

# **Alcohol Policy of The University of North Carolina at Chapel Hill**

(Effective August 1, 2016)

## **SECTION I: Introduction & Guiding Principles**

The University of North Carolina at Chapel Hill (“University”) is a community committed to creating an environment that encourages personal responsibility and intellectual growth. The University’s mission includes the goals “to serve as a center for research, scholarship and creativity and to teach a diverse community of undergraduate, graduate and professional students to become the next generation of leaders.”

High-risk or dangerous alcohol consumption and associated conduct undermine the intellectual climate of the University. Moreover, high-risk or dangerous alcohol use inhibits the opportunity for maximum individual intellectual development, respect for the rights of others, and a sense of community and good citizenship. Studies indicate that the misuse and abuse of alcohol on college campuses is associated with diminished academic performance, an increase in vandalism and other destructive behaviors, and a heightened risk of sexual assault and other forms of interpersonal violence. There is a significant correlation between excessive alcohol use and the untimely interruption of a student’s academic career. It is also well-established that significant alcohol-related health problems can result from chronic misuse of alcohol, as well as acute overconsumption and abuse. Finally, there is ample evidence that the behaviors associated with high-risk or dangerous alcohol use adversely affect other members of the University community through disruption of the academic or living environment or placing others at risk of physical or emotional injury.

The Alcohol Policy of The University of North Carolina at Chapel Hill (“Policy”) is designed to support the larger mission of the University and to promote the values of honor and integrity, personal responsibility, dynamic learning, and community engagement. Through incorporation of a public health perspective, this Policy strives to cultivate an educational environment that encourages healthy and responsible behaviors, fosters academic and personal success, supports student retention, and promotes the safety and well-being of all members of the University community. This Policy also seeks to foster a campus culture in which all members of the University community have a meaningful awareness of this Policy and of the resources available to address alcohol misuse.

The University relies on evidence-based, best practices in developing this comprehensive alcohol policy. The University also looks to existing campus policies<sup>1</sup> and federal, state, and local laws to define and regulate the appropriate and legal possession, use, and service of alcohol within the University and the local community. The University reminds all students, faculty, and staff of their obligation to be responsible citizens by adhering to all laws regarding alcohol. As recommended by the U.S. Department of Education and reflected in this Policy, the University has adopted an environmental management approach built upon the following five pillars<sup>2</sup>:

1. Offer and promote social, recreational, extracurricular, and public service options that do not include alcohol and other substances
2. Create a social, academic, and residential environment that supports health-promoting norms
3. Limit alcohol availability
4. Restrict marketing and promotion of Alcoholic Beverages
5. Develop and enforce appropriate campus policies

## **SECTION II: Applicability of Campus Alcohol Policy**

A. **Authority:** [The Code](#) of the University of North Carolina, [Section 502D\(3\)](#), provides: “Subject to any policies or regulations of the Board of Governors or of the Board of Trustees, it shall be the duty of the Chancellor to exercise full authority in the regulation of campus conduct and discipline. In the discharge of this duty, delegation of such authority may be made by the Chancellor to faculty committees and to administrative or other officers of the institution or to agencies of student government, in such manner and to such extent as may by the Chancellor be deemed necessary and expedient.”

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<sup>1</sup> These policies include, but are not limited to: *Policy on Use of University Facilities for Noncommercial and Commercial Purposes*; *The Instrument of Student Judicial Governance*; *DHRE Community Living Standards*; and *the Policy on Prohibited Discrimination, Harassment and Related Misconduct*. For a comprehensive list of these and other University policies that may inform this Policy, please visit <http://policies.unc.edu>.

<sup>2</sup> See [http://www.collegedrinkingprevention.gov/niaacollegematerials/Handbook/Sect2\\_EffectiveSteps.aspx](http://www.collegedrinkingprevention.gov/niaacollegematerials/Handbook/Sect2_EffectiveSteps.aspx), (2005).

**B. Scope and Applicability:** This Policy establishes the standards and regulations regarding alcohol use at the University and by Campus Members.<sup>3</sup> Moreover, this Policy applies to Students at all times until graduation or other separation from the University, both while on campus and as appropriate to any off campus conduct that has implications for University interests. The University retains jurisdiction over Students who take a leave of absence, withdraw, or who have graduated for any violation of this Policy that occurred prior to the leave, withdrawal, or graduation. This Policy applies to employees during the duration of their employment, both while on campus and as appropriate to any off campus conduct that has implications for University interests. This Policy applies to all visitors to the campus at any time. University Administrative Units and Student Organizations may supplement this Policy with more restrictive measures, as long as those measures do not conflict with the purpose or provisions of this Policy.

**C. Relation to Law and University Policies:** This Policy is intended to be consistent with all applicable local, state, and federal laws. The standards of conduct and the means of enforcement set forth in this Policy are adopted in furtherance of the University's interests and serve to supplement, rather than substitute for, the enforcement of applicable civil and criminal law. It is not double jeopardy for the University to address conduct that has previously been or may be sanctioned under local, state, or federal law.

This Policy is intended to govern the conduct covered by its terms and does not preclude disciplinary or other actions to which an individual may be subject under separate policies of the University, including, but not limited, to: *The Instrument of Student Judicial Governance*; the *University of North Carolina at Chapel Hill Policy on Illegal Drugs*; the *Policy on Prohibited Harassment, Discrimination, and Related Misconduct*; the *Emergency Evaluation and Action Committee Policy and Procedures*; the *Violence in the Workplace Policy*; or relevant policies promulgated by the Department of Housing and Residential Education, the Office of Human Resources, the Office of the Executive Vice Chancellor and Provost, the Office of Postdoctoral Affairs, or any other University Administrative Unit.

**D. Location of Conduct and Reservation of Discretion**

- 1. Conduct of Students and Student Organizations:** Conduct by Students on University Premises or on the premises of Student Organizations, as well as conduct by Students that occurs elsewhere may constitute offenses prohibited by this Policy if University interests are implicated. University interests are generally implicated in situations including, but not limited to:

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<sup>3</sup> Definitions for key terms (denoted by capitalization) used within this Policy and associated appendices may be found in Appendix A.

