or parole. (2013-23, s. 1; 2015-94,
ECU Student Conduct Process
Policy REG11.30.01
Category Student Affairs
Sub-category Student Discipline
Authority Chancellor

History

Contact
Director for the Office of Student Rights and Responsibilities, (252) 328 - 6824

Related Policies
UNC Policy Manual 700.4.1, Policy on Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings

UNC Policy Manual 700.4.1.1[R] Regulation Applicable to Student Disciplinary or Conduct Procedures: Right to an Attorney or Non-Attorney Advocate for Students and Student Organizations

UNC Policy Manual 700.4.2, Policy on Student Conduct

UNC Policy Manual 700.4.3[G], Guidelines on Student Disciplinary Proceedings: Meaning and Effect of Expulsion

University Alcohol Policy

REG07.30.06 Freedom of Expression Regulation

ECU Policy on Drug Abuse, Graduate Catalog

ECU Policy on Drug Abuse, Undergraduate Catalog

ECU University Regulation Concerning Weapons on Campus

ECU University Student and Employee Computer Use Policy

ECU Hazing Policy

Drug-Free Schools and Campuses Regulations- Drug and Alcohol Abuse Prevention Plan (EDGAR Part 86) 08/2022
Notice of Nondiscrimination and Affirmative Action Policy

University Good Samaritan Regulation

REG06.40.04 Title IX Compliance and Resolution Regulation

REG05.25.04 University Regulation on Reports of Prohibited Interpersonal Violence and Related Misconduct

Use of University Facilities and Outdoor Facilities Regulation

Residence Handbook (pdf)

Graduate School Policies and Forms

Graduate and Undergraduate Catalogs

Brody School of Medicine Code of Student Conduct (pdf)

Brody School of Medicine Code of Professional Conduct (pdf)

School of Dental Medicine Handbook (pdf)

Code of Ethical Conduct and Professional Behavior for Students and Residents (pdf)

Additional References
East Carolina University Faculty Manual, Part VI, Section II, Academic Integrity

Residence Handbook

Graduate School Policies and Forms

Graduate and Undergraduate Catalogs

Brody School of Medicine Code of Student Conduct (pdf)

Brody School of Medicine Code of Professional Conduct (pdf)

School of Dental Medicine Handbook (pdf)

Code of Ethical Conduct and Professional Behavior for Students and Residents (pdf)

Procedures for Reports Against Student Organizations

Drug-Free Schools and Campuses Regulations- Drug and Alcohol Abuse Prevention Plan (EDGAR Part 86) 08/2022
Student Organization Registration Tiers

1. Introduction

1.1. Purpose Statement

As an academic community, East Carolina University is dedicated to providing a safe and vibrant learning and working environment for all its members. Under Section 502 D of the Code of the Board of Governors of the University of North Carolina System, the Board of Governors and the President of the University of North Carolina System have delegated the responsibility to manage student conduct to the Chancellor of each constituent campus. ECU's Chancellor, in turn, charged the Vice Chancellor for Student Affairs with overseeing the student conduct process. The Office of Student Rights and Responsibilities and the Student Conduct Board have been created to assist in this effort.

1.1.1 The Student Conduct Process Regulation and supporting policies and procedures have been approved by the Chancellor and are based on input from students, faculty, and staff of East Carolina University. They are intended to aid in the fulfillment of ECU's mission and in securing the broadest range of freedom for each member of the community. These policies and procedures set behavioral standards that protect the health, safety, welfare, property, and human rights of all members of the community as well as the property of the University.

1.1.2. Additional behavioral standards are also set forth in the University's Title IX Compliance and Resolution Regulation - Interim ("Title IX Regulation") (which governs Title IX Conduct, and the University Regulation on Reports of Prohibited Interpersonal Violence and Related Misconduct. ("Misconduct").

If the conduct in question is such that the - Title IX Regulation or the Interpersonal Violence Regulation applies, each respective Regulation shall govern. This includes any conduct that might also violate paragraph 2.4 of this Regulation.

1.1.3. When a student with a disability is charged with an offense, the University will assure that all requirements of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act are met.

1.2. Office of Student Rights and Responsibilities

The Office of Student Rights and Responsibilities ("OSRR") administers the Student Conduct Process (referred to herein as the "Student Code of Conduct" or the "Code"). OSRR fosters student growth by promoting students' awareness and understanding of their rights and responsibilities as community members. It addresses student conduct and creates developmental learning opportunities in an effort to engage students in ethical decision-making. Any questions regarding the student conduct process should be directed to the Director of OSRR.

1.3. Scope of the Student Conduct Process
As members of the ECU community, students have the right to be treated with respect and consideration, have freedom of inquiry, and have reasonable use of services and facilities. The University embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the United States Constitution and the North Carolina Constitution. The University has the right under appropriate circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights.

1.3.1. The Code pertains to anyone registered for an academic course at the University, including but not limited to, undergraduate and graduate students who are classified as degree or non-degree seeking, as well as visiting students, medical students, dental students, professional students, and students studying abroad. All students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected. Upon acceptance of admission to ECU, each student agrees to abide by the policies of the University and to conduct her/himself on- and off-campus in a manner consistent with its educational mission. Students have a responsibility to review the Student Code of Conduct and other policies and to seek clarification if necessary from the OSRR. In addition, various academic units and administrative departments have policies specific to their area of responsibility. It is the responsibility of each student to be familiar with University policies and procedures. The Student Code of Conduct and related policies and procedures are available on-line. Printed copies are available in the OSRR upon request.

1.3.2. Students are subject to the Student Code of Conduct and related policies from the time they accept admission until they graduate from the University. This means that conduct occurring before classes begin, including New Student Orientation, or after classes end, during the academic year, and during periods between terms of enrollment is governed by this Code.

1.3.3. Recognized Student Organizations directly funded and advised by the University (e.g. councils and umbrella organizations) and Chartered Student Organizations affiliated with a national organization and/or department (e.g. fraternities, sororities, club sport teams, academic honor societies, or those chartered/registered with a national organization/office) are subject to the Student Code of Conduct. Registered Student Organizations are those consisting of any group of students formed with a common interest but not affiliated with the University except by location (e.g. the Chess Club at East Carolina University). Registered Student Organizations are not subject to the Student Code of Conduct. However, individuals within the organization remain subject to the Code as students enrolled at ECU. (For information regarding student organization categorization, please see Student Organization Registration Tiers under Additional References.)

Recognized and Chartered Student Organizations are subject to applicable accompanying policies and procedures accompanying this Regulation, including the standard operating procedure (SOP) entitled "Procedures for Reports Against Student Organizations". OSRR in consultation with the Office of University Counsel will periodically review and implement updates to the Procedures for Reports Against Student Organizations.

1.3.4. In addition to the consequences outlined in this regulation, students who represent units within the University community, such as medical students, dental students, graduate students, student athletes, resident advisors, student organization leaders, and residential students might be subject to additional behavioral consequences under the standards set by those units.
1.3.5. The Student Conduct Process regulation also applies to student behavior that violated University policies, but which was discovered after the student has left the University or has graduated. Depending on the circumstances of the case, degree revocation may be a consequence under applicable University policies.

1.4. Conduct Administrators and Hearing Advisors

1.4.1. The conduct administrator is a professional OSRR staff member who investigates all alleged violations of the Student Code of Conduct. In cases where possible sanctions do not include suspension or expulsion, the conduct administrator deters a student’s responsibility and issues sanctions.

1.4.2. A Hearing advisor is the professional OSRR staff member who facilitates the hearing process.

2. Student Code of Conduct

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community and to support the mission of the University. Such action may include taking disciplinary action as outlined in this Code against students for their on- and off-campus conduct. East Carolina University students shall refrain from the following behaviors:

2.1. Alcohol: Illegally possessing, consuming, having consumed, and/or providing alcoholic beverages to those under the legal drinking age. Being intoxicated in public regardless of age.

2.2. Drugs, Drug Paraphernalia, and Other Controlled Substances: Possessing, using, distributing, buying, selling, facilitating a sale, delivering, manufacturing, and/or abusing illicit or illegally obtained substances. Misusing prescription or counterfeit drugs. Consuming, including huffing or sniffing, any substance not intended for such use. Possessing or using drug paraphernalia.

2.3. Endangerment: Acting in a manner that could or did endanger or injure a person or the ECU community. Examples of endangerment include, but are not limited to, fighting, or operating a vehicle while under the influence of alcohol or drugs, and distributing drugs (on or off campus) to members of the University community.

2.3.1 Consideration may also be given as to whether the Respondent acted in self-defense, and, whether the amount of force used was reasonable under the circumstances. Self-Defense is defined as a justifiable action by a non-aggressor using reasonable force upon another person to enable oneself to get free from imminent physical harm.

2.3.2 Failing to take advantage of an opportunity to remove oneself from the situation may negate the claim of self-defense.

2.3.3 Actions consistent with appropriate self-defense may also be considered as a mitigating factor in consideration of potential sanctioning, if applicable.
2.4. Harassment, Threats, Bullying or Intimidation: Directing action toward a particular individual or group in a manner which is unwelcome, and under the totality of the circumstances, is so severe or pervasive, and objectively offensive that it undermines and/or detracts from the target individual's academic pursuits, participation in University-sponsored activities, or employment, effectively denying equal access to University resources and opportunities.

2.4.1. The objective standard is whether the conduct was directed at a specific person, group, or entity in a manner that would cause a reasonable person to fear for one's safety, the safety of others, or the loss of or damage to property or that is defamatory.

2.4.2. East Carolina University will also enforce the University of North Carolina System Policy 700.4.2, which states:

2.4.2.1 While on University premises or while participating in University sponsored activities, acting or in a way to unlawfully threaten, coerce, harass or intimidate another person or identifiable group of persons; or acting or speaking in a manner that is a violation of a constitutionally valid University Policy prohibiting harassment and/or discrimination on the basis of a protected class, including: race/ethnicity, color, religion, sex, sexual orientation, gender-identity, national origin, age, disability, genetic information, political affiliation, or veteran status (including relationship or association with a protected veteran; or Active Duty or National Guard service).

2.4.2.2. No student shall engage in unlawful harassment resulting in an environment determined to be hostile by a reasonable person. Unlawful harassment includes conduct that creates a hostile environment by meeting the following criteria. It is:

a. Directed toward a particular person or persons;

b. Based in whole or in part upon any of the following protected statuses: disability, sexual orientation, race/ethnicity, age, sex, gender identity, color, veteran status (including relationship or association with a protected veteran; or Active Duty or National Guard service), gender identity, political affiliation, national origin, or religion;

c. Unwelcome;

d. Severe or pervasive;

e. Objectively offensive; and

f. So unreasonably interferes with the target person's employment, academic pursuits, or participation in University-sponsored activities as to effectively deny equal access to the University's resources and opportunities.

2.4.2.3. In determining whether student conduct violates these provisions (2.4.2.1. or 2.4.2.2.), all relevant facts and circumstances shall be considered. Care must be exercised in order to preserve freedoms of speech and
expression, as articulated in current legal standards. (Please see the Freedom of Expression regulation for more information.)

2.5. Hazing: Acting in a manner that would subject another student to physical injury or mental or emotional harm as part of an initiation, or as a criterion of initial or continued membership, into any organized University group, including any society, military groups, athletic team, fraternity or sorority, or other similar group. Planning or preparing to engage in hazing activity is also a violation of the Code. The expressed or implied consent of participants will not prevent disciplinary action. (For more information, see Procedures for Reports Against Student Organizations under Additional References.)

2.6. Weapons: Possessing, distributing, using, manufacturing, assembling, storing, transporting, selling, purchasing, or acquiring any weapons as defined in this Regulation on property owned or controlled by the University, including ECU vehicles is a violation of the Code, with the exception of a handgun possessed pursuant to a concealed handgun permit and stored according to law. Possessing, either on- or off-campus, any illegal weapons, including nuclear/biological/chemical weapons, or home-made weapons. This provision also applies to students on the way to and present at any off-campus curricular and extracurricular activity sponsored by the University. Illegally concealing any weapon is a violation of the Code.

2.6.1. Weapons include, but are not limited to, objects defined in the "Regulation Concerning Weapons on Campus". Examples of weapons are: guns, rifles, pistols, bb guns, air rifles, air pistols, paintball guns, crossbows, arrows, fireworks, dynamite, bombs, grenades, mines, powerful explosives, bullets or ammunition cartridges, nunchuks, slingshots, leaded canes, blackjacks, metallic knuckles, martial arts weapons, throwing stars, Kamas, axes, razor blades, ice picks, dirks, daggers, swords, bowie knives, switchblade knives, butterfly knives, other knives with blades three or more inches in length, tasers, and stun guns. (Please see the Regulation Concerning Weapons on Campus for more information)

2.6.2. Any item used or possessed for purposes of use as a weapon will be considered a weapon under this policy.

2.7. Disruptive Conduct: Being disruptive or disorderly in a manner that interferes with the function of the University or interferes with conduct of others, including law enforcement officers, who are on-campus or off-campus. Disruptive Conduct may include, but is not limited to, refusing or failing to submit appropriate identification or refusing to comply with a request from an identifiable University official acting on behalf of the University, violating University regulations or local, state, or federal orders in place to ensure the health and safety of the ECU community such as orders related to national pandemics or natural disasters, or the failure to abide by University policies, procedures, and any other requirements in place to help reduce the risk of contracting or spreading infectious diseases.

