

## UNIVERSITY OF NORTH CAROLINA SYSTEM

### History of the University of North Carolina

In North Carolina, all the public educational institutions that grant baccalaureate degrees are part of the University of North Carolina. The University of North Carolina is composed of the 16 constituent institutions which form the multi-campus state university.

The University of North Carolina, chartered by the N.C. General Assembly in 1789, was the first public university in the United States to open its doors and the only one to graduate students in the eighteenth century. The first class was admitted in Chapel Hill in 1795. For the next 136 years, the only campus of the University of North Carolina was at Chapel Hill.

In 1877, the N.C. General Assembly began sponsoring additional institutions of higher education, diverse in origin and purpose. Five were historically black institutions, and another was founded to educate American Indians. Several were created to prepare teachers for the public schools. Others had a technological emphasis. One is a training school for performing artists.

In 1931, the N.C. General Assembly redefined the University of North Carolina to include three state-supported institutions: The campus at Chapel Hill (now the University of North Carolina at Chapel Hill), North Carolina State College (now North Carolina State University at Raleigh), and Woman's College (now the University of North Carolina at Greensboro). The new multi-campus University operated with one board of trustees and one president. By 1969, three additional campuses had joined the University through legislative action: the University of North Carolina at Charlotte, the University of North Carolina at Asheville, and the University of North Carolina at Wilmington.

In 1971, the General Assembly passed legislation bringing into the University of North Carolina the state's ten remaining public senior institutions, each of which had until then been legally separate: Appalachian State University, East Carolina University, Elizabeth City State University, Fayetteville State University, North Carolina Agricultural and Technical State University, North Carolina Central University, the North Carolina School of the Arts, Pembroke State University, Western Carolina University, and Winston-Salem State University. This action created the current 16-campus University. (In 1985, the North Carolina School of Science and Mathematics, a residential high school for gifted students, was declared an affiliated school of the University.)

The UNC-Board of Governors is the policy-making body legally charged with "the general determination, control, supervision, management, and governance of all affairs of the constituent institutions." It elects the president, who administers the University. The 32 voting members of the Board of Governors are elected by the General Assembly for four-year terms. Former board chairmen and board members who are former governors of North Carolina may continue to serve limited periods as non-voting members emeriti. The president of the UNC Association of Student Governments, or that student's designee, is also a non-voting member.

Each of the 16 constituent institutions is headed by a chancellor, who is chosen by the Board of Governors on the president's nomination and is responsible to the president. Each institution has a board of trustees, consisting of eight members elected by the Board of Governors, four appointed by the governor, and the president of the student body, who serves ex-officio. (The NC School of the Arts has two additional ex-officio members.) Each board of trustees holds extensive powers over academic and other operations of its institution on delegation from the Board of Governors.

*Equality of Opportunity:* The University of North Carolina and all of its constituent institutions are committed to equality of opportunity. There shall be no discrimination within the University against applicants, students, or employees on the basis of race, color, religion, sex, age, handicap, or national origin, consistent with the provisions of applicable state and federal law.

*Promoting Racial Integration:* The University of North Carolina actively seeks to promote racial integration at each of its constituent institutions.

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## POLICY ON ILLEGAL DRUGS

The following policy on illegal drugs was adopted by the North Carolina State University Board of Trustees April 16, 1988 - Last Revised, April 16, 1999.

For the most current information regarding this regulation, please visit the following website:  
[www.ncsu.edu/policies/campus\\_environ/health\\_safety\\_welfare/POL04.20.5.php](http://www.ncsu.edu/policies/campus_environ/health_safety_welfare/POL04.20.5.php)

### 1. Purpose

**1.1** Reflecting its concern over the threat which illegal drugs constitute to higher education communities, the Board of Governors of the University of North Carolina adopted a policy on illegal drugs on January 15, 1988. The Board of Governors' policy requires each constituent institution's Board of Trustees to develop a policy on illegal drugs applicable to all students, faculty members, administrators, and other employees. The policy for each campus must address particular circumstances and needs while being fully consistent with specified minimum requirements for enforcement and penalties.

**1.2** To assist North Carolina State University in its continuing efforts to meet the threat of illegal drugs, and to comply with the Board of Governors' policy, the Board of Trustees adopts the policy set forth below. This policy is intended to demonstrate the University's primary commitment to education, counseling, rehabilitation, and elimination of illegal drugs, as well as its determination to impose penalties in the event of violation of state and federal drug laws consistent with due process.