- a. Any situation where it appears that the conduct of the Student or Student Organization presents a danger or threat to the health or safety of the Student, the members of the Student Organization, or other members of the local or campus community;
- b. Any situation where it appears that the conduct of the Student or Student Organization impermissibly impinges upon the rights or property of others;
- c. Any situation where it appears that the conduct of the Student or Student Organization unreasonably disrupts or disturbs the academic or working environment; functions or activities of the University or any of its organizations, personnel, or guests; or the personal living environment of others, whether on- or off-campus;
- d. Any situation involving the consumption of Alcoholic Beverages by a Student under the legal drinking age or the provision of Alcoholic Beverages to a person under the legal drinking age;
- e. Any situation where it appears that the Student's conduct is detrimental to the educational mission and/or interests of the University.

The determination of whether University interests are implicated, as well as determinations of whether such conduct should be addressed pursuant to this Policy, are reserved to the discretion of the Vice Chancellor for Student Affairs or the Vice Chancellor's designee. The determination of a University interest is not an explicit or implied element of any offense under this Policy.

2. **Conduct of Employees:** Conduct on University Premises or elsewhere by employees (including faculty, staff, and contracted affiliates to the University) may give rise to offenses prohibited by this Policy if University interests are implicated. University interests are generally implicated in situations including, but not limited to:

- a. Any situation where it appears that the conduct of the employee presents a danger or threat to the health or safety of the employee or other members of the local or campus community;
- b. Any situation where it appears that the conduct of the employee impermissibly impinges upon the rights or property of others;
- c. Any situation where it appears that the conduct of the employee unreasonably disrupts or disturbs the academic or working environment; or functions or

activities of the University or any of its organizations, personnel, or guests;

- d. Any situation involving the provision of Alcoholic Beverages to a person under the legal drinking age or otherwise in violation of this Policy;
- e. Any situation where it appears that the employee's conduct is detrimental to the educational mission and/or interests of the University or where the conduct occurs during the course and scope of the individual's employment.

Violations of this Policy by employees may be addressed in accordance with applicable personnel policies of the Office of Human Resources, the Office of the Executive Vice Chancellor and Provost, the Office of Postdoctoral Affairs, or any other University Administrative Unit and may result in disciplinary action, up to and including termination from employment. Determinations of whether conduct should be addressed pursuant to this Policy are reserved to the discretion of the Executive Vice Chancellor and Provost or designee for faculty members and the Vice Chancellor for Workforce Strategy, Equity and Engagement or designee for staff members and affiliates.

**E. Medical Amnesty.** The health and safety of members of the campus community is of paramount importance. In certain circumstances, promotion of health and safety may be best served through education and support that is not disciplinary. This Policy is to be construed in a manner that encourages Campus Members to seek appropriate assistance in the event of an alcohol-related medical emergency or the treatment of an alcohol or substance abuse condition. Accordingly, amnesty from the disciplinary process and potential sanctions may be afforded to Students in circumstances as described in Appendix C to this Policy.

**F. Non-Disciplinary Intervention:** Participation in high risk or dangerous drinking or other alcohol-related behavior that places the person at risk of personal injury or jeopardizes the person's health and safety, and is not otherwise a violation of this Policy, may be addressed through requirements or recommendations for education, treatment, notification of parents/family members, or other interventions designed to address the underlying behavior or associated health risks.

**G. Consistency:** In keeping with the goals set forth herein, including the promotion of a healthy campus environment and personal accountability, the University is committed to the consistent application and enforcement of this Policy.

### **SECTION III: Alcohol Policy**

Consistent with established University policies; local, state, and federal law; and applicable policies of the Board of Trustees and Board of Governors governing the consumption, possession, use and/or sale of Alcoholic Beverages:

- A. No person younger than 21 years of age<sup>4</sup> may purchase, possess or consume Alcoholic Beverages.
- B. Persons 21 years of age or older may not possess open containers of Alcoholic Beverages or consume Alcoholic Beverages on University Premises except in designated areas.<sup>5</sup>
- C. No person may provide Alcohol Beverages to a person who is younger than 21 years of age.
- D. No person of any age may possess, consume, provide, distribute, sell, and/or manufacture Alcoholic Beverages in violation of any local, state, or federal law.
- E. No person younger than 21 years of age may possess or use false identification (ID) for the purchase or procurement of Alcoholic Beverages, or to access an establishment that serves Alcoholic Beverages. This provision includes, but is not limited to, the following:
  - 1. possession or use of an altered ID
  - 2. possession or use of a forged ID
  - 3. possession or use of an ID belonging to another person
  - 4. possession or use of any form of identification which misrepresents the bearer's true identity or date of birth.
- F. No person of any age may engage in behavior as a result of consumption or use of alcohol that is disorderly, disruptive, or jeopardizes the health or safety of self or others.

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<sup>4</sup> In those jurisdictions where the legal drinking age is other than 21, the prevailing legal drinking age would be applied for the purposes of this Policy.

<sup>5</sup> For information regarding designated areas where persons 21 years of age may possess open containers or consume Alcoholic Beverages, please refer both to the Community Living Standards, found at <http://housing.unc.edu/current-residents/housing-contract/community-living-standards.html> and Appendix B to this Policy, Guidelines for Serving Alcohol at University-Sponsored Events.

- G. No person may knowingly assist, aid, or otherwise facilitate another in committing a violation of this Policy or a violation of any local, state, or federal law regulating the use of Alcoholic Beverages.
- H. No person, Student Organization, or University Administrative Unit may use federal or state-appropriated funds to purchase Alcoholic Beverages.
- I. No person, Student Organization, or University Administrative Unit may manufacture and/or sell Alcoholic Beverages except as expressly authorized pursuant to this Policy and/or state statute.
- J. Use of Common Source Containers, including, but not limited to, kegs, punch bowls, and loose cases, are prohibited on University Premises. Use of Common Source Containers, including, but not limited to, kegs, punch bowls, and loose cases, are prohibited at off-campus events where these containers are in any way furnished, controlled, sponsored, or otherwise provided by Student Organizations or University Administrative Units.
- K. In addition to complying with federal, state and local laws and the provisions outlined above, Student Organizations and University Administrative Units must also adhere to the following:
  - 1. No Alcoholic Beverages, for use on- or off-campus, may be purchased with state-appropriated or federal funds, student activity fees, University-collected fees, funds deposited or administered through the Student Activities Fund Office (SAFO), or with any other Student Organization funds or dues. Additionally, no Alcoholic Beverages may be purchased for a Student Organization or its members or guests in the name of or on behalf of the Student Organization (e.g., no passing the hat).
  - 2. No Student Organization or University Administrative Unit may hold an event on- or off-campus where the organization or unit profits from the direct sale of Alcoholic Beverages, including collection of a cover charge that defrays the costs of Alcoholic Beverages (e.g., donate to the cause and drinks are half off).
- L. No Alcoholic Beverages may be advertised or merchandised on campus except when done so in accordance with all applicable University policies.
- M. Failing to comply with any disciplinary sanctions or required interventions imposed pursuant to this Policy may also be considered a violation of this Policy.