2.8. Theft: Stealing or attempting to steal property, including intellectual property, or services of any person or entity. Receiving, possessing, or selling/giving away such property when the student recognizes, or should have recognized, that the property was stolen. Selling books or helping sell books without the owner's permission is an example of theft.
2.9. Vandalism, Defacement, or Misuse of Property: Defacing, destroying, damaging, or misusing private, University, or other public properties.

2.10. Trespassing and Unauthorized Use of Property: Entering or using university facilities and/or the personal property of others without explicit permission. This includes but is not limited to, unauthorized access to residence halls, vehicles, stadiums and fields, as well as unauthorized possession, duplication, or use of the property of others or the University.

2.11. False Information, Forgery, and Fraud: Publishing and/or circulating false information that is harmful to others. Providing false information to the University, including, but not limited to, on an application required to participate in a University activity.

2.11.1. Altering, forging, or misusing documents or property which might include, but is not limited to, money, charge cards, checks, personal information, ECU One Cards, grade reports, transcripts, and parking tags. Possessing altered or forged documents or property, such as a fictitious driver's license. Deceitfully using the personal information of others.

2.12. Having Knowledge of or Assisting with a Violation: Having knowledge of, being present during, instigating, encouraging, or facilitating a violation of the Student Code of Conduct.

2.13. Gambling: Placing a bet or wager on an uncertain outcome for money or other items of value unless permitted by law.

2.14. Hindering the University Conduct Process: Coaching, intimidating, retaliating against, or otherwise influencing witnesses, Conduct Board members, conduct administrators, and other participants in the conduct process. Failing to provide the University with relevant information regarding a conduct case as a witness, except in instances where such failure would require a student to identify his/her own violation of the Code. Failing to abide by sanctions, including bans.

2.15. Violation of University Policies: Violating University policies including, but not limited to those listed in the related policy section of this regulations and the University Policy Manual. Violations of campus or University policies, rules or regulations, or federal, state, or local law may result in a violation of the Student Code of Conduct and imposition of sanctions.

3. Sanctioning

3.1. Sanctioning. Violations of the Student Code of Conduct, will result in educational and/or disciplinary consequences called sanctions. Sanctions are designed with the intent of educating Respondents and protecting the ECU community. No sanctions will be enforced until all reviews have been exhausted with the exception of administrative actions taken to protect members of the ECU community. Each student who has been found responsible for violating the Student Code of Conduct shall be notified in writing of the appeal rights, including any applicable time constraints, as they pertain to her/his case.
Immediate Administrative Actions: The Office of Student Rights and Responsibilities, in conjunction with appropriate University administrators, may take interim action pending the resolution of a conduct case in order to preserve the safety and well-being of the ECU community and its members. These actions include, but are not limited to, counseling assessment and/or treatment, restriction of access or privileges, no-contact ban or removal from classes, and administrative suspension.

3.1.1. Administrative suspension is the immediate separation of the student from enrollment at the University. Administrative suspension becomes effective immediately whenever there is information that the continued presence of the student on University property poses a substantial threat. A substantial threat might include, but is not limited to, threatening the safety of any person, significantly harming or attempting to harm someone, threatening to cause or causing significant property damage, and interfering with the stability and continuance of University functions. The Director of OSRR will determine when a student poses a substantial threat to the University community.

3.1.2. OSRR will send notice to a student who has been placed on administrative suspension. A student on administrative suspension has a right to appeal this administrative action within five (5) calendar days of receipt of notice of the administrative suspension to the Dean of Students, or his/her designee. The student may submit any information he/she would like the Dean of Students to consider on appeal. While the Dean of Students is reviewing the appeal, the student shall remain on suspension.

3.1.3. In order for an administrative suspension to be modified, the student must show that the action was arbitrary or capricious, there was a procedural error, or that there is substantial new information mitigating the situation. The Dean of Students will review (1) the reliability of the information concerning the student’s behavior; (2) whether or not the conduct and surrounding circumstances reasonably indicate that the continued presence of the student poses a substantial threat to others, to property, or to the stability and continuance of normal University functions; and/or (3) whether or not the student has complied with the directives of the conduct administrator placing the student on administrative suspension. The decision of the Dean of Students shall be final.

3.1.4. Students who are administratively suspended are entitled to participate in the ECU conduct process while separated from the University. (For information regarding student organization interim actions, please see Procedures for Reports Against Student Organizations under Additional References.)

3.2. Guidelines for Sanctioning. When determining sanctions, conduct administrators and members of the Student Conduct Board take into account the nature and seriousness of the violation, the impact of the violation on the community, the Respondent’s past conduct history, as well as the Respondent’s developmental needs, and mitigating or aggravating factors existing at the time of the offense, which may include, but are not limited to: past disciplinary record, the nature of the misconduct (i.e. the Respondent was acting under duress or a mental condition; played a minor role in the commission of the offense; knowingly exposed others to a significant risk; convinced others to participate due to a position of leadership, dominance, trust or confidence; or the offense involved weapons or was especially heinous), as well as other relevant information regarding the degree of any damage, injury, or harm resulting from it. Multiple sanctions may be imposed for one violation.
3.2.1. Violations of the Code that involve alcohol, drugs, weapons, hazing, substantial theft or fraud, physical harm to persons or property, sexual misconduct, HIPAA violations, other actions that materially or substantially interfere with or disrupt the protected free expression right of others or create a substantial risk of harm to others or the University, or an accumulation of multiple violations of the Code may result in suspension or expulsion from the University.

3.2.2. Determinations made or sanctions imposed under the Student Code of Conduct will not be subject to change solely because criminal charges arising from the same facts giving rise to a violation of the Code were dismissed, reduced or resolved in favor of or against the criminal law defendant. 3.2.3. The University reserves the right to enhance sanctions for violations which are believed to have been motivated based on the person's disability, sexual orientation, race/ethnicity, age, sex, gender identity, color, veteran status, gender identity, political affiliation, national origin, or religion. In the event a student is found responsible for such a bias-motivated violation, the sanction imposed should be more serious than that appropriate for only the underlying violation. A finding that a violation constitutes a bias-motivated violation requires a separate finding to that effect by the conduct administrator or the Conduct Board.

3.3. Range of Sanctions: The range and explanation of sanctions is provided below.

3.3.1. Warning: A written notification informing the student that the University considers the student's behavior inappropriate and that the student needs to change this behavior.

3.3.2. Probation: A period of time during which the student's behavior is under University review. Probation is intended to communicate to the student that the University considers the student's behavior inappropriate and that further violations will result in more severe consequences, which may include suspension or expulsion. Probation shall be served during the student's active terms of enrollment at the University.

3.3.3. Deferred Suspension: Deferred suspension shall be used for offenses found serious enough to warrant suspension, but where the specific circumstances of the case mitigate the offense or the repeated offenses of a less serious nature. Deferred suspension is a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the community’s expectations of behavior articulated in the Student Code of Conduct. However, suspension will be automatically enforced for failure to complete any assigned sanctions by the deadline and/or for any subsequent violation of the Code. If found responsible for any subsequent violation, the student will be suspended for a minimum of two academic semesters, in addition to the other consequences imposed. Students on this status may be limited in their abilities to represent the University in certain capacities. Examples include, but are not limited to, athletic teams other than intramurals, hold an office in a student organization, or participate in any study abroad program.

3.3.4. Suspension: A temporary separation from enrollment at the University for a defined period of time. Suspended students are banned from the University premises during the period of suspension and may be required to complete specified sanctions prior to reenrollment. Completion of the suspension period and other assigned sanctions does not automatically grant suspended students the right to return to the University community. All suspended students must petition the OSRR for readmission. A committee will consider the petition and make a
recommendation to the Vice Chancellor for Student Affairs, or designee. After campus safety approval, students must re-apply to their academic program, but readmission to an academic program is not guaranteed.

3.3.5. Expulsion: Permanent separation from enrollment at the University and at any other member institution of the University of North Carolina System. Expelled students are banned from University premises. With the exception of review of a case due to the receipt of new information as outlined in section 5.5.9, below, only the Chancellor may amend this sanction to suspension if the student petitions the University demonstrating significant growth and contribution to society indicating that the individual should be given a new opportunity to pursue higher education. Such petitions can be filed with the OSRR after a minimum of five years of the completion of the conduct case. A student who has been expelled from the University may not be admitted to another constituent institution of the University of North Carolina System, unless and until the sanction of expulsion has been rescinded by the University.

3.3.6. Revocation of Degree: Revocation of an awarded degree for a serious violation of the Code that occurred prior to graduation, but which was discovered after a student had graduated from the University.

3.3.7. No Contact Ban: A ban requiring the student to have no contact with a designated individual, including, but not limited to, verbal, written, or physical contact, or contact made or attempted through a third party, all of which are prohibited. Violation of a no contact ban may be a violation of this Regulation resulting in conduct charges or other administrative action. OSRR may amend a no contact ban as necessary throughout the conduct process to protect the interests of the parties.

3.3.8. Restricted Privileges: A period during which the student’s privilege of using University facilities or participating in University functions is modified or limited. Depending on the circumstances, restrictions may be structured to allow a student to attend class, participate in a job or internship, or use the library. A student with restricted privileges may not be eligible, for example, for early arrival on campus, extended stays in residence halls, representing the University in competition or other official capacities, campus employment, and campus leadership opportunities.

3.3.8.1. In enforcing this provision, OSRR will periodically review rosters of University and University recognized student organizations to identify any students on restricted privileges that may be violating this provision. A student found in violation may be subject to additional disciplinary action as noted above.

3.3.9. Restitution: Reimbursement to the person or entity harmed by the violation.

3.3.10. Service: Service hours completed at an approved service site. A student may be given up to sixty hours of campus service in response to one finding of responsibility and up to sixty calendar days to complete the service.

3.3.11. Educational Task: A task designed to provide the student with an opportunity to examine her/his actions and their impact on self and/or on the community.

3.3.12. Counseling: Assessment and counseling and/or treatment provided by the Center for Counseling and Student Development. A student referred for assessment must comply with the recommendations of the
counselor. Information shared with a counselor is confidential; however, OSRR is advised about the overall results of the student’s assessment, attendance and quality of participation in counseling. Under certain circumstances, the student may be referred for off-campus counseling/treatment. The student will assume all responsibility for off-campus counseling fees.

3.3.13. Failure to Comply with Sanctions: OSRR monitors sanctions to ensure compliance. Students who do not complete sanctions within the specified time may not be permitted to enroll for courses or may be suspended until they complete their sanctions. Students who leave the University prior to the completion of sanctions may not be allowed to reenroll until proof is provided that the sanctions imposed have been completed.

4. Rights and Responsibilities

4.1. Respondent Rights and Responsibilities: A student whose conduct is under review is a Respondent and has the following rights and responsibilities. The Respondent may forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, he/she fails to do so.

4.1.1. Respondent Rights

4.1.1.1. The right to an objective and impartial evaluation of the complaint.

4.1.1.2. The right to be present during the meeting with a conduct administrator and/or during the Conduct Board hearing.

4.1.1.3. The right to reasonable access to all information gathered throughout the investigation pertinent to the alleged violation.

4.1.1.4. The right to present information relevant to the alleged violation, including inviting witnesses.

4.1.1.5. The right to respond to information presented against her/him.

4.1.1.6. The right to a separate meeting with a conduct administrator or Conduct Board hearing in cases involving multiple Respondents. Charges against multiple Respondents involved in the same incident may be heard in a single case only if each Respondent consents to such a proceeding. In cases involving multiple Complainants against a single Respondent which arise from the same action or event, the Respondent has the right to a separate meeting with the conduct administrator or Conduct Board hearing. Charges by multiple Complainants against a single Respondent involved in the same incident may be heard in a single case only if all parties consent to such a proceeding.

4.1.1.7. The right not to provide information with the understanding that the University will make a determination with or without the Respondent’s information.

4.1.1.8. The right, after receiving written notice of the outcome, to review of the decision, including to appeal as described in section 5.5.
4.1.1.9. The right to be represented, at the student's expense, by a licensed attorney or non-attorney advocate who may participate in accordance with University of North Carolina System Policy Manual 700.4.1.1 [R] and N.C. General Statute 116-40.11. A Respondent represented by an attorney or non-attorney advocate is still expected to attend all scheduled meetings and hearings.

4.1.1.10. The right to be informed of pertinent University-based support services.

4.1.2. Respondent Responsibilities:

4.1.2.1. The responsibility to be honest and direct in communicating with individuals involved in the conduct process.

4.1.2.2. The responsibility to review pertinent conduct process policies and procedures and to seek clarification if necessary.