### 2. Education, Counseling, and Rehabilitation

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

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

**2.1.2** Continuing and expanding the drug education program conducted by Student Health Services

**2.1.3** Continuing development of courses on drug education

**2.1.4** Continuing the drug education component of the employees' Wellness Program

**2.1.5** Increasing the awareness and utilization of the University's Employee Assistance Program (EAP)

**2.2** The University shall disseminate information about drug counseling and rehabilitation services that are available to members of the University community. Persons who voluntarily avail themselves of such services shall be assured that applicable professional standards of confidentiality will be observed and that such participation will not be the basis for disciplinary action. Specific counseling and rehabilitation efforts include:

**2.2.1** continuing the evaluation and referral services of the Counseling Center for out-patient and in-patient rehabilitation;

**2.2.2** continuing the consolation and evaluation portions of the Student Health Service's drug education program

**2.2.3** utilizing the Employee Assistance Program's referral to existing community-based counseling and rehabilitation services.

### 3. Enforcement and Penalties

**3.1** 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. The University will initiate its own disciplinary proceeding against a student, faculty member, administrator, or other employee when the offense is deemed to affect the interests of the University. Penalties will be imposed by the University in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees, as required by Section 503D(3) and Section 603 of the University Code, by Board of Governors' policies applicable to other employees exempt from the State Personnel Act and by regulation of the State Personnel Commission. The penalties to be imposed by the University may range from written warnings with probationary status to expulsions from enrollment and discharges from employment. However, the following minimum penalties, as prescribed by the Board of Governors, shall be imposed for the particular offenses described.

#### 3.2 Trafficking in Illegal Drugs

**3.2.1** For the illegal manufacture, sale, or delivery, or possession with intent to manufacture, sell, or deliver, of any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90 (including, but not limited to: heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualine), any student shall be expelled and any faculty member, administrator, or other employee shall be discharged.

**3.2.2** For a first offense involving the illegal manufacture, sale, or deliver, or possession with intent to manufacture, sell, or deliver, of any controlled substance identified in Schedules III through VI, N.C. General Statutes 90-91 through 90-94 (including, but not limited to, marijuana, phenobarbital, codeine), the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent. (Employees subject to the State Personnel Act are governed by regulations of the State Personnel Commission. Because the minimum penalty specified in this section and required by the Board of Governors exceeds the maximum period of suspension without pay that is permitted by the State Personnel Commission regulations, the penalty for a first offense for employees subject to the State Personnel Act is discharge. For a second offense, any student shall be expelled and any faculty member, administrator, or other employee shall be discharged.

**3.2.3** For a second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators, or other employees.

### **3.3 Illegal Possession of Drugs**

**3.3.1** For a first offense involving the illegal possession of any controlled substance identified in Schedules III through IV, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes through 90-90, the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent (Employees subject to the State Personnel Act are governed by regulations of the State Personnel Commission. Because the minimum penalty specified in this section and required by the Board of Governors exceeds the maximum period of suspension without pay that is permitted by the State Personnel Commission regulations, the penalty for a first offense for employees subject to the State Personnel Act is discharge.)

**3.3.2** For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, N.C. General Statutes 90-91 through 90-94, the minimum penalty shall be probation, for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the Chancellor or the Chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment or from employment for any unexpired balance of the prescribed period of probation.

**3.3.3** For a second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and faculty members, administrators, or other employees.

### **3.4 Suspension Pending Final Disposition**

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

## **4. Coordinator of Drug Education**

The Associate Vice Chancellor for Human Resources and the Director of Student Judicial Programs will serve as the coordinators of drug education for employees (faculty and staff) and students respectively. Acting under the authority of the Chancellor, each will be responsible for overseeing all actions and programs relating to this institutional policy in their respective areas.

## **5. Reporting**

Annually the Chancellor shall submit to the Board of Trustees a report on campus activities related to illegal drugs for the preceding year. The report shall include, as a minimum, the following: (1) a listing of the major education activities conducted during the year; (2) a report on any illegal drug-related incidents, including any sanctions imposed; (3) an assessment by the Chancellor of the effectiveness of the campus program; (4) any proposed changes in the policy on illegal drugs. A copy of the report shall be provided to the President.