## **SECTION IV: Education, Prevention, Intervention & Recovery Initiatives**

Pervasive high-risk, dangerous drinking inhibits campus safety and may be damaging to Campus Members' mental and physical health.<sup>6</sup> High-risk, dangerous drinking is associated with a host of safety-related issues and encourages other high-risk behaviors that lead to accidents, assaults, and other serious injuries. Such drinking behaviors may also impact academic performance, exacerbate retention problems, divert University resources, and negatively affect the reputation of the University. As a result, the University affirms its commitment to a broad-based public health approach to addressing the impact of alcohol in the campus community. This comprehensive, evidence-based approach includes components of education, prevention, intervention, accountability, and recovery.

In support of these efforts, the University undertakes the following:

### **A. Campus Alcohol Task Force**

1. The University shall establish a Campus Alcohol Task Force. The Campus Alcohol Task Force will be comprised of no less than nine (9) members which shall include faculty, staff, and students who, by virtue of their professional responsibilities, research interests, or campus involvement have relevant knowledge or experience regarding alcohol-related issues. Appointments shall be made by the Executive Vice Chancellor and Provost, in consultation with the Vice Chancellor for Workforce Strategy, Equity and Engagement and the Vice Chancellor for Student Affairs. Student members will be selected in consultation with the Student Body President and the President of the Graduate and Professional Student Federation.
2. Appointments to the Campus Alcohol Task Force shall be for a term of one year, with no limitation on reappointment.
3. The Campus Alcohol Task Force shall:
  - a. Oversee the implementation of this Policy;
  - b. Assess the efficacy of educational efforts, interventions, and disciplinary actions taken in conjunction with this Policy;
  - c. Advise the Chancellor, Executive Vice Chancellor and Provost, and Vice Chancellors regarding this Policy; best practices in the in the areas of alcohol

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<sup>6</sup> Task Force of the National Advisory Council on Alcohol Abuse and Alcoholism. A Call to Action: Changing the Culture of Drinking at U.S. Colleges. Washington, D.C.: National Institute on Alcohol Abuse and Alcoholism, National Institute of Health, U.S. Department of Health and Human Services, 2002



- education, health promotion, enforcement, and recovery; and compliance obligations under state and federal law;
- d. Identify and advocate for resources needed for effective implementation of this Policy and related initiatives;
  - e. Review and provide recommendations regarding locations that may sell or serve Alcoholic Beverages pursuant to this Policy; and
  - f. Propose, review, and coordinate action on amendments or changes to this Policy as appropriate to increase its effectiveness.
4. The Campus Alcohol Task Force shall meet at least annually or more frequently as may be required to discharge its duties.

**B. Resources for Comprehensive Planning and Response**

The University shall provide the requisite resources and appoint necessary personnel to support the implementation and enforcement of this Policy, including resources necessary to provide the following functions:

1. Education and Prevention Programs – provide evidence-based programming to communicate with Campus Members about making safe and responsible decisions regarding drinking and the harmful effects of alcohol misuse or abuse. Such initiatives may include, but not be limited to, training of University faculty and staff, social norming campaigns, mandatory alcohol education programs for Students (alcohol.edu), sponsorship of alcohol-free events, and comprehensive education programs addressing the interrelationship between alcohol use and other issues of University concern, including academic success, individual mental health and physical well-being, and relationship or interpersonal violence.
2. Training – provide significant training regarding alcohol and environmental management to members of the campus community with responsibilities for student activities, including resident advisors, student peer leaders, faculty members, advisors to Student Organizations, and student services professionals.
3. Intervention Programs – provide assistance and support to Campus Members who engage in an alcohol-related offense or who identify as having an acute or chronic alcohol or substance abuse problem. Such initiatives may include counseling, referrals for assessment or education (e.g., BASICS – Brief Alcohol Screening and Intervention for College Students), campus-based classes or workshops, collaboration with campus or community-based resources, and case management.

4. Accountability and Enforcement – provide for consistent and equitable treatment of violations of this Policy in a timely manner to include the use of sanctions designed to promote good citizenship and deter illegal and/or harmful behaviors.
5. Treatment and Recovery – provide assistance and support to Campus Members in recovery, including maintenance of a campus recovery community and resources or referrals for ongoing treatment and counseling.

## **SECTION V: Responsibility for Implementation and Enforcement**

- A. All Campus Members are responsible for knowing and for adhering to this Policy.
- B. The Vice Chancellor for Student Affairs or designee shall be responsible for implementation and enforcement of this Policy as it applies to Students and Student Organizations.
- C. The Executive Vice Chancellor and Provost or designee shall be responsible for implementation and enforcement of this Policy as it applies to faculty.
- D. The Vice Chancellor for Workforce Strategy, Equity and Engagement or designee shall be responsible for implementation and enforcement of this Policy as it applies to staff and affiliates.
- E. The Department of Public Safety, with assistance from University Administrative Units, shall be responsible for enforcement of this Policy with respect to visitors and on University Premises, together with all applicable local, state, and federal laws regulating the use of Alcoholic Beverages.