4.1.2.3. The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.

4.1.2.4. The responsibility to provide the decision-maker with pertinent information that the Respondent would like considered in the review of the alleged violation.

4.1.2.5. The responsibility to participate in the conduct process in a manner that is civil and respectful.

4.2. Complainant Rights and Responsibilities: Any ECU student, faculty, or staff member who has been negatively influenced by the alleged behavior of a student, may file a complaint against that student, and be designated by the OSRR as a Complainant. Complainants have the following rights and responsibilities. The Complainant might forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, he/she fails to do so.

4.2.1. Complainant Rights

4.2.1.1. The right to an objective and impartial evaluation of the complaint.

4.2.1.2. The right to present information relevant to the alleged violation, including inviting witnesses.

4.2.1.3. The right to submit a written impact statement.

4.2.1.4. The right, after receiving written notice of the outcome, to review the decision, if also permitted under ECU policies, University of North Carolina System policies and local, state, and federal laws.

4.2.1.5. The right to be informed of pertinent University-based support services and to be presented with an option of reporting the incident to law enforcement, if appropriate.
4.2.1.6. For cases specific to sexual misconduct, the Complainant is entitled the rights enumerated in 4.1.1, above, such as the right to an observer/support person at the hearing; to have the same access to the proceedings as the Respondent, including the ability to question witnesses; and to appeal a decision based on grounds described in section 5.5. The Complainant may have an attorney, at the Complainant’s own expense, present at the hearing.

4.2.2. Complainant Responsibilities

4.2.2.1. The responsibility to be honest and direct in communicating with individuals involved in the conduct process.

4.2.2.2. The responsibility to review pertinent conduct process policies and procedures and to seek clarification if necessary.

4.2.2.3. The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.

4.2.2.4. The responsibility to provide the decision-maker with pertinent information that the Complainant would like considered in the review of the alleged violation.

4.2.2.5. The responsibility to participate in the conduct process in a manner that is civil and respectful.

4.3. If the Respondent and/or Complainant believes that a committee member or hearing official has a conflict with, bias about or an interest in a case that may unduly influence the decision making either positively or negatively, the Respondent and/or Complainant may request a different committee member or hearing official.

4.4. Students have the responsibility to update personal contact information on their Pirate Port account as soon as it changes and to consistently monitor their ECU e-mail account and telephone answering equipment, as the University frequently communicates through these modes. U.S. Post letters will be sent to the local address provided by the student in the One-Stop system or to the permanent address if attempted contact with the student through other means is unsuccessful.

5. Student Conduct Hearing Procedure

5.1. The student conduct hearing procedure described below is used to address alleged violations of the Code, except for alleged academic integrity violations, which are resolved through the conduct process outlined in the Academic Integrity Policy and any other applicable campus policies and procedures, such as those enforced by the Division of Research and Graduate Studies. Similarly, some behaviors described as violations under the Code also may be violations of the rules and policies of organizations to which the student belongs, other university units, violations of city ordinances, and/or state or federal law. When such violations occur, the student or student organization might be held accountable in multiple venues.
5.1.1 Allegations of Title IX Conduct or Interpersonal Misconduct are resolved in accordance with the University's Title IX Compliance and Resolution Regulation and the Regulation Prohibiting Interpersonal Violence and Related Misconduct applicable Appendices. These Regulations provide the applicable procedures for Title IX Conduct and Misconduct, including the investigatory, hearing, and final determination process for allegations made pursuant to these Regulation(s). A final determination finding a respondent responsible for a violation of the Regulation(s) shall include a finding of a violation of Section 2.15 of this Student Code of Conduct.

5.1.2. Alleged violations of a minor nature occurring in a residence hall may be reviewed under the Code by Campus Living staff as assigned by Campus Living. Campus Living staff will not address cases involving drugs, weapons, sexual assaults, sexual harassment, serious bodily harm or property damage without prior approval from the Director of OSRR. OSRR will address all incidents which might result in deferred suspension, suspension or expulsion.

5.1.3. The ECU conduct process is a separate and independent process from the criminal justice system. At the student's expense, he/she may be represented by a licensed attorney or non-attorney advocate who may participate in accordance with this Regulation, University of North Carolina System Policy Manual 700.4.1.1[R] and N.C. General Statute 116-40.11, or as otherwise required by law.

5.1.4. The Respondent has a right to have a non-participating support person present with him/her throughout the conduct process. The support person is not permitted to actively participate in the process, but is simply to provide comfort to the Respondent. If the Respondent chooses to have a licensed attorney or non-attorney advocate, as outlined in 4.1.1.9 and 5.1.2, in a Student Conduct Board Hearing, as outlined in section 5.4, the Respondent will not be permitted to have a non-participating support person present at the hearing. In the meetings with a conduct administrator, as described in sections 5.2 and 5.3, students may have both one (1) licensed attorney or non-attorney advocate as outlined in 4.1.1.9, and one (1) non-participating support person.

5.1.5. The standard used throughout the conduct process to reach case resolution is preponderance of the evidence. This standard will be used to evaluate the evidence for purposes of making findings and drawing conclusions for an investigation conducted under this regulation; meeting the standard constitutes the conclusion it is more likely than not that the alleged conduct occurred. Formal rules of evidence do not apply to student conduct cases.

5.1.5.1 To ensure the health and safety of individuals and the ECU Community, there may be times when OSRR determines it necessary to conduct operations through alternative means, including virtual platforms. This may include, but is not limited to, assigned sanctions providing educational resources (including Make Better Choices), pre-hearing or gathering of information meetings and administrative hearings, Student Conduct Board hearings, and Title IX hearings. Decisions regarding OSRR operations may be determined by guidance from the UNC system, University administration, and/or local, state, or federal directives.

5.2. Initial Intake

5.2.1. All complaints will be reviewed by the OSRR Director or his/her designee to determine whether or not the reported behavior is governed by the Code. Anonymous complaints may result in a formal charge if they contain
sufficient information to independently establish a violation of the Code. Allegations may also be addressed with education and through referrals to on- and off-campus resources, if appropriate.

5.2.2. The University does not tolerate retaliation against individuals who file a complaint. Retaliation means any act of interference, restraint, penalty, coercion, reprisal, intimidation, threats, or harassment against an individual for using applicable policies responsibly (including testifying, assisting, or participating in a hearing, proceeding, review process or investigation; opposing an illegal act; or exercising any other right protected by this Regulation). Students who retaliate against such persons will be held accountable under the Code. It is the responsibility of the target of the retaliation to immediately report the behavior to OSRR.

5.2.3. The determination to investigate a conduct case will be made within a reasonable period of time after receipt of a complaint. If it is believed that the behavior is governed by the Code, the student will be invited to a pre-hearing or gathering of information meeting ("Initial Meeting") with a conduct administrator. The student will be notified of the Initial Meeting date and time in writing.

5.2.4. The Respondent may request a reasonable postponement of the meeting by contacting the conduct administrator in writing no less than two (2) business days before the scheduled meeting. The Respondent will need to explain why he/she is requesting a different meeting date or time and will need to provide an alternate meeting date and time. The conduct administrator will make the final determination of the meeting date and time. If the Respondent does not appear for a scheduled meeting, the University reserves the right to make a determination regarding formal charges in the student's absence.

5.2.5. After the Initial Meeting, the conduct administrator will determine whether formal charges will be pursued. OSRR may consider any additional information received after the Initial Meeting to determine whether or not to formally charge a student with a conduct violation. If a student is to be formally charged with a potential violation of the Student Code of Conduct, the student will receive written notice of the following: the offense(s) charged with a brief summary of the factual allegations supporting the charge, a referral to a hearing with the conduct administrator or the Conduct Board, the hearing date and time, and possible sanctions.

5.2.5.1. If the alleged violation might result in a sanction other than suspension or expulsion, the hearing will take place with the conduct administrator, described in 5.3, below. The hearing will take place no earlier than five (5) calendar days after the notice is sent to the Respondent via letter or e-mail, unless the Respondent agrees to an earlier hearing date. The Respondent may waive the hearing and accept a sanction proposed by the conduct administrator. The waiver and acceptance must be in writing and signed by the Respondent.

5.2.5.2. If the alleged violation might result in suspension or expulsion, the matter will be referred to the Conduct Board, described in 5.4, below, and will take place no earlier than ten (10) calendar days after the notice is sent to the student via letter or e-mail, unless the student requests an earlier hearing date. In charges that might result in expulsion, the student will be informed that expulsion precludes matriculation at any UNC constituent institution. If a hearing date is not set in the notice of the charge, written notice of the hearing date shall be sent to be received by the student not less than five (5) calendar days before the proceeding is scheduled for hearing.
5.2.6. If the Respondent fails to meet with the conduct administrator or Conduct Board after being properly notified, the case will be decided on the basis of information gathered by the conduct administrator or the Conduct Board.

5.2.7. If the conduct administrator believes that there was no violation or there is insufficient information to make a determination that a violation of the Student Code of Conduct occurred, the conduct case will be closed.

5.3. Hearing with a Conduct Administrator

5.3.1. The Respondent will meet with a conduct administrator to discuss the reported behavior. In this hearing, the conduct administrator will review all available, relevant information, including all evidence and defenses, witness testimony and documents presented by the parties, and will determine by a preponderance of the evidence whether or not a violation of the Code occurred. This determination shall be based solely on the evidence presented at the hearing.

5.3.1.1. A conduct administrator who has a conflict with, bias about or an interest in a case should recuse him/herself. If the conduct administrator has a conflict with, bias about or an interest in a case and refuses to recuse him/herself, the Director of OSRR, or his/her designee, shall make the recusal decision. Challenges to the conduct administrator received prior to the hearing will be determined within five (5) calendar days of OSRR's receipt of the challenge or at the start of the hearing, whichever is earlier.

5.3.2. The Respondent and/or Complainant may request a reasonable postponement of the hearing by contacting the conduct administrator in writing no less than two (2) business days before the scheduled hearing. The Respondent or Complainant will need to explain why he/she is requesting a different hearing date or time and will need to provide an alternate hearing date and time. The conduct administrator will make the final determination of the hearing date and time. If the Respondent does not appear for a scheduled hearing, the University reserves the right to make a determination in the student's absence.

5.3.3. If the conduct administrator determines by a preponderance of the evidence that a violation of the Student Code of Conduct did occur, he/she will assign appropriate sanctions and will notify the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based and will outline Respondent's right to appeal the decision to the Director of OSRR or his/her designee, including the time in which to appeal and the permitted grounds for the appeal.

5.3.4. Prior to a hearing, the Respondent may make an appointment in OSRR to review the information and witness lists to be presented at the hearing. An appointment to review information in OSRR must be made at least two (2) business days in advance.

5.3.5. The student may waive the hearing and accept a sanction proposed by the conduct administrator. The waiver and acceptance must be in writing and signed by the student.

5.3.6. Hearings with the conduct administrator are closed to the public.
5.4. Student Conduct Board Hearing

5.4.1. As indicated above, Student Conduct Board hearings will be convened when the Respondent's case involves possible sanctions of suspension or expulsion. The student will be notified by the OSRR in writing of the formal charge against the student and referral of the charge to the Student Conduct board. The notice shall specify the offense(s) charged, the possible sanctions, a brief recital of the factual allegations supporting the charge, and the hearing date and time. For all charged offenses which could result in expulsion, the notice shall indicate this possibility, and shall specify that expulsion precludes matriculation at any UNC constituent institution. The hearing date may not be scheduled for at least ten (10) calendar days after the student receives notice of the referral, unless the student agrees to an earlier hearing date.

5.4.2. The Respondent and/or Complainant may request a reasonable postponement of the hearing by delivering a request to OSRR in writing no less than two (2) calendar days before the hearing. The person requesting the postponement will need to explain why he/she is requesting a different hearing date or time and will need to provide an alternate hearing date and time. OSRR will make the final determination of the hearing date and time. If the Respondent or Complainant does not appear for a scheduled hearing after being properly notified, the University reserves the right to make a determination in the individual's absence.

5.4.3. Conduct Board Hearing Panel Composition. The hearing panel is composed of three students, one faculty member and one staff member of the Student Conduct Board. One of the student members will be the Chair; the Chair will direct the hearing process, outline the basic facts of the case gathered by the University, and, in consultation with the other Board members, make determinations about what information is relevant to the proceedings. The Chair is responsible for ensuring an orderly hearing and, therefore, may remove any person who, in his/her discretion, interferes with the work of the Board. The Chair will facilitate the Board's discussion regarding the case and will vote only in the event of a tie. It is the Chair's responsibility to write a rationale for the Board's decision.