## **SECTION VI: Policy Dissemination, Review, and Amendment**

The University affirms its commitment to fully comply with the Drug Free Schools and Communities Act (“DFSCA”) and the Drug Free Workplace Act, including all applicable administrative regulations. The DFSCA requires that “as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.”<sup>7</sup> In accordance with these regulations, the University will:

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<sup>7</sup> See EDGAR Subpart A, Sec. 86.1 (2012) and 20 U.S.C. 1145(g).

- A. Annually notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violation of federal, state, and local law and this Policy; a description of health risks associated with alcohol and other drug use<sup>8</sup>; and a description of available treatment programs.
- B. Conduct at least a biennial review on the effectiveness of its alcohol and other drug programs and the consistency of sanction enforcement.
- C. Amend this Policy and related appendices as necessary to comply with all applicable regulations of Alcoholic Beverages.
- D. Comply with all federal laws and regulations related to the disclosure of crimes, including the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”).

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<sup>8</sup> See Appendix D for information and resources regarding alcohol and other drugs. Additional information available at <http://alcohol.unc.edu>.

## Appendix A

### Definition of Key Terms

When used in the Alcohol Policy of The University of North Carolina at Chapel Hill or any of its appendices, terms shall have the following definitions:

**Alcohol Conduct Process:** The process and procedures for adjudication of and response to reported Student violations of the Alcohol Policy of The University of North Carolina at Chapel Hill as outlined in Appendix C of the Policy.

**Alcoholic Beverages:** Any beverage or other ingestible substance containing at least one half of one percent of alcohol by volume, as defined by the North Carolina Alcohol Beverage Control Commission. For specific definitions, please visit <http://www.ncabc.com/product/approval.aspx>.

**Campus Member(s):** All students, faculty, staff, or other employees of the University of North Carolina at Chapel Hill.

**Common Source Container:** Kegs, coolers, pitchers, punch bowls, bath tubs, trash cans, common shared refrigerators, or similar common source containers of Alcoholic Beverages intended to serve as a source of open access to Alcoholic Beverages at a party or other gathering.

**Illegal Distribution:** The provision of Alcoholic Beverages in any format and/or in any venue without proper license, or when distributed in any other illegal manner (e.g., provision to underage persons).

**Illegal Sale:** The exchange of money or other valuable consideration for Alcoholic Beverages without permit. "Sale" may include such practices as charging admission to events where alcohol is served, requiring the purchase of tickets or other items, requiring donations, or other exchanges such as requiring certain acts in order to receive Alcoholic Beverages.

**Policy:** Except as otherwise noted, the term 'Policy' or 'this Policy' shall refer to the Alcohol Policy of The University of North Carolina at Chapel Hill.

**Student:** The term "Student" means any of the following<sup>9</sup>:

- (i) a person who has applied for admission and been accepted into any academic program of study at the University,

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<sup>9</sup> A Student who has not yet matriculated remains subject to applicable admissions policies in addition to or in lieu of this Policy.

- (ii) a person enrolled in or attending classes at or through the University, either at the University's main campus or at any remote location, including a person enrolled in online or distance education programs or a person participating in Study Abroad programs, or
- (iii) a person participating in any pre-matriculation orientation programs.

**Student Organization:** Any recognized group affiliated with or supported by the University or a University entity (e.g., societies, clubs, student organizations including fraternities and sororities, athletic teams, or similarly organized groups in or recognized by the University.) A Student Organization shall also include any group of students, whether or not officially recognized, that is affiliated with the University through the use of University Premises or University-sponsored programs.

**University:** The University of North Carolina at Chapel Hill and all of its undergraduate, graduate and professional schools and colleges, and administrative units.

**University Administrative Unit:** A constituent part of the University, such as a department, division, program, college, or school.

**University Premises:** Buildings, property, or grounds owned, leased, operated, controlled, or supervised by the University.

**University-Sponsored Event:** Any event or activity on- or off-campus which is initiated, aided, funded, authorized, or supervised by the University or any authorized University official(s) (e.g., affiliated student, student organization or group, staff, faculty, department, athletic events, entertainment venues, development/fundraising function).

## APPENDIX B

### Guidelines for Serving Alcohol at University-Sponsored Events

#### **I. Introduction**

The following guidelines have been developed to provide consistent and comprehensive information about applicable laws and University rules concerning service of Alcoholic Beverages at University-Sponsored Events. These guidelines represent the minimum standards for service of Alcoholic Beverages. University departments or officials may adopt more stringent standards as deemed necessary and appropriate.

#### **II. Purchase and Sale of Alcoholic Beverages**

**A.** No State-appropriated or Federal funds may be used to purchase Alcoholic Beverages. Some funds that are classified as institutional trust funds may be used to purchase Alcoholic Beverages, but only if those funds are discretionary in nature and the fund authority is sufficiently broad to cover this purchase. Scholarship funds or funds handled through the Office of Sponsored Research are not discretionary in nature. Information about whether a particular trust fund may be used for the purchase of Alcoholic Beverages may be obtained from the Office of the University Controller.

**B.** The following facilities on University property meet the statutory requirements in N.C. Gen. Stat. §18B-1006(a) permitting Alcoholic Beverages to be sold in such facilities:

1. The Carolina Inn
2. George Watts Hill Alumni Center
3. The Rizzo Center
4. Finley Golf Course
5. Memorial Hall
6. Paul Green Theater
7. Ackland Art Museum
8. Kenan Stadium's Blue Zone (under limited circumstances)

Each of these University facilities shall maintain and follow facility-specific procedures for the sale of Alcoholic Beverages at the facility, which shall be designed to manage risk and comply with applicable laws and regulations.

**C.** Alcoholic Beverages cannot be sold, directly or indirectly, at any other campus location other than those identified in Section II.B of these Guidelines. This means that

when a function is held elsewhere on campus, there can be no “cash bars,” nor can there be a cover charge for an event at which Alcoholic Beverages are reportedly “given away.” However, a set price for a reception or meal where the service of Alcoholic Beverages is incidental to the reception or meal is permitted, provided the facility where the event is held is otherwise authorized under these Guidelines to serve Alcoholic Beverages.

### **III. Service of Alcoholic Beverages**

Subject to the exceptions described herein, no Alcoholic Beverages may be served, displayed, or consumed at any University-Sponsored Event on University Premises.

**A.** Except for University holidays, no Alcoholic Beverages may be served at any campus location (with the exception of those campus facilities authorized to sell Alcoholic Beverages under Section II.B) on a weekday until after 5:00 p.m. Only the Chancellor or Chancellor’s designee may authorize an exception to this provision. In all cases where a rare exception may be granted, consideration for the effect on the academic environment, and the message to Campus Members, including particularly Students, should be critically and thoughtfully considered.

**B.** It is a violation of North Carolina law and University Policy to serve Alcoholic Beverages to anyone less than 21 years of age. Service of any Alcoholic Beverages is *strongly discouraged* at University-Sponsored Events that are likely to be attended by guests less than 21 years of age. If a University Administrative Unit plans to serve Alcoholic Beverages at a University-Sponsored Event that will be attended by guests less than 21 years of age, it must submit, as part of the approval process outlined in Section III.D. of these guidelines, a summary of the method by which it will determine which guests are over 21 and how it will assure that guests under 21 years of age will not be served or have access to Alcoholic Beverages.

**C.** Alcoholic Beverages may be served, displayed, and consumed at invitation-only, private functions hosted by individuals that are held at the Ackland Art Museum, Paul Green Theater, the James M. Johnston Center for Undergraduate Excellence, the Friday Continuing Education Center, Kenan Center, George Watts Hill Alumni Center, Morehead Planetarium Building, Knapp-Sanders Building, the Rizzo Center, Gerrard Hall, Hyde Hall, FedEx Global Education Center, North Carolina Botanical Garden, designated parts of Carroll Hall, the Dean E. Smith Center, and Koury Natatorium. To the extent these facilities are available for use by other University Administrative Units, arrangements for University-Sponsored Events must be made with the particular facility.

Each of these University facilities where Alcoholic Beverages may be served shall maintain facility-specific procedures for the service of Alcoholic Beverages at the facility, which shall be designed to manage risk and comply with applicable laws and regulations. It is the responsibility of the University Administrative Unit hosting the event to comply fully with the facility-specific requirements relating to service of Alcoholic Beverages.

**D.** Any University Administrative Unit wishing to serve Alcoholic Beverages at a University-Sponsored Event that includes guests under the age of 21 and/or wishing to serve and allow for the display and consumption of Alcoholic Beverages in a facility or open space on University Premises other than those listed in Section III.C may do so only if:

1. A request is submitted by the chair or director of the University Administrative Unit hosting/sponsoring the event (using the attached form);
2. The planned function is a private, University-Sponsored Event that is invitation-only;
3. Approval is received from the Dean of the academic unit or from the appropriate Vice Chancellor (if a non-academic unit); and
4. Approval is received from the Executive Vice Chancellor and Provost or the Provost's designee.

All required approvals must be obtained prior to the event.

**E.** Where proper approval has been obtained, the following requirements must be met at all University-Sponsored Events where Alcoholic Beverages are served:

1. In the case of an approved event at a campus location other than those identified in Section II.B above, an event manager must be designated and present at all times while Alcoholic Beverages are being served. The event manager shall be at least 21 years of age and shall be knowledgeable of the Alcohol Policy and these Guidelines;
2. Access to the event must be limited to invitees and controlled throughout the event. The event may not be open to the public. For outdoor events, special steps must be taken to control access and delineate the area for the event (e.g., tents with sides or other significant barriers);



3. A sufficient amount of alternative, nonalcoholic beverages must be available at the same placement of the Alcoholic Beverages and featured as prominently;
4. A sufficient amount of substantial, wholesome food (e.g., heavy hors d'oeuvres or dinner) must be served;
5. Alcoholic Beverages must be served by a professional caterer or bartender with liability insurance in standard and customary serving sizes limited to one Alcoholic Beverage at a time per person;
6. No self-service of Alcoholic Beverages shall be permitted;
7. A reception with Alcoholic Beverages that is followed by a full meal may last no longer than one hour. A reception with Alcoholic Beverages that is not followed by a full meal may last no longer than two hours; and
8. Alcoholic Beverages shall not be served to individuals exhibiting signs of impairment or intoxication.

**F.** In addition to the above requirements, if individuals under 21 years of age will be attending a University-Sponsored Event where Alcoholic Beverages will be served, the University Administrative Unit hosting the event must take appropriate precautions to ensure that Alcoholic Beverages are not served to individuals under the age of 21. Such precautions may include:

1. A sign on the bar or other location where Alcoholic Beverages are served that states "Must be 21" or other similar language and an instruction to the caterer or bartender to ask for proof of age whenever an individual appears to be less than 30 years of age.
2. Color-coded nametags or place cards for guests under 21 years of age and instructions to the caterer or bartender as to the significance of the color-coding.
3. Instructions to caterers, bartenders, or University staff in charge of the event to be alert to the possibility that guests over 21 may attempt to obtain Alcoholic Beverages on behalf of guests under 21.

It is the responsibility of the University Administrative Unit hosting the event to be certain that Alcoholic Beverages are not served or provided to individuals under the age of 21.

**G.** In addition to the foregoing, individuals, Student Organizations, and University Administrative Units are strongly encouraged to consider the following in conjunction with the service of Alcoholic Beverages at any event on- or off-campus:

1. The University recommends that all Alcoholic Beverages be provided by a third-party vendor or that attendees bring their own Alcoholic Beverages (i.e., BYOB)
2. The requirements set forth in this Policy are minimum standards. Organizations or University Administrative Units may adopt standards or protocols which are more stringent than the requirements of this Policy. Organizations or University Administrative Units that have adopted their own alcohol risk management policies shall follow the requirements of this Policy as well as their own alcohol risk management standards.

REQUEST FOR PERMISSION TO SERVE ALCOHOLIC BEVERAGES  
AT A UNIVERSITY SPONSORED EVENT

If you wish to serve alcoholic beverages at a University-sponsored event, please read the *Guidelines for Serving Alcohol at University-Sponsored Events* section (Appendix B) of the *Alcohol Policy of The University of North Carolina at Chapel Hill* (<http://policies.unc.edu/files/2016/08/Alcohol.pdf>) and complete this form. The completed form must be signed and submitted by the Department Chair or Director of the department or unit hosting the event, and approved by the appropriate Dean (or Vice Chancellor), and the Provost.