5.4.3.1. A Board member who has a conflict with, bias about or an interest in a case must recuse him/herself. If the Board member refuses to recuse him/herself, the Chair, along with the hearing advisor (a professional OSRR staff member) will make the recusal decision. If the Board Chair has a conflict with, bias about or an interest in a case and refuses to recuse him/herself, the hearing advisor, in consultation with the Director of OSRR, will make the recusal decision. The Respondent and/or Complainant may also challenge the participation of any Board member due a conflict with, bias about or an interest in a case that may unduly influence the Board's decision making, either positively or negatively. The challenging party will be asked to provide specific reasons for the challenge. The Chair, along with the hearing advisor (a professional OSRR staff member), will determine whether the identified Board member should be removed from the case. If the removal of a Board member results in less than five members being able to serve during the hearing, the Respondent will be given an option to continue with the existing Board or reschedule the hearing in order for the case to be reviewed by a full five-member Board panel. Challenges to the Board's composition received prior to the hearing will be determined by the Chair and hearing advisor within five (5) calendar days of OSRR's receipt of the challenge or at the start of the hearing, whichever is earlier.
5.4.3.2. The hearing advisor and an attorney from the Office of University Counsel, if in attendance, will remain in the hearing room with the Board at all times. This includes, but is not limited to, during the Board's consideration of any procedural issues (requests to continue the hearing, objections to the Board's consideration of certain witness or documentary evidence, challenges to the Board's composition, etc.) raised by the parties.

5.4.4. Hearing Outline. During the hearing, the Board will review all available, relevant information and, based on a preponderance of the evidence standard, make a determination as to whether or not a violation of the Code had occurred. A hearing will be divided into two parts: (1) the presentation of the facts and (2) if the Board finds the student responsible, the Board will determine sanctions.

5.4.4.1. The basic facts of the case gathered by the University will be outlined. At the hearing, the University must present sufficient witness and/or documentary evidence to establish the violation. The Respondent shall be given an opportunity to question this evidence, either by direct questions (non-Title IX hearings only) or inquiries transmitted through the Board Chair. The Respondent and Complainant will be afforded an opportunity to speak to the Board and present any witness or documentary evidence, provided that the evidence is relevant to the charge or other evidence presented and does not otherwise infringe the rights of other students. The Board will also have an opportunity to ask questions of all involved.

5.4.4.2. Once all relevant information has been presented, the Conduct Board, along with the hearing advisor and an attorney from the Office of University Counsel, if in attendance, will remain in the hearing room and all other participants will be dismissed while the Board deliberates regarding a finding of responsibility or non-responsibility. This determination shall be based solely on the evidence presented at the hearing.

5.4.4.3. The Board will reconvene the hearing and announce its decision. If the student is found responsible, he/she may submit character witness letters and/or testimony attesting to his/her character. If such character witness letters or testimony are relevant to the underlying charge, such information may be presented to the Board before it makes a determination of responsibility. If the Respondent is found responsible, he/she may make any statements, oral or written, regarding mitigating or extenuating circumstances that he/she wishes the Board to consider. The Complainant may provide an impact statement to the Board.

5.4.4.4. The Board, along with the hearing advisor and an attorney from the Office of University Counsel, if in attendance, will remain in the hearing room and all other participants will be dismissed while the Board deliberates regarding appropriate sanctions. The Board will reconvene the hearing to announce its decision. The decision will also be shared with the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based and, will outline Respondent's appeal rights. This decision may be appealed by the Respondent pursuant to 5.5 below.

5.4.4.1. Victims of crimes of violence shall be notified of the results of the disciplinary proceedings of the alleged Respondent. "Results" means the name of the student Respondent, the violation charged or committed, the essential findings supporting the conclusion that the violation was committed, the sanction if any imposed. The duration of the sanction and the date the sanction was imposed.
5.4.5. Prior to a hearing, the Respondent may make an appointment with OSRR to review any written evidence (including photographs or videos) that will be used at the hearing and to obtain a list of witnesses. An appointment to review information in OSRR must be made at least two (2) business days in advance.

5.4.6. The Respondent may waive the hearing and accept the sanction proposed by the University. A designated University official must determine that the waiver and acceptance is voluntary and that the charge and sanction have factual support. The Director of OSRR (or his/her designee) shall serve as the designated University official if the Respondent waives the hearing prior to the scheduled hearing date. In the event the Respondent waives the hearing the day of the hearing, the hearing advisor will serve as the designated University official. The waiver and acceptance must be in writing and signed by the student and the designated University official.

5.4.7. The hearing will be audio recorded; however, recording quality problems and/or malfunctions will not invalidate or nullify the decision of the Conduct Board.

5.4.8. The Student Conduct Board hearings are closed to the public.

5.4.9. Conduct board members and staff assigned to perform work related to the hearing should report any potential procedural irregularities or procedural errors that come to their attention, which may have occurred before or during the hearing, to the Director of OSRR for review by the Vice Chancellor of Student Affairs. The Vice Chancellor of Student Affairs, or his/her designee, shall have the authority to determine whether corrective action, including but not limited to, a new hearing, is necessary to correct such procedural errors. This review does not constitute an appeal and is a separate, independent review of the hearing procedures.

5.5. Appeals

5.5.1. During an appeal, the appealing party has the burden of showing either (1) a violation of due process; or (2) a material deviation from Substantive and Procedural Standards adopted by the Board of Governors:

5.5.1.1. Violation of Due Process. Due Process requires notice and an opportunity to be heard. A violation of due process means that the appealing party was not provided the required notice or an opportunity to be heard due to specified procedural errors, or errors in interpretation of University policies or regulations, that were so substantial as to effectively deny the Respondent a fair hearing. Reasonable deviations from the procedures set out in this Regulation will not invalidate a decision or proceeding unless the Respondent can show that, but for the deviation or error, there likely would have been a different outcome in the case.

5.5.1.2. Material Deviation from Substantive and Procedural Standards. Material Deviation from Substantive and Procedural Standards require that the decision reached be neither arbitrary nor capricious. A material deviation from substantive standards means that there is a lack of information in the record that could support the decision or sanction(s). This does not mean the information presented at the hearing can be re-argued on appeal; rather, it requires a showing that no reasonable person could have determined the Respondent was responsible or could have imposed the sanction that was issued, based on the information in the record. A material deviation from procedural standards means that a lack of information in the record that could support the decision is due to a procedural error that resulted in the proffered evidence or testimony being excluded.
5.5.2. The student must specify in writing ("Appeal Letter") which grounds form the basis for her/his appeal. The student must provide factual information to support her/his claim and explain what outcome he/she is seeking. The student has a right to be assisted in preparing his/her written challenge by a licensed attorney or non-attorney advocate, at the student’s expense.

5.5.3. The Appeal Letter must be dated, signed by the student, and received by OSRR within five (5) calendar days from the date that the written decision on sanctions is provided to the student, either by hand delivery or by delivery or attempted delivery through e-mail or postal mail. Appeals should be directed to osrr@ecu.edu; or 364 Wright Building. Failure to deliver the written notice of appeal within this time limit will render the decision of the conduct administrator/Conduct Board final and conclusive. An extension of time may be requested within the five (5) day limit, but it is within the discretion of OSRR to grant or deny such requests.

5.5.4. Appeals will be limited to the record of the hearing, including the supporting documents provided by the Respondent and available records ("Written Record") within the OSRR.

5.5.5. In appeals from a hearing with the conduct administrator, the Director of OSRR or his/her designee will review the Written Record and make a determination as to whether a decision and/or sanction should be altered. If the OSRR Director or his/her designee determines that an appeal is not granted, the decision of the conduct administrator and any assigned sanctions will go into effect and the student will have no further appeal opportunities. The Director of OSRR or his/her designee's decision is final.

5.5.5.1. The final decision of the Director of OSRR or his/her designee will be made within 45 calendar days after the hearing and will be shared with the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based.

5.5.6. In appeals from a hearing before the Conduct Board where suspension is assigned, the Director of OSRR will compile the Written Record and provide it to the Vice Chancellor for Student Affairs, or his/her designee, who will make the final administrative determination. The Vice Chancellor, or his/her designee, will determine whether to impose the sanctions recommended by the Conduct Board, to modify the sanctions recommended by the Conduct Board, to refer the case back to OSRR for a new hearing before a different Conduct Board, or take other necessary administrative action.

5.5.7. All hearings before the Conduct Board where expulsion is recommended will be reviewed by the Vice Chancellor for Student Affairs who will make the final administrative determination. The Director of OSRR, or his/her designee, will compile the Written Record and provide it to the Vice Chancellor for Student Affairs for review. The Vice Chancellor will determine whether to impose the sanctions recommended by the Conduct Board, to modify the sanctions recommended by the Conduct Board, or to refer the case back to OSRR for a new hearing before a different Conduct Board, or take other necessary administrative action. If the Vice Chancellor determines that the student should be expelled from the University, the student has the right to file an appeal by following the process described in 5.6.
5.5.7.1. If the Vice Chancellor of Student Affairs is unavailable, has a conflict of interest, or when the Chancellor determines that a substitution is necessary to ensure a fair and timely review, the Chancellor may assume the responsibility of reviewing Conduct Board appeals or designate another vice chancellor.

5.5.8. The final decision in cases where suspension or expulsion is the sanction will be made within 45 calendar days after the hearing and will be shared with the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based and any appeal rights, including the time limits in which to appeal and the permitted grounds for appeal. 5.5.9. New Information. Requests for reconsideration based on new information, sufficient to alter a decision and not reasonably available at the time of the decision, should be directed to the original decision-maker. A Complainant or Respondent has one (1) calendar year after the final imposition of sanctions by the University to present new information.

5.6. Appeal of Expulsion

5.6.1. Should the Vice Chancellor for Student Affairs uphold the Conduct Board’s recommendation and make a final administrative decision to expel a student, the student has the right to appeal the decision to the East Carolina University Board of Trustees. The student should send a written appeal by certified or registered mail, return receipt requested, or by another means that provides proof of delivery to the Assistant Secretary to Board within ten (10) calendar days after the notice of the Vice Chancellor’s decision is sent to the Respondent. A copy should also be provided to the Office of Student Rights and Responsibilities and the Vice Chancellor for Legal Affairs and University Counsel of East Carolina University. If the appeal is received in a timely manner, the Board of Trustees will establish a schedule for its review. If the Respondent fails to comply with the schedule, the Board of Trustees may dismiss the appeal. The decision of the Board of Trustees is final.

6. Records

6.1. Family Educational Rights and Privacy Act of 1974: Conduct case information is recorded and maintained by OSRR in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). Generally, information contained in OSRR files that personally identifies a student will not be released without the written and dated consent of the student identified in the record. However, disciplinary records may be shared with third parties to the extent allowed under FERPA. Victims of violence will be notified of the final disposition of the case to include the name of the Respondent; the letter of the alleged violation committed; the findings supporting the conclusion; the sanctions imposed, if any; the duration of the sanctions; and the date the sanctions were imposed. For specific information on FERPA, please contact the Registrar’s Office.

6.2. Maintenance of Records: Conduct records are maintained by the OSRR for at least eight years from the completion of the last sanction imposed. Records of students, who have been suspended, expelled, and of those who have a pending case or have not completed sanctions are kept indefinitely.

6.3. UNC Suspension/Expulsion Database: Information about students who are suspended, expelled, or have serious pending cases is entered into a UNC database, where it is stored permanently. All UNC constituent institutions have access to this information.
6.4. Transcript Notation: Conduct suspensions and expulsions will be marked on the student's transcript until all sanctions have been completed. For more information, please contact the Office of the Registrar.

6.5. Awarding of Degrees: The University does not award degrees solely because a student successfully completed all academic requirements. Violations of the Student Code of Conduct, including academic and non-academic violations, might result in a degree not being awarded. When a student has a disciplinary complaint pending, the awarding of the degree might be delayed until the complaint is resolved and, if imposed, the sanctions have been completed.

6.6. Withdrawal: Students with a pending conduct case will not be permitted to withdraw from the University without first resolving the case or receiving permission from the Director of OSRR to do so.

6.7. Continual Enrollment: Students with a pending conduct case might be prohibited from future enrollment until the conduct matter is resolved by the University.

7. Review of the Conduct Process

7.1. The Director of the OSRR will convene the Conduct System Review Committee every three years. This committee will assess the effectiveness of the conduct process and related policies and recommend any changes in policy, procedure, or the Code to the Chancellor.

7.2. The Committee shall be composed of two students appointed by the President of the Student Government Association, two staff members appointed by the Chair of the Staff Senate, and two faculty members appointed by the Chair of the Faculty Senate. The Dean of Students or designee shall serve as a chair of the Committee, voting only if there is a tie.

7.3. The Director of OSRR shall present a report to the Vice Chancellor for Student Affairs reflecting information regarding the state of the conduct system no later than June 30th of the review year. The Director of OSRR and other staff members directly involved in the conduct process shall serve as non-voting members of the Committee. The Director of OSRR is permitted to convene the Committee outside of the typical three-year review cycle when necessary.

7.4. The University will review and update this Regulation, as appropriate, annually, in addition to the review every three years by the Committee. The University will evaluate, among other things, any changes in legal requirements, existing University resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed).
F. Federal and State Laws

I. Federal Drug Laws

II. NC Drug Laws

III. NC Drug Schedules

IV. Drug Trafficking Penalties

V. NC Alcohol Laws

I. Federal Drug Laws

Federal law imposes restrictions and penalties on the possession, distribution, and illegal sale of any controlled substance as well as 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 for each individual substance. The basic categories are as follows:

- **Schedule 1**: Ecstasy, LSD, heroin, marijuana
- **Schedule 2**: Cocaine, methamphetamine, hydrocodone, oxycodone, Adderall, Vicodin, Ritalin
- **Schedule 3**: Anabolic steroids, ketamine, testosterone.
- **Schedule 4**: Ambien, Xanax, and Valium.
- **Schedule 5**: Lyrica and cough suppressants

The law prohibiting unauthorized possession of any controlled substance is found in 21 USC § 844. Simple possession of any controlled substance (meaning having a small amount for personal consumption without intending to distribute or sell) is a misdemeanor under federal law carrying a fine of at least $1,000 and no more than one year in prison (except for possession of Flunitrazepam, more commonly known as "roofies," which is always a felony and carries a greater penalty). Repeat possession offenders may be charged with a felony, which carries a longer prison sentence and greater fine. Possession with intent to distribute carries penalties which are potentially even more severe. In addition to prison time and fines, civil penalties may also be imposed on anyone violating federal possession laws. Persons convicted of possession may also be fined for the reasonable costs of the investigation and prosecution of the offense.

However, it is important to note that most federal drug convictions are for drug trafficking, not possession. The penalties for drug trafficking are found in 21 USC § 841. Penalties are structured to impose prison sentences and fines which vary according to the quantity of the controlled substance involved in the transaction. Persons who violate drug trafficking laws within 1,000 feet of a university may face penalties or prison terms and fines up to twice as high as the regular penalties. An updated chart showing trafficking laws and penalties is attached to this report and can be found at this link: https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf#page=30
II. NC Drug Laws

Most university students or employees who choose to participate in illegal drug-related activities will be prosecuted under North Carolina law. North Carolina law, like federal 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. The scheduling system mirrors the federal system except for a separate category, Schedule VI, for marijuana (federal law places marijuana in Schedule I). The specific scheduling classifications can be found in N.C. General Statutes § 90-89 through § 90-94. Penalties vary for each schedule. For example, Possession of a Schedule I narcotic is automatically a felony which carries severe fines and 4-5 months mandatory jail time while Schedule VI violations result in either class 2 or class 3 misdemeanors which carry very light sentences. A summary of the penalties is attached to this report and can be found at: https://davidsonccc.edu/wp-content/uploads/2018/10/North-Carolina-Schedules.pdf. The bottom part of the pdf contains a summary of the quantities necessary to potentially be charged with drug trafficking under North Carolina law. Note that the quantities one must possess to be charged with drug trafficking under North Carolina law are much less than those needed to be charged with a federal trafficking crime. Article 5B of the North Carolina Controlled Substance Act prohibits the possession of drug paraphernalia including marijuana paraphernalia and the manufacturing or delivering of drug paraphernalia. The physical nature of the object does not determine whether its drug paraphernalia (this is why we see smoke shops near college campuses selling bongs, pipes, and other devices which are traditionally used for smoking and ingesting marijuana). The law specifies what evidence may be used in order to determine if an object is drug paraphernalia. These factors are listed in § 90-113.21(b) and include the object’s proximity to a controlled substance, the presence of any residue of a controlled substance on the object, any descriptive materials accompanying the object, prior convictions of the owner for violations of the controlled substance act, possible legitimate uses of the object, etc.

Here are a few other aspects of North Carolina drug law to be aware of:

1. North Carolina recently passed a law which provides an exemption for use or possession of “hemp extract” if it is used for the treatment of epilepsy. N.C. Gen. Stat. § 90-94.1
2. There are additional penalties whenever a drug transaction or drug law violation involves a minor. N.C. Gen. Stat. § 90-95.4; §90-95.5; §90-95.6; § 90-95.7
3. North Carolina law provides limited immunity for a “good Samaritan.” If someone calls 911 or a law enforcement officer to seek medical assistance for someone experiencing an overdose, they have limited immunity. Specifically, they cannot be charged with any misdemeanor possession violation, or a felony possession violation if they have less than one gram of cocaine or heroin. This provision is found in § 90-96.2.
### III. NC Drug Schedules

#### Schedule I
- Has a high potential for abuse.
- Has no medical use.
- Has a lack of accepted safety.

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Punishment</th>
<th>Tier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heroin, Ecstasy, GHB, Methaqualone, Peyote, Opiates (and others)</td>
<td>First Offense Class I Felony 4-5 Months</td>
<td>Table Cell</td>
</tr>
</tbody>
</table>

#### Schedule II
- Has a high potential for abuse.
- Has accepted medical use with severe restrictions.
- Abuse may lead to physical or psychological dependence.

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Punishment</th>
<th>Tier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cocaine, Raw Opium, Opium Extracts, Fluid and Powder, Codeine, Hydrocodone, Morphine, Methadone, Methamphetamine, Ritalin (and others)</td>
<td>First Offense Class I Misdemeanor 45 Days in Jail</td>
<td>Second Offense Class I Felony 4-5 Months</td>
</tr>
</tbody>
</table>

#### Schedule III
- Has potential for abuse, but less than Schedule I or II substances.
- Has an accepted medical use.
- Abuse may lead to limited dependence.

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Punishment</th>
<th>Tier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ketamine, Anabolic Steroids, Some Barbiturates (and others)</td>
<td>First Offense Class I Misdemeanor 45 Days in Jail</td>
<td>Second Offense Class I Felony 4-5 Months</td>
</tr>
</tbody>
</table>

#### Schedule IV
- Has a low potential for abuse.
- Has an accepted medical use.
- Abuse may lead to limited dependence.

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Punishment</th>
<th>Tier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valium, Xanax, Rohypnol, Darvon, Clonazepam, Barbital (and others)</td>
<td>First Offense Class I Misdemeanor 45 Days in Jail</td>
<td>Second Offense Class I Felony 4-5 Months</td>
</tr>
</tbody>
</table>

#### Schedule V
- Has a low potential for abuse.
- Has an accepted medical use.
- Abuse may lead to limited dependence.

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Punishment</th>
<th>Tier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over the counter cough medicines with codeine (and others)</td>
<td>First Offense Class 2 Misdemeanor 30 Days in Jail</td>
<td>Second Offense Class 1 Misdemeanor 45 Days in Jail</td>
</tr>
</tbody>
</table>

#### Schedule VI
- Has a low potential for abuse.
- Has no accepted medical use.
- Abuse may lead to limited dependence.

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Punishment</th>
<th>Tier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana, Hashish, Hashish Oil</td>
<td>First Offense Class 3 Misdemeanor 10 Days in Jail or Suspended Sentence</td>
<td>Second Offense Class 2 Misdemeanor 30 Days in Jail</td>
</tr>
</tbody>
</table>
### IV. Drug Trafficking Penalties

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Marijuana</strong></td>
<td>10 – 49 lbs.</td>
<td>Class H Felony 25 – 30 Months</td>
<td>$5,000 Fine</td>
</tr>
<tr>
<td></td>
<td>50 – 1,999 lbs.</td>
<td>Class G Felony 35 – 42 Months</td>
<td>$25,000 Fine</td>
</tr>
<tr>
<td></td>
<td>2,000 – 9,999 lbs.</td>
<td>Class F Felony 70 – 84 Months</td>
<td>$50,000 Fine</td>
</tr>
<tr>
<td></td>
<td>10,000 lbs. or more</td>
<td>Class D Felony 175 – 219 Months</td>
<td>$200,000 Fine</td>
</tr>
<tr>
<td><strong>Heroin</strong></td>
<td>4 – 13 grams</td>
<td>Class F Felony 70 – 84 Months</td>
<td>$50,000 Fine</td>
</tr>
<tr>
<td></td>
<td>14 – 27 grams</td>
<td>Class E Felony 90 – 117 Months</td>
<td>$100,000 Fine</td>
</tr>
<tr>
<td></td>
<td>28 grams or more</td>
<td>Class C Felony 225 – 279 Months</td>
<td>$250,000 Fine</td>
</tr>
<tr>
<td><strong>Cocaine</strong></td>
<td>28 – 199 grams</td>
<td>Class G Felony 35 – 42 Months</td>
<td>$50,000 Fine</td>
</tr>
<tr>
<td></td>
<td>200 – 399 grams</td>
<td>Class F Felony 70 – 87 Months</td>
<td>$100,000 Fine</td>
</tr>
<tr>
<td></td>
<td>400 grams or more</td>
<td>Class D Felony 175 – 219 Months</td>
<td>$250,000 Fine</td>
</tr>
<tr>
<td><strong>Methamphetamines</strong></td>
<td>28 – 199 grams</td>
<td>Class F Felony 70 – 84 Months</td>
<td>$50,000 Fine</td>
</tr>
<tr>
<td></td>
<td>200 – 399 grams</td>
<td>Class E Felony 90 – 117 Months</td>
<td>$100,000 Fine</td>
</tr>
<tr>
<td></td>
<td>400 grams or more</td>
<td>Class C Felony 225 – 279 Months</td>
<td>$250,000 Fine</td>
</tr>
</tbody>
</table>
V. NC Alcohol Laws
   a. Minimum Age Laws Overview
   b. Alcohol Violations
   c. Greenville Alcohol Ordinances

a. Minimum Age Laws Overview

North Carolina’s alcohol laws permit adults 18 or older to serve alcohol in restaurants. Or in any venue for on-site consumption. The same for tending bar. To sell alcohol for off-site consumption it may be different. Those who sell spirits must also be 18 or older. But there’s no minimum legal age law for selling beer or wine in such a venue.

Local alcohol laws are often more restrictive than state law. Some to the point of prohibition.

The use of a false ID to buy alcohol is a crime. It is also illegal for those under 21 to drive with any alcohol in their blood. The only legal BAC for them is 0.00.

North Carolina alcohol laws make no exceptions for consuming alcohol under age 21.

b. Alcohol Violations

Selling Alcohol

It’s a violation of North Carolina alcohol laws to sell alcohol to anyone under 21. That includes adults 18, 19, and 20. There are no exceptions. And it’s illegal to sell or serve alcohol to anyone who is intoxicated. Retailers may sell or serve alcohol between 7 a.m. and 2 a.m. Mondays through Saturdays. They may only sell or serve it after noon on Sundays. However, some counties and towns further restrict Sunday sales.

Retailers may not:

Have Happy Hours. That is, offer free or reduced drink prices during limited hours. They must be offered to all customers for the entire day and in all areas of the business.
Offer certain drink specials or promotions. They include two for the price of one, or buy one and get one free. Buy one and get another for a nickel, or buy a meal (or anything) and get a free drink, etc.
Permit customers to continue drinking on their premises after 2:30 a.m.

Buying Alcohol

It’s illegal for anyone under 21 to buy alcohol, or to try to buy it. Helping anyone under 21 obtain alcohol is also illegal. This includes buying or giving them alcohol, or lending an ID so they can buy it. Nor may parents, ministers, physicians give or administer even a tiny amount of alcohol for any reason.
Customers may only receive one drink at a time. The only exception is a boiler maker. It’s one shot in one beer. Only two or more customers may buy a pitcher of beer. However, one customer may buy one bottle of wine. And a customer may re-cap a partially consumed bottle of wine and take it from the premises.

It’s illegal to possess an unregistered, unlabeled beer keg. The judge determines the amount of the fine and also the imprisonment. It may be up to 45 days.

Customers may not use federal food assistance ("food stamps") to buy alcohol.

Driving and Alcohol

North Carolina alcohol laws prohibit driving while impaired (DWI). Drivers are impaired if their blood alcohol concentration (BAC) is 0.08% or higher. With a prior DWI conviction and for commercial drivers, it’s 0.04%. For those under age 21, any measurable alcohol is DWI.

Drivers under 21 with any measurable alcohol are penalized with license suspension. It’s 30 days for a pretrial period and then for one year after that. The judge decides what other penalties to impose. These are typically fines, court costs and often community service requirements.

Drivers of any age may be convicted of DWI even if their BAC is within the legal range.

North Carolina DWI offenses are categorized into six levels. They increase in severity from Level 5 up to Aggravated Level 1. The judge alone decides into which category a DWI charge falls. Factors may include the BAC level, age, current driving record, demeanor, and other circumstances.

Level 5
Immediate License suspension for 30 days.
Fine up to $200.
Imprisonment for one to 60 days.
Possible probation
Substance abuse assessment, if on probation.

Level 4
Immediate license suspension for 30 days.
Fine up to $500.
Imprisonment for two to 120 days.
Substance abuse assessment, if on probation.

Level 3
Immediate license suspension for 30 days.
Fine up to $1,000.
Imprisonment for 72 hours to six months.
Possible parole.
Substance abuse assessment, if on probation.
Level 2
Immediate license suspension for 30 days.
Fine up to $2,000.
Imprisonment for seven days to one year. Judge might reduce sentence to 90 days of court-monitored abstinence from alcohol.
Possible parole. Substance abuse assessment, if on probation.

Level 1
Immediate license suspension for 30 days.
Fine up to $4,000.
Imprisonment for 30 days to two years. Judge might reduce sentence to 120 days of court-monitored abstinence from alcohol.
Substance abuse assessment, if on probation.