NAME OF DEPARTMENT/UNIT HOSTING EVENT \_\_\_\_\_

CAMPUS ADDRESS \_\_\_\_\_

NAME OF CONTACT PERSON \_\_\_\_\_

TELEPHONE # \_\_\_\_\_

LOCATION OF EVENT \_\_\_\_\_

What steps will be taken to limit access to invited guests? \_\_\_\_\_

\_\_\_\_\_

DATE, TIME, AND DURATION OF EVENT \_\_\_\_\_

Receptions not followed by a full meal may last no longer than two hours.

BRIEFLY DESCRIBE THE EVENT AND SPECIFICALLY IDENTIFY THE GROUP TO BE INVITED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By submitting and signing this request, the Department Chair or Director of the University department/unit hosting the event certifies that:

1. No one under the age of 21 will be served alcoholic beverages
2. The alcoholic beverages will be served by a professional caterer or bartender with liability insurance.
3. There will be no self-service of alcoholic beverages.
4. A sufficient quantity of non-alcoholic beverages will be available.
5. A sufficient quantity of substantial, wholesome food will be available.

\_\_\_\_\_  
Department Chair or Director of unit hosting the event

\_\_\_\_\_  
Date

*Required Approvals:*

\_\_\_\_\_  
Dean (if academic unit) or Vice Chancellor (if non-academic unit)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Provost

\_\_\_\_\_  
Date

## APPENDIX C

### Adjudication & Response to Student Violations

This Policy strives to promote an educational campus environment that encourages healthy choices and behaviors, fosters academic and personal success, supports Student retention, and promotes the safety and well-being of all members of the University community. The adjudication and response to Student and/or Student Organization violations serves as an extension of the vision above.

**I. Learning Outcomes:** After participating in the Alcohol Conduct Process, which includes the administrative hearing process and completion of all applicable sanctions, as further described below, Students will be able to:

- A. Recognize the effect of their behavior on themselves, on other Campus Members, and on the University and greater local communities.
- B. Identify dangerous drinking behaviors.
- C. Seek out campus and community resources related to substance abuse.
- D. Articulate their rights and responsibilities as they pertain to the Alcohol Policy.
- E. Discuss how their personal values and principles impact decision-making.

**II. Procedural Rights:** A Student accused of violating the Alcohol Policy is afforded procedural rights in the Alcohol Conduct Process. Accordingly, an accused Student has the right:

- A. To receive a notice of the charge(s);
- B. To be informed of the procedural alternatives applicable to their case;
- C. To review the Incident Report regarding the charges against them. They may request a copy in advance of their hearing;
- D. To be presumed not responsible until evidence of their involvement in the violation is proven by a preponderance of the evidence standard (i.e., more likely than not);
- E. To have an objective and impartial hearing; if a Student feels that the Hearing Officer cannot consider the case impartially, they may request that a different Hearing Officer be assigned to their case;
- F. To have their hearing held within a reasonable amount of time;
- G. To be represented by an attorney or non-attorney advocate. Further information can be found at <http://studentconduct.unc.edu/students/attorney-and-non-attorney-advocates>;
- H. To present witnesses or evidence on their behalf at the hearing; and
- I. To appeal the outcomes of this process.

**III. Student Organizations:** Student organizations are subject to the same adjudicative processes and disciplinary actions and sanctions as are individual Students for violations of the Alcohol Policy. These adjudicative processes and disciplinary actions shall be enforced against Student Organizations in concert with applicable University policies governing those Student Organizations. It is not double jeopardy for a Student Organization or student group to be

adjudicated and disciplined under both this Policy and other applicable University policies governing their conduct.

#### **IV. Administrative Action**

- A. Hearing Officer:** A Hearing Officer shall be assigned to each reported violation and shall be a designee of the Vice Chancellor for Student Affairs.
- B. Initial Investigation:** The Hearing Officer will review documented incidents and referrals of alleged Student violations of the Alcohol Policy. The Hearing Officer will send the Student a written notice of the alleged violation(s), including factual information supporting the allegation. The written notice shall also contain a scheduled initial meeting date and time, as well as a listing of the potential charges, including a statement that additional charges may be assigned as additional evidence becomes available.
- C. Initial Meeting:** The purpose of the initial meeting is to gain the Student's perspective on the alleged violation(s) and to determine whether there exists a reasonable basis to formally charge the Student with a violation. In the initial meeting, the Hearing Officer shall inform the Student of the alleged violation(s), of the evidence within the Hearing Officer's possession, of the alternatives available to the Student in responding to any charge(s) including acknowledgement of responsibility and its implications, of possible sanctions, and of applicable procedural and appeal rights of the Alcohol Conduct Process. Additionally, the Hearing Officer and the Student will review any applicable evidence, including the incident report, and the Student may also choose to make a statement. If the Student fails to attend the initial meeting without prior written notice and the Student's failure to attend is not otherwise due to extraordinary circumstances, the Hearing Officer will review the evidence and determine if a reasonable basis exists for a charge.

During the initial meeting, the Hearing Officer will exercise one of the following options:

1. Determine that no reasonable basis exists to formally charge the Student with violating the Alcohol Policy, thereby dismissing the case, or determine that additional information is needed to make a formal charge decision;
2. Determine that a reasonable basis exists to formally charge the Student with violating the Alcohol Policy and provide the student the opportunity to resolve the matter immediately;
  - a. In order for a Student to accept this option, the student must enter a plea of responsible for each of the applicable charges. The initial meeting then becomes an administrative hearing and proceeds as such.
  - b. The Student shall have the option to resolve their charges through an administrative hearing at a later date. The Hearing Officer will send the

Student a written notice of all charge(s) with a scheduled administrative hearing date and time. The administrative hearing will occur at least (5) five business days after the issuance of the formal charge(s), unless extraordinary circumstances apply. If the Student wishes to hold the administrative hearing on a date prior to (5) five business days after the issuance of the formal charge, the Student may make this request in writing.

This written request must be submitted to the Hearing Officer.