Aggravated Level 1
Immediate license suspension for 30 days.
Fine up to $10,000.
Imprisonment for one to three years. Judge might reduce sentence to 120 days with court-monitored alcohol abstinence for at least 120 days.
Court-monitored abstinence from alcohol for four months after release from prison.
Substance abuse assessment.
Ignition Interlock Device

An ignition interlock device (IID) prevents a vehicle from starting if it detects alcohol in the driver’s breath. North Carolina mandates an IDD installation for any driver with a BAC of 0.15 or higher. Or for a later offense within seven years.

The offender must pay for the installation, maintenance, and monitoring of the IID.

Boating and Alcohol
North Carolina alcohol laws prohibit operating any boat under the influence of alcohol or drugs. Doing so is boating under the influence (BUI). This prohibition covers riding waterskis, surfboards, wakeboards, or similar devices.

Boaters are guilty of BUI if they operate a vessel under the influence of an impairing substance. Or if they have a BAC of 0.08% or higher “at any relevant time after boating.”

Offenses depend on the offender’s criminal history and the judge hearing the case. However the typical penalty for a BUI is imprisonment up to 60 days and a fine of $250 to $1,000. However, there are increased penalties for certain BUI offenses.

BUI Penalties
Serious Injury by Impaired Boating. If a BUI offender causes a serious injury, the penalty is ten to 41 months in prison. Judge can also impose fine.

Aggravated Serious Injury by Impaired Boating. This occurs if a BUI offender has had a BUI conviction within the previous seven years and causes serious injury. The penalty is imprisonment for 38 to 160 months. Judge can also impose fine.

Death by Impaired Boating. If a BUI offender causes a death, the penalty is 38 to 160 months in prison. Judge can also impose fine.

Aggravated Death by Impaired Boating. This is when a BUI offender had a BUI conviction in the previous seven years and causes a death. The penalty is imprisonment for 38 to 160 months. Judge can also impose fine.

Repeat Death by Impaired Boating. Occurs when a BUI offender causes death and has a prior conviction for Death by Impaired Boating. The penalty is 94 to 393 months in prison. Judge can also impose fine.

c. Greenville Alcohol Ordinances
G. Description of Office of Student Rights and Responsibilities Sanctions (OSRR)- Students

Office of Student Rights and Responsibilities Revised 2022

Sanctioning Guidelines for Schedules I and II

(When applicable, a hearing officer/board may amend sanctions after considering mitigating and/or aggravating factors)

<table>
<thead>
<tr>
<th>Distribution of Schedule I and/or II drug</th>
<th>1st Violation</th>
<th>2nd Violation</th>
<th>3rd Violation</th>
<th>4th Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Example: (with the intent to sell or deliver, sale or delivery (regardless of quantity or exchange of money), or manufacture)</td>
<td>-Suspension or Expulsion based on the nature of the incident</td>
<td>-Parental notification (under 21)</td>
<td>-Expulsion</td>
<td>-Parental notification of expulsion (under 21)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Possessing &amp;/or Using Schedule I and/or II drug</th>
<th>1st Violation</th>
<th>2nd Violation</th>
<th>3rd Violation</th>
<th>4th Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Example: Possessing and/or using drugs; misusing prescription or counterfeit drugs; consuming, including huffing or sniffing, any substance not intended for such use)</td>
<td>-Deferred Suspension for Minimum One Semester</td>
<td>-Notation that the next alcohol/drug violation will lead to suspension</td>
<td>-Possible RESTART OR</td>
<td>-Expulsion</td>
</tr>
<tr>
<td></td>
<td>-Suspension for Minimum One Semester</td>
<td>-University Ban</td>
<td>-Petition for Re-enrollment</td>
<td>-Parental notification of expulsion (under 21)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-Prior to reenrollment, proof of successful completion of an off-campus drug counseling and treatment program as well as</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Sanctioning Guidelines for Schedules III, IV, V, and VI
(When applicable, a hearing officer/board may amend sanctions after considering mitigating and/or aggravating factors)

<table>
<thead>
<tr>
<th>Paraphernalia</th>
<th>1st Violation</th>
<th>2nd Violation</th>
<th>3rd Violation</th>
<th>4th Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(Example: Possessing drug paraphernalia)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- BASICS I (group sessions and individual counseling sessions)</td>
<td>- Referred to BASICS II (assessment and possible participation in a counseling and treatment program)</td>
<td>- Minimum Deferred Suspension for Two Semesters (administered through OSRR/Conduct Board or approved CLC Officer)</td>
<td>- Minimum Suspension for One Semester</td>
<td></td>
</tr>
<tr>
<td>- $75 Campus Intervention Fee</td>
<td>- $115 Campus Intervention Fee</td>
<td>- Notation that the next alcohol/drug violation will lead to suspension</td>
<td>- University Ban</td>
<td></td>
</tr>
<tr>
<td>- Minimum Probation (1 month)</td>
<td>- Minimum Probation (4 months) in addition to any unexpired probation</td>
<td>- Possible RESTART</td>
<td>- Petition for Re-enrollment</td>
<td></td>
</tr>
<tr>
<td>- Parental notification (under 21)</td>
<td>- Possible Removal from housing</td>
<td>- Parental notification (under 21)</td>
<td>- Prior to reenrollment, proof of successful completion of an off-campus drug counseling and treatment program</td>
<td></td>
</tr>
</tbody>
</table>

| Possessing &/or Using Drugs | | | | |
| **(Example: Possessing and/or using drugs; misusing prescription or counterfeit drugs):** | | | | |
| - BASICS I (group sessions and individual counseling sessions) | - Referred to BASICS II (assessment and possible participation in a counseling and treatment program) | - Minimum Deferred Suspension for Two Semesters | - Minimum Suspension for Two Semesters | |
| - $75 Campus Intervention Fee | - $115 Campus Intervention Fee | - Notation that the next alcohol/drug violation will lead to suspension | - University Ban | |
| - Minimum Probation (4 month) | | - Possible RESTART | - Petition for Re-enrollment | |
| | | | - Prior to reenrollment, proof of successful completion of an off- |
Possessing &/or Using Drugs

(Example: Possessing and/or using drugs: misusing prescription or counterfeit drugs; consuming, including huffing or sniffing, any substance not intended for such use)

- BASICS I
  (group sessions and individual counseling sessions)
- $75 Campus Intervention Fee
- Minimum Probation (4 months)
- Possible Removal from housing
- Parental notification (under 21)

- Referred to BASICS II (assessment and possible participation in a counseling and treatment program)
- $115 Campus Intervention Fee
- Minimum Probation (4 months) in addition to any unexpired probation
- Possible Removal from housing
- Possible drug screening(s)
- Notation that the next alcohol/drug violation will lead to suspension
- Parental notification indicating that suspension is probable on the next violation (under 21)

- Minimum Deferred Suspension for Two Semesters
- Notation that the next alcohol/drug violation will lead to suspension
- Possible RESTART OR
- Minimum Suspension for One Semester
- University Ban
- Petition for Re-enrollment
- Prior to reenrollment, proof of successful completion of an off-campus drug counseling and treatment program
- Proof of drug-free status (30 days prior to return)
- A note that the next alcohol/drug violation will lead to expulsion
- Follow Up meeting with OSRR upon return from Suspension
- Parental notification of suspension (under 21)

1st Violation 2nd Violation 3rd Violation 4th Violation

---

### SUSPENSION LEVEL MARIJUANA SANCTIONING GUIDELINES

<table>
<thead>
<tr>
<th>AMOUNT (g)</th>
<th>MINIMUM ADMINISTRATIVE SANCTIONS</th>
<th>DISTRIBUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 16 (g)</td>
<td>Probation: 4 Months*</td>
<td>Suspension: 1 Semester</td>
</tr>
<tr>
<td>17 – 32 (g)</td>
<td>Deferred Suspension: 1 Year*</td>
<td>Suspension: 2 Semesters</td>
</tr>
<tr>
<td>33 – 64 (g)</td>
<td>Suspension: 1 Semester</td>
<td>Suspension: 3 Semesters</td>
</tr>
<tr>
<td>65 – 96 (g)</td>
<td>Suspension: 2 Semesters</td>
<td>Suspension: 4 Semesters</td>
</tr>
<tr>
<td>97 – 150 (g)</td>
<td>Suspension: 3 Semesters</td>
<td>Suspension: 5 Semesters</td>
</tr>
<tr>
<td>&gt; 150 (g)</td>
<td>Suspension: 4 Semesters</td>
<td>Suspension: 6 Semesters</td>
</tr>
</tbody>
</table>

**EDUCATIONAL SANCTIONS FOR SUSPENSION LEVEL CASES**

1. Off-Campus Assessment and Treatment
2. Petition to Re-Enroll
3. University Ban

**FACTORS TO BE CONSIDERED**

- This is intended for ONLY Marijuana and first-time violation of possession or distribution.
- This does not consider prior conduct history or any mitigating/aggravating factors.
- *Educational Sanctions for Non-Suspension Cases
  - May be referred to BASICS I or II
Sanction Guidelines

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<table>
<thead>
<tr>
<th>Student Code of Conduct Violation</th>
<th>Severity of Violation or Recidivism of Violation</th>
<th>Type of Standing</th>
<th>Educational Sanctions. The Conduct Administrator may choose from more than one sanction or determine other appropriate sanctions.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1. Alcohol</td>
<td>Level I - first minor violation</td>
<td>Direct Referral (see information on Direct Referral Program)</td>
<td>Direct Referral to BASICS I or MBC, Possible Parental Notification if under 21.</td>
</tr>
<tr>
<td></td>
<td>Level II - second minor violation or more serious first violation</td>
<td>Minimum 1 month of probation</td>
<td>BASICS II, BASICS III, MBC, Reflection Paper/Activity, Decision Making Paper, Professional Development Plan, Follow-up Meeting, Parental Notification if under 21.</td>
</tr>
<tr>
<td></td>
<td>Level III - third minor violation or a very serious first violation</td>
<td>Minimum 4 months of probation</td>
<td>BASICS II, Reflection Paper/Activity, Follow-up Meeting, Referral to Other Campus Resources, Assessment/Treatment Off-Campus, Responsibility Presentation, Professional Development Plan, Letter to Parents, Parental Notification if under 21.</td>
</tr>
<tr>
<td></td>
<td>Level IV — any alcohol violation after student has been sanctioned to Level III</td>
<td>Minimum Deferred Suspension for 2 semesters or Suspension from ECU for a minimum of 1 semester</td>
<td>Assessment and Treatment Off-campus; Parental Notification if under 21. RESTART (OSRR Only), If Suspension: Follow Up Meeting with OSRR Upon Return</td>
</tr>
<tr>
<td></td>
<td>Subsequent violations</td>
<td>Minimum Suspension from ECU for a minimum of 2 semesters or Possible Expulsion from University System</td>
<td>Suspension: Assessment and Treatment Off-Campus, Follow Up Meeting with OSRR Upon Return, Parental Notification if under 21.</td>
</tr>
<tr>
<td>2.2. Drugs, Drug Paraphernalia, and Other Controlled Substances</td>
<td>Possession of Paraphernalia</td>
<td>Minimum 1 month of probation</td>
<td>BASICS I, BASICS II, MBC, Reflection Paper, Code of Conduct Review, Responsibility Presentation, Professional Development Plan, Follow-Meeting</td>
</tr>
<tr>
<td></td>
<td>Schedule I and II drugs first violation of possessing, using, or misusing</td>
<td>Based on the nature of the incident: Minimum 4 months of probation, Deferred Suspension for 2 semesters or Suspension from ECU for a minimum of 1</td>
<td>If Probation or Deferred Suspension: BASICS II or Assessment and Treatment Off-Campus, Parental Notification if under 21, Follow-up meeting</td>
</tr>
</tbody>
</table>

- For 2.1 and 2.2 MBC can only be assigned if the student was not actively engaged in possessing or consuming alcohol or drugs.
- For 2.1 and 2.2 the level of BASICS assigned is based on the nature of the incident and the developmental needs of the student.

Revised July 2022

Drug-Free Schools and Campuses Regulations- Drug and Alcohol Abuse Prevention Plan (EDGAR Part 86) 08/2022
## Sanction Guidelines

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<table>
<thead>
<tr>
<th>2.2. Drugs, Drug Paraphernalia, and Other Controlled Substances (Continued)</th>
<th>Semester or Possible Expulsion from the University System</th>
<th>If Suspension: Assessment and Treatment Off-Campus, Drug Testing, Parental Notification if under 21, RESTART (OSRR Only), Follow Up Meeting with OSRR Upon Return</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule I and II drugs second violation of possessing, using or misusing or first violation of distributing, buying, selling, or manufacturing</td>
<td>Based on the nature of the incident: Minimum Suspension from ECU for a minimum of 1 semester or Possible Expulsion from the University System.</td>
<td>Assessment and Treatment Off-Campus, Drug Testing, RESTART (OSRR Only), Parental Notification if under 21</td>
</tr>
<tr>
<td>Schedule III through VI drugs first violation of possessing, using or misusing, for marijuana sanction guidelines, refer to marijuana sanctioning chart</td>
<td>Based on the nature of the incident: Minimum of 4 months of probation</td>
<td>BASICS I (must have permission from supervisor or AD for Campus Living Conduct to sanction BASICS II, BASICS II, Reflection Paper/Activity, Follow-Up Meeting, Referral to Other Campus Resources, Assessment/Treatment Off-Campus, Parental Notification if under 21; RESTART (OSRR Only)</td>
</tr>
<tr>
<td>Schedule III through VI drugs second violation of possessing, using or misusing or first violation of distributing, buying, selling, or manufacturing</td>
<td>Based on the nature of the incident: Minimum Deferred Suspension for 2 semester or Suspension from ECU for 1 semester</td>
<td>If Probation or Deferred Suspension: BASICS II or Assessment and Treatment Off-Campus, Parental Notification if under 21, Follow-up meeting</td>
</tr>
<tr>
<td>Schedule III through VI drugs third violation of possessing, using or misusing or second violation of distributing, buying, selling, or manufacturing</td>
<td>Based on the nature of the incident: Minimum Suspension from ECU for 2 semesters or Possible Expulsion from the University System.</td>
<td>Assessment and Treatment Off-Campus, Drug Testing, Parental Notification if under 21, RESTART (OSRR Only), Follow Up Meeting with OSRR Upon Return</td>
</tr>
</tbody>
</table>

| 2.3. Endangerment | Warning or 1 month of probation | MBC, Counseling, Anger Management (CASP), Referral to Campus Resources, Decision-Making Paper, Follow-Up Meeting, Reflection Paper/Activity, Code of Conduct Review, Responsibility Presentation, Professional Development Plan |

* For 2.1 and 2.2 MBC can only be assigned if the student was not actively engaged in possessing or consuming alcohol or drugs.
* For 2.1 and 2.2 the level of BASICS assigned is based on the nature of the incident and the developmental needs of the student.

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| 2.3. Endangerment (Continued) | Level II - medium violation actually or potentially resulting in minor to medium physical injury (i.e.: broken nose, broken finger, dislocated shoulder, hazing, etc.) or community harm; tampering with fire equipment; second Level I violation | Minimum 4 months of probation, Deferred Suspension for 2 semesters or Suspension from ECU for 1 semester | MBC, Counselling, Anger Management (CASP), Referral to Campus Resources, Decision-Making Paper, Follow-Up Meeting, Reflection Paper/Activity, Code of Conduct Review, Responsibility Presentation, Professional Development Plan If Suspension: RESTART (OSRR Only), Follow Up Meeting with OSRR Upon Return |
| | Level III - major violation actually or potentially resulting in serious bodily harm or death; second Level II violation; third Level I violation | Minimum Suspension from ECU for 1 semester, in extreme cases Expulsion from the University System | If Suspension: Counselling, Anger Management, RESTART (OSRR Only), Follow Up Meeting with OSRR Upon Return |
| | Subsequent violations after student had been sanctioned to Level III | Minimum Suspension from ECU for 2 semesters. In extreme cases Expulsion from the University System | If Suspension: Counselling, Anger Management, RESTART (OSRR Only), Follow Up Meeting with OSRR Upon Return |

| 2.4. Harassment, Threats, Bullying or Intimidation | Level I - threat without indication that it was to be carried out (plan with minimal clarity); Bullying | Minimum 1 month of probation | MBC, Counselling, Anger Management (CASP), Referral to Campus Resources, Decision-Making Paper, Follow-Up Meeting, Reflection Paper/Activity, Code of Conduct Review, Responsibility Presentation, Professional Development Plan |
| | Level II - threat without indication that it was to be carried out with aggravating circumstances; second Level I threat violations; harassment; Exploitation; Repeat or Severe Bullying | Minimum 4 months of probation | Counseling, Anger Management (CASP), Referral to Campus Resources, Decision-Making Paper, Follow-Up Meeting, Reflection Paper/Activity, Code of Conduct Review, Responsibility Presentation, Professional Development Plan |

- For 2.1 and 2.2 MBC can only be assigned if the student was not actively engaged in possessing or consuming alcohol or drugs.
- For 2.1 and 2.2 the level of BASICS assigned is based on the nature of the incident and the developmental needs of the student.

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<table>
<thead>
<tr>
<th>2.4. Harassment, Threats, Bullying or Intimidation (Continued)</th>
<th>Level III – threat indicating gross physical harm to individuals or property; third Level I threat violation or any violation after student has been sanctioned to Level II; Severe or Repeat Harassment:</th>
<th>Minimum Suspension from ECU for 1 semester. In extreme cases Expulsion from the University System</th>
<th>If Suspension: Counseling Assessment and Treatment, Restart (OSRR Only), Follow Up Meeting with OSRR Upon Return</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Subsequent violations after student had been sanctioned to Level III</td>
<td>Expulsion from the University System</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Level II – engaging in hazing activities actually or potentially resulting in no physical, emotional, or mental harm or property damage; or being a bystander to said activities</td>
<td>Minimum 4 months of probation or Deferred Suspension for 2 semesters</td>
<td>Counseling, Anger Management (CASP), Decision-Making Paper, Follow-Up Meeting, Reflection Paper/Activity, Code of Conduct/Policy Review, Responsibility Presentation, Professional Development Plan, Hazing Module, F/S Values Reflection</td>
</tr>
<tr>
<td></td>
<td>Level III – facilitating or engaging in hazing activities actually or potentially resulting in minor to medium physical, emotional, or mental harm or property damage; or being a bystander to said activities</td>
<td>Minimum Suspension from ECU for 1 semester. In extreme cases Expulsion from the University System</td>
<td>Counseling, Anger Management (CASP), Decision-Making Paper, Follow-Up Meeting, Reflection Paper/Activity, Code of Conduct/Policy Review, Responsibility Presentation, Professional Development Plan, Hazing Module, F/S Values Reflection, If Suspension: Follow Up Meeting with OSRR Upon Return</td>
</tr>
</tbody>
</table>

* For 2.1 and 2.2 MBC can only be assigned if the student was not actively engaged in possessing or consuming alcohol or drugs.
* For 2.1 and 2.2 the level of BASICS assigned is based on the nature of the incident and the developmental needs of the student.

Revised July 2022
## Sanction Guidelines

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### 2.5. Hazing (Continued)

<table>
<thead>
<tr>
<th>Level IV — engaging in hazing activities actually or potentially resulting in serious physical, emotional or mental harm or property damage; second Level I, II, or III hazing violation; or being a bystander to said activities</th>
<th>Minimum Suspension from ECU for 2 semesters. In extreme cases Expulsion from the University System</th>
<th>Counseling, Anger Management (CASP), Decision-Making Paper, Follow-Up Meeting, Reflection Paper/Activity, Code of Conduct/Policy Review, Responsibility Presentation, Professional Development Plan, Hazing Module, F/S Values Reflection, if Suspension: Follow Up Meeting with OSRR Upon Return</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second Level IV or subsequent Level I, II, or III hazing violations; or being a bystander to said activities</td>
<td>Expulsion from the University System</td>
<td></td>
</tr>
</tbody>
</table>

### 2.6. Weapons

<table>
<thead>
<tr>
<th>First time violation of possession (depending on the nature of the incident and if the weapon was used or threatened to be used)</th>
<th>Minimum 4 months of probation; Deferred Suspension for 2 semesters; Suspension from ECU for 1 semester; or in extreme cases, Expulsion from the University system. Administrative Suspension may be considered.</th>
<th>Counseling Assessment, Reflection Paper/Activity, Gun Safety Class, Meeting with Law Enforcement, or Other Campus Resources, if Suspension: Follow Up Meeting with OSRR Upon Return</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subsequent weapons violations after being suspended or any extremely serious first-time violations involving a weapon</td>
<td>Expulsion from the University system. Administrative Suspension may be considered.</td>
<td></td>
</tr>
</tbody>
</table>

### 2.7. Disruptive Conduct

| Level I — conduct which minimally interfered with the function of the University or the conduct of others | Minimum 1 month probation | Depending on the nature of the incident, refer to Counseling, Make Better Choices, Career Services, Decision Making Paper, Responsibility Presentation, Follow-up Meeting, or Other Appropriate Campus Resources |

* For 2.1 and 2.2 MBC can only be assigned if the student was not actively engaged in possessing or consuming alcohol or drugs.
* For 2.1 and 2.2 the level of BASICS assigned is based on the nature of the incident and the developmental needs of the student.

Revised July 2022
## Sanction Guidelines

This document is intended to be used by Conduct Administrators as a foundation for sanctioning related to the associated charges. This document was developed after a careful review of code violations seen within the campus community. The purpose of this document is to provide consistent application of sanctions for associated violations but does not consider any mitigating or aggravating factors, which may include a student’s prior conduct history.

### 2.7. Disruptive Conduct (Continued)

<table>
<thead>
<tr>
<th>Level II – conduct which moderately interfered with the function of the University or the conduct of others; second Level I violation</th>
<th>Minimum 4 months of probation or Deferred Suspension for 2 semesters</th>
<th>Depending on the nature of the incident, refer to Counseling, Make Better Choices, Career Services, Decision Making Paper, Responsibility Presentation, Follow-up Meeting, or Other Appropriate Campus Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level III – conduct which substantially interfered with the function of the University or the conduct of others; third Level I violation or second Level II violation</td>
<td>Minimum Suspension from ECU for 1 semester.</td>
<td>Counseling Assessment, Community Service (if appropriate), RESTART (OSRR Only), Follow Up Meeting with OSRR Upon Return</td>
</tr>
<tr>
<td>Subsequent violations after student had been sanctioned to Level III</td>
<td>Expulsion from the University system</td>
<td></td>
</tr>
</tbody>
</table>

### 2.8. Theft

| Amount: < $250 | Probation: 1 semester | General Counseling and Restitution, Decision Making Paper, Reflection Paper/Activity |
| $251 - $500 | Probation: 2 semesters | General Counseling and Restitution, Decision Making Paper, Reflection Paper/Activity |
| $501 - $1,000 | Deferred Suspension: 2 semesters | General Counseling and Restitution, Decision Making Paper, Reflection Paper/Activity |
| $1,001 - $1,500 | Suspension: 1 semester | General Counseling and Restitution, Community Service (if appropriate) |
| $1,501 - $2,500 | Suspension: 2 semesters | General Counseling and Restitution, Community Service (if appropriate) |
| $2,501 - $5,000 | Suspension: 3 semesters | General Counseling and Restitution, Community Service (if appropriate) |

* For 2.1 and 2.2 MBC can only be assigned if the student was not actively engaged in possessing or consuming alcohol or drugs.
* For 2.1 and 2.2 the level of BASICS assigned is based on the nature of the incident and the developmental needs of the student.

Revised July 2022
Sanction Guidelines

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<table>
<thead>
<tr>
<th>2.8. Vandalism or Delinquency</th>
<th>Amount: &lt; $250</th>
<th>Probation: 1 semester</th>
<th>General Counseling and Restitution, Decision Making Paper, Reflection Paper/Activity, Responsibility Presentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>$251 - $750</td>
<td>Probation: 2 semesters</td>
<td>General Counseling and Restitution, Decision Making Paper, Reflection Paper/Activity, Responsibility Presentation</td>
<td></td>
</tr>
<tr>
<td>$751 - $1,200</td>
<td>Deferred suspension: 2 semesters</td>
<td>General Counseling and Restitution, Decision Making Paper, Reflection Paper/Activity, Responsibility Presentation</td>
<td></td>
</tr>
<tr>
<td>$1,501 - $3,000</td>
<td>Suspension: 1 semester</td>
<td>General Counseling and Restitution, Community Service (if appropriate)</td>
<td></td>
</tr>
<tr>
<td>$3,000</td>
<td>Suspension: 2 semesters</td>
<td>General Counseling and Restitution, Community Service (if appropriate)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.10. Trespassing and Unauthorized Use of Property</th>
<th>Level I – trespassing and unauthorized use of property with minimal impact on community (entering halls unescorted; No FL for being bathroom)</th>
<th>Warning</th>
<th>Make Better Choices, General Counseling, Code of Conduct/Policy Review</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Level III – trespassing and unauthorized use of property with substantial impact on community; third Level I violation or second Level II violation</td>
<td>Minimum Suspension from ECU for 1 semester</td>
<td>Counseling Assessment, RESTART (OSRR Only), Follow-Up Meeting with OSRR Upon Return</td>
</tr>
</tbody>
</table>

- For 2.1 and 2.2 MBC can only be assigned if the student was not actively engaged in possessing or consuming alcohol or drugs.
- For 2.1 and 2.2 the level of BASICS assigned is based on the nature of the incident and the developmental needs of the student.