3. Determine that a reasonable basis exists to formally charge a student with violating the Alcohol Policy, but determine that this matter be resolved through an administrative hearing to be scheduled no sooner than (5) business day after the issuance of the formal charge(s);
4. Determine that due to the circumstances surrounding the incident, University Medical Amnesty should apply.

#### **D. Legal and University Medical Amnesty**

**1. North Carolina Medical Amnesty:** North Carolina law provides an exemption from criminal prosecution for the “possession or consumption of alcoholic beverages if law enforcement, including campus safety police, became aware of the offenses *solely because the person was seeking medical assistance for another individual.*” Amnesty applies if the person seeking medical attention on behalf of another did all of the following:

- i. “Acted in good faith, upon a reasonable belief that he or she was the first to call for assistance;
- ii. Used his or her own name when contacting authorities; and
- iii. Remained with the individual needing medical assistance until help arrived.” (Chapter 18B of the North Carolina General Statutes § 18B-302.2)

**2. University Medical Amnesty:** The University is committed to upholding the law as well as prioritizing student safety. The University wishes to promote an environment where students are not afraid to seek help due to the added fear of disciplinary repercussions from the University. The University cannot guarantee amnesty from any civil or criminal legal action, or from any legal consequences arising from a student’s violation of local, state, or federal law. With these priorities in mind, the Hearing Officer acting pursuant to this Policy may defer or decline formal University disciplinary action for violations of this Policy.

The following are situations in which a student will be granted amnesty:

**Student in need of emergency medical attention:** A Student who seeks medical attention or a Student for whom medical assistance was sought by another person as a result of the consumption of alcohol and who fully cooperates with emergency responders.

**Victim of a crime:** A Student who has been the victim of a crime after consuming alcohol and reports the crime to law enforcement or University officials.

**Reporting party:** A Student who has experienced sexual violence, interpersonal violence, or other violation of the *Policy on Prohibited Discrimination, Harassment, and Related Misconduct*.

**Caller or support person:** A Student, who calls on behalf of or accompanies an impaired individual, remains with that individual until assistance arrives, and fully cooperates with emergency responders.

Amnesty applies to the Alcohol Conduct Process pursuant to this Policy. A Student may be required to meet with a Hearing Officer or other University staff person for the purpose of providing support, resources, educational counseling, or other non-disciplinary interventions as may be appropriate.

**E. Administrative Hearing Procedures:** During an administrative hearing, the Hearing Officer shall present the evidence within the Hearing Officer's possession and the Student may provide any information or statements that they deem important for the Hearing Officer to consider, including witnesses. **If the Student fails to attend the administrative hearing without prior written notice and the accused student's failure to attend is not otherwise due to extraordinary circumstances, the Hearing Officer will conduct the hearing in the Student's absence and render a decision based on the information available.**

In determining a finding of responsibility, the Hearing Officer shall utilize a "preponderance of the evidence" standard. This standard means that after careful and impartial consideration of the evidence and witness testimony presented during the administrative hearing, the Hearing Officer determines it is **more likely than not** that the Student committed the alleged violation(s) of the Alcohol Policy. The Hearing Officer's decision shall rest solely on the evidence contained in the record of the administrative hearing. The Hearing Officer may reach one of the following decisions for each charge: (a) not responsible; or (b) responsible. The Hearing Officer shall submit a resolution letter containing a notification of the outcome and any assigned sanctions to the accused student within (10) ten business days, unless extraordinary circumstances require a longer period of time. The written notice shall also include, if applicable, the deadline by which the Student must complete the assigned sanction(s) and any appeal rights.

**E. Parental notification:** The University reserves the right to notify the parents/guardians of dependent Students of violations of this Policy. The University may also notify parents/guardians of non-dependent Students who are under the age of 21 of violations of this Policy. Parental notification may also be utilized at the discretion of appropriate University officials when permitted by FERPA or consent of the Student.

**F. Safe Harbor Clause:** The University believes that Students who have an alcohol, drug, and/or addiction problem deserve help. If any University student brings their own use, addiction, or dependency to the attention of University officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued on the basis of the information provided by the Student. A written action plan may be used to track

cooperation with the Safe Harbor program by the Student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

## V. Sanctioning

**A. Purpose:** Sanctions are intended to educate Students on the inappropriate nature of their actions, to help Students improve their responsible decision-making, and to hold Students accountable for the expectations set forth in this Policy. If a Student is found responsible for a violation of this Policy, the Hearing Officer will assign sanctions as appropriate. There are three categories of sanctions that may be assigned.

1. **Educational Interventions** are assigned to educate Students as to why their actions were inappropriate, to help Students improve their responsible decision-making, and to help them grow from the incident.
2. **Disciplinary Sanctions** are assigned to hold Students accountable for conduct that violates the Alcohol Policy.
3. **Other Requirements** are assigned to remedy the effects of the misconduct and prevent similar conduct from occurring in the future

**B. Criteria:** Sanctions and Interventions will be determined by balancing the following criteria:

1. The gravity of the violation in question including, but not limited to: intent and deliberation involved in committing the offense; implications for other members of the University community; and University interests impacted by the offense.
2. The importance of learning through the Alcohol Conduct Process in order to develop a greater sense of responsibility for one's actions and consequences to others, including but not limited to: demonstrated sense of responsibility, demonstrated respect for the importance of integrity; existence of plans to correct the violation and/or prevent future violations;
3. The importance of equitable treatment for similar violations.
4. Other compelling circumstances, including but not limited to: the Student's relevant previous conduct history (e.g., recurring patterns of similar misconduct), extraordinary personal circumstances, and the educational goals of the University.

## C. Sanction Types

### 1. Educational Interventions:

**Administrative Follow up:** A required follow up meeting with whomever served as the Hearing Officer for the case to evaluate the Student's progress and to provide ongoing support.

**AlcoholEdu for Sanctions:** An online course designed specifically to help Students who have violated alcohol policies make safer and healthier choices and



avoid experiencing problems again. The course provides a strong educational foundation to support the student's responsible decision-making process.

**Decisions Course:** UNC's Decisions is a 3-hour Student-centered workshop focused on ethical and critical decision making, and on understanding readiness for behavior and attitude change through self-awareness. The program helps Students align personal and University core values with their actions in an atmosphere of responsibility and accountability. The program engages participants in a process of self-awareness and critical reflection. Students will learn applied skills and have opportunities to practice these skills to make better choices moving forward.