Revised July 2022

Drug-Free Schools and Campuses Regulations- Drug and Alcohol Abuse Prevention Plan (EDGAR Part 86) 08/2022
# Sanction Guidelines

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<table>
<thead>
<tr>
<th>2.10. Trespassing and Unauthorized Use of Property (Continued)</th>
<th>Subsequent violations after student had been sanctioned to Level III</th>
<th>Expulsion from the University System</th>
<th>Make Better Choices, Decision Making Paper, Reflection Paper/Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.11. False Information, Forgery, and Fraud</td>
<td>Level I — violation with minimal impact on community</td>
<td>Warning</td>
<td>Counseling Assessment, BASICS I, Decision Making Paper, Reflection Paper/Activity, Professional Development Plan</td>
</tr>
<tr>
<td></td>
<td>Level II — violation with moderate impact on community; second Level I violation (fake ID)</td>
<td>Minimum 1 month of probation</td>
<td>Make Better Choices, BASICS I, Decision Making Paper, Reflection Paper/Activity, Professional Development Plan</td>
</tr>
<tr>
<td></td>
<td>Level III — violation with substantial impact on community; third Level I violation or second Level II violation; (forging checks)</td>
<td>Minimum 4 months of probation</td>
<td>Counseling Assessment, BASICS I, Decision Making Paper, Reflection Paper/Activity, Professional Development Plan</td>
</tr>
<tr>
<td></td>
<td>Level VI — violation with significant impact on community; fourth Level I, third Level II, or second Level III violation</td>
<td>Minimum Suspension from ECU for 1 semester. In extreme cases Expulsion from the University System</td>
<td>Counseling Assessment, Restart (OSRR Only), Follow-Up Meeting with OSRR Upon Return</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Level II — gambling with moderate impact on community; second Level I violation</td>
<td>Minimum 4 months of probation</td>
<td>Make Better Choices, General Counseling, Decision Making Paper, Code of Conduct Review, Reflection Paper/Activity</td>
</tr>
<tr>
<td></td>
<td>Level III — gambling with substantial impact on community; third Level I violation or second Level II violation</td>
<td>Minimum Suspension from ECU for 1 semester</td>
<td>Counseling Assessment, Restart (OSRR Only), Follow-Up Meeting with OSRR Upon Return</td>
</tr>
</tbody>
</table>

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#### 2.13. Gambling (Continued)

<table>
<thead>
<tr>
<th>Subsequent violations after student had been sanctioned to Level III</th>
<th>Expulsion from the University system</th>
</tr>
</thead>
</table>

#### 2.14. Hindering the University Conduct Process

<table>
<thead>
<tr>
<th>Level I — hindering the process with minimal impact on community</th>
<th>Minimum 1 month of probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level II — hindering the process with moderate impact on community; second Level I violation</td>
<td>Minimum 4 months of probation</td>
</tr>
<tr>
<td>Level III — hindering process with substantial impact on community; third Level I or second Level II violation</td>
<td>Minimum Suspension from ECU for 1 semester</td>
</tr>
<tr>
<td>Subsequent violations after student had been sanctioned to Level III</td>
<td>Expulsion from the University system in extreme cases</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level I — violation with minimal impact on community</th>
<th>Warning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level II — violation with moderate impact on community; second same policy Level I violation</td>
<td>Minimum 1 month of probation</td>
</tr>
<tr>
<td>Level III — violation with substantial impact on community; third same policy Level I or Level II violation</td>
<td>Minimum 4 months of probation</td>
</tr>
<tr>
<td>Level IV — violation with significant impact on community; fourth same policy Level I, third Level II, or second Level III violation</td>
<td>Minimum Suspension from ECU for 1 semester. In extreme cases</td>
</tr>
<tr>
<td>Level IV — violation with significant impact on community.</td>
<td>Counseling Assessment, RESTART (OSRR Only), Follow-Up Meeting with OSRR Upon Return</td>
</tr>
</tbody>
</table>

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#### 2.15. Violation of University Policies (Continued)

<table>
<thead>
<tr>
<th>fourth same policy Level I, third Level II, or second Level III violation</th>
<th>Expulsion from the University System</th>
</tr>
</thead>
</table>

Drug-Free Schools and Campuses Regulations- Drug and Alcohol Abuse Prevention Plan (EDGAR Part 86) 08/2022
H. Resources for Students and Employees-
   I. On-Campus Resources for Students
   II. Resources for Employees
   III. Other On-Campus Resources (students and employees)
   IV. Community Resources
   V. Self-Help Groups

I. On-Campus Resources for Students

Campus Recreation and Wellness
252-328-6387
https://crw.ecu.edu/

Center for Counseling and Student Development
137 Umstead Hall
252-328-6661
https://counselingcenter.ecu.edu/

Collegiate Recovery Community/ECU Recovery
https://collegiaterecovery.ecu.edu/

Intercultural Affairs
Main Campus Student Center
252-737-5526
https://interculturalaffairs.ecu.edu/

Office and Student Rights and Responsibilities
364 Wright Building
252-328-6824
https://osrr.ecu.edu/contact-us/

Student Activities and Organizations
Main Campus Student Center
252-737-1808
https://sao.ecu.edu/

Student Health Services
252-328-6841
https://studenthealth.ecu.edu/
II. Resources for Employees

Employee Assistance Program
Faculty and Staff Assistance Program (FASAP):

From ECU HR website:
Life’s pressures and challenges can be difficult to handle alone. East Carolina University partners with ComPsych to provide Faculty and Staff Assistance Program (FASAP) benefits for faculty and staff employed by the university, as well as their immediate family members.
GuidanceResources Online is an award-winning, comprehensive, interactive service that provides expert content and unique tools to assist you in every aspect of your life, all in a secure, easy-to-use, personalized environment.
Your GuidanceResources™ program offers someone to talk to and resources to consult whenever and wherever you need them.

Call: 833.743.8183
TTY: 800.697.0353

Your toll-free number gives you direct, 24/7 access to a Guidance Consultant, who will answer your questions and, if needed, refer you to a counselor or other resources.

Online: https://www.guidanceresources.com/groWeb/login/login.xhtml
App: GuidanceNow™
Web ID: ECUFASAP

Log on today to connect directly with a Guidance Consultant about your issue or to consult articles, podcasts, videos, and other helpful tools.

*Please Note: Temporary employees, students (including graduate students), and individuals in visitor/no-pay status are not eligible to access ECU FASAP services.
III. Other On-Campus Resources (students and employees)

**ECU Family Therapy Clinic**
612 E. 10th St.
Greenville, NC 27858
252-737-1415

**ECU PASS Clinic**
311 Rawl Building
ECU
Greenville, NC 27858
252-737-4180

**Navigate Counseling Clinic**
4410 Health Sciences Building
Greenville NC 27858
252-744-0328

IV. Community Resources

**Trillium Health Resources**
24-Hour Access to Care Line 1.877.685.2415 (Toll Free)
https://www.trilliumhealthresources.org/

**REAL Crisis**
A non-profit agency offering free 24/7 counseling and an extensive referral service.
252-758-4357
http://realcrisis.org/

**SAMSHA**
https://www.samhsa.gov/find-treatment
V. Self-Help Groups

Alcoholics Anonymous:

Code Descriptions:

O  Open Meeting Everyone is Welcome.
C  Closed Meeting. The group has voted attendance is limited to alcoholics only.
BB Big Book
BS Big Book Step Study
D  Discussion
SS Step Study
ST Step / Tradition

AYDEN —

• GRAPEVINE GROUP, 462 SR SECOND ST.
  SUN - 4:00PM O/D

• PLAN B GROUP, 462 SR SECOND ST.
  WED - 8:00PM C/D

FARMVILLE —

• SOBER LIFE GROUP, FARMVILLE METHODIST CHURCH, 4588 W. CHURCH ST.
  THU - 7:00PM O/D

GREENVILLE —

• ATTITUDE ADJUSTMENT GROUP 2810 E. 14TH ST.
  MON - 6:36AM C/D
  TUE - 6:36AM C/D
  WED - 6:36AM C/D
  THU - 6:36AM C/D
  FRI - 6:36AM C/D
  SAT - 6:36AM C/D
  SUN - 6:36AM C/D

• CROSSROADS GROUP, 1400 S. ELM ST.
  WED - 8:00PM C/D

• GREENWAY GROUP, BOY SCOUT HUT, 8TH ST.
  TUE - 8:00PM C/BBS
  SUN - 8:00PM C/D
• HERE AND NOW WOMEN'S GROUP 411 E. 4TH ST.
  SAT - 10:30AM C/D

• HIGH NOON GROUP, FIRST PRES. CHURCH, 1400 S. ELM ST.
  MON - 12:00PM O/D
  TUE - 12:00PM O/ST
  WED - 12:00PM O/BB
  THU - 12:00PM O/D
  FRI - 12:00PM O/D

• LIVING SOBER STUDY GROUP FIRST PRES. CHURCH 1400 S. ELM ST.
  THU - 8:00PM C/D

• S.T.E.P. GROUP, 2820 E. 14TH ST.
  MON - 7:00PM C/SS

• PITT COUNTY GROUP (THE HUT), 2339 DICKENSON AVE.
  MON - 8:00PM NEWCOMERS/CLOSED
  TUE - 8:00PM O/Sp
  WED - 6:30pm C/W/D, 8:00PM C/D
  THU - 6:30PM C/M/D, 8:00PM C/D
  FRI - 8:00PM C/D
  SAT - 9AM GRATITUDE, 1PM O/D, 8PM C/D
  SUN - 1PM O/D, 7PM C/D

• YOUNG AND SOBER GROUP 1801 S. ELM ST.
  FRI - 7:00PM O/D

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• For the most up-to-date meetings, times, and locations visit:
  https://aanorthcarolina.org/meetings/

• For National and Virtual meetings, visit:
  https://www.aa.org/
Narcotics Anonymous:

**Code Descriptions:**

D  Discussion
CD  Closed Discussion
L  Literature Study
O  Open
WC  Wheelchair accessible
To  Topic
S  Spiritual Principles
MED  Just for Today Study
B  Beginners
St  Step
IP  Information Pamphlet
Tr  Tradition
LC  Living Clean

• AYDEN
   4106 West Street Ayden, NC, 28513
   Monday - 7:00PM Freedom Bound (D, WC, O)
   Community Building
   548 Second St Ayden, NC, 28513

• GREENVILLE
   Sunday - 3:00PM Vision of Hope (S)
   1600 Chestnut St. Greenville, NC, 27834

   Sunday - 6:00PM New Life (D, WC, To, O)
   York Memorial AME Zion Church Parking on Tyson St
   201 Tyson St Greenville, NC, 27834

   Monday - NOON Vision of Hope (D, MED, O)
   1600 Chestnut St. Greenville, NC, 27834

   Monday - 7:00PM New Life (D, WC, St, O)
   York Memorial AME Zion Church Parking on Tyson St
   201 Tyson St Greenville, NC, 27834

   Monday - 8:00PM Surrender to Win
   St Paul’s Episcopal Church
   401 E. 4th Street Greenville, NC, 27858

   Tuesday - NOON Vision of Hope (St, O)
   1600 Chestnut St. Greenville, NC, 27834
Tuesday - 7:00PM New Life (D, WC, Tr, O)
York Memorial AME Zion Church Parking on Tyson St
201 Tyson St Greenville, NC, 27834

Tuesday - 7:00PM Steps To Freedom (C)
First Christian Church
2810 E 14th St Greenville, NC, 27858

Tuesday - 8:00PM Surrender to Win
St Paul's Episcopal Chruch
401 E. 4th Street Greenville, NC, 27858

Wednesday - NOON Vision of Hope (O, MED)
1600 Chestnut St. Greenville, NC, 27834

Wednesday - 8:00PM Surrender to Win (D, O)
St. Paul's Episcopal Church
401 E. 4th St. Greenville, NC, 27858

Thursday - NOON Vision of Hope (D, L, O)
1600 Chestnut St. Greenville, NC, 27834

Thursday - 7:00PM New Life (D, WC, LC, O)
York Memorial AME Zion Church Parking on Tyson St
201 Tyson St Greenville, NC, 27834

Thursday - 7:00PM Unity (WC, CD)
St. Timothy's Episcopal Church (room 20)
107 Louis St. Greenville, NC, 27858

Friday - NOON Vision of Hope (D, L, O)
1600 Chestnut St Greenville, NC, 27834

Friday - 6:30PM It Works
407 Mumford Rd Greenville, NC, 27834

Friday - 8:00PM Surrender to Win
St Paul's Episcopal Church
401 E. 4th Street Greenville, NC, 27858

Saturday - 2:00PM Living Clean Group (L, O)
Unitarian Church 131 Oakmont Drive Greenville, NC, 27858
Saturday - 6:00PM New Life (D, IP, WC, O)
York Memorial AME Zion Church Parking on Tyson St
201 Tyson St Greenville, NC, 27834

Saturday - 7:00PM Unity (WC, CD)
St. Timothy's Episcopal Church (room 20)
107 Louis St. Greenville, NC, 27858

- For the most up-to-date meetings, times, and locations visit:
  https://ncregion-na.org/

- For National and Virtual meetings, visit:
  https://www.na.org/

- Information regarding additional Self-Help groups:
  https://www.mhanational.org/find-support-groups