**Referral:** A required follow up with a campus partner or community agency. Referrals are typically made in order to connect Students to resources or to help Students manage issues that led to the violation by connecting them with an individual who is specialized in the area of concern.

**BASICS:** Brief Alcohol Screening and Intervention for College Students. A preventive alcohol abuse intervention program for college Students 18 to 24 years old. It is aimed at Students who have had negative experiences or other problems related to alcohol misuse. The program is designed to help Students make better alcohol-use decisions and to overall reduce their risks for alcohol-related harm. The program's style is not confrontational or judgmental and consists of two sessions with a Student Wellness staff member. Students who enroll in BASICS are assessed a fee for service that is charged to the Student's account.

## **2. Disciplinary Sanctions:**

**Warning:** An official written reprimand that is formally communicated by a letter giving the Student notice that any subsequent violations will result in more stringent sanctions, up to and including disciplinary suspension.

**Disciplinary Probation:** Assigned for a definite or indefinite period, including probation with associated conditions or requirements. Probation means that a Student may remain at the University, but may be required to satisfy specified conditions or requirements, report regularly to appropriate University officials or community professionals, and may be barred from holding any office or participating in any activity in which the student represents the University or University-recognized Student Organizations either within or outside the University community. The sanction of probation prohibits graduation until the period of probation has ended and the Student has complied with all requirements of the sanctions. Disciplinary probation shall be reflected on a Student's academic transcript while active, but will be removed upon successful completion of disciplinary probation.

**Disciplinary Suspension:** for a definite or indefinite period means that the Student is removed from good standing and must leave the University for a definite or indefinite period. Suspension anticipates that the student may eventually return if applicable conditions are satisfied. Academic work completed at another institution during a period in which a Student is under suspension from the University may not be transferred toward the degree, but applicable health care or insurance benefits may be continued<sup>10</sup>.

**Permanent Suspension:** Permanent removal from good standing and the Student must leave the University permanently without an expectation that the Student may eventually return to the Chapel Hill campus. A Student permanently suspended from the campus is not barred from seeking admission to another UNC system university, if that university wishes to permit such application following disclosure of the Student's disciplinary record at UNC-Chapel Hill. Permanent suspension may only be imposed with the concurrence of the Chancellor and will remain in effect unless and until the Chancellor who imposed or approved the sanction or the Chancellor's successor concludes on the basis of the former Student's petition and any supportive documentation that the individual should be given a new opportunity to pursue higher education at UNC-Chapel Hill.

**Expulsion:** Permanent removal from good standing and the University and may not be admitted to any UNC system university. Expulsion may only be imposed with the concurrence of the Chancellor and will remain in effect unless and until the Chancellor who imposed or approved the sanction or the Chancellor's successor concludes on the basis of the former Student's petition and any supportive documentation that the individual should be given a new opportunity to pursue higher education at UNC-Chapel Hill.

**Restitution:** A monetary sanction imposed on Students when there is a financial cost associated with their behavior.

**Community Service:** A required sanction in which the Student must complete a service learning experience for a designated amount of time. The Student must provide documentation to the Hearing Officer confirming the completion of the community service experience.

**Loss of Privileges:** Assigned for a definite or indefinite period. Loss of privileges may include restrictions on participation in athletic competitions or practices or other activities or events sponsored by the University or Student Organizations, restrictions on use of University facilities for meetings or other activities, removal

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<sup>10</sup> In those cases in which the Hearing Officer determines that the sanctions of Disciplinary Suspension, Permanent Suspension, or Expulsion should be considered, the Hearing Officer will comply with UNC System Policy 700.4.1., Section 6.

from University housing, and loss of other privileges as deemed appropriate to deter future misconduct.

**3. Other Requirements.** The Hearing Officer may assign other sanctions or interventions as deemed appropriate to remedy the effects of the misconduct and prevent similar conduct from occurring in the future.

**D. Additional Sanctions for Student Organization Violations:** The following sanctions may be imposed in conjunction with or in lieu of the sanctions listed above for violations of the Alcohol Policy by Student Organizations:

**Educational activities** such as presentations or completion of projects, programs or requirements designed to understand the nature and implications of the misconduct and prevent similar misconduct from arising in the future.

**Loss of Privileges:** Loss of privileges including but not limited to the following:

**Activity restrictions** prohibiting the Student Organization from sponsoring any organized social activity, party, or function for a specified period.

**Restrictions** on participation in intramural competitions or other activities or events sponsored by the University or Student Organizations.

**Restrictions** on use of University facilities for meetings or other activities.

**Loss of such other privileges** as deemed appropriate to deter future misconduct.

**Sanctions Affecting Recognition Status or Charter.** The following sanctions may be imposed:

**Group probation**, which restricts Student Organization activities and privileges for a specified period of time, upon pain of immediate restriction or revocation of the Student Organization's charter or status as a Student Organization in the event of additional violations during the period of the sanction.

**Restricted status**, which restricts a Student Organization's charter, temporarily removes a Student Organization's status as recognized or affiliated with the University, or imposes related restrictions on recruitment or addition of members, sponsoring or conducting events in the University community, or enjoyment of privileges (other than the right to continue to occupy or hold property) for a specified period.

**Revocation** of a Student Organization's charter or affiliation, including permanent removal of University recognition, if approved by the Chancellor.

**E. Administration of Educational Interventions and Disciplinary Sanctions:** It is the responsibility of a Student or Student Organization found responsible for violating this Policy to timely inform the Hearing Officer of extenuating circumstances preventing the Student or Student Organization from completing the assigned sanction(s) by the assigned deadline and, if necessary, to request that the Hearing Officer grant an extension of the assigned deadline. The Hearing Officer, in the Hearing Officer's sole discretion and in taking into consideration the particular facts and circumstances supporting the extension request, may choose to extend the deadline.

If a Student or Student Organization fails to complete the assigned sanction(s) by the established deadline, the Hearing Officer may take any of the following actions:

1. **In cases involving violations committed by individual students:**
  - a. Take administrative action against the Student, to be removed by the Hearing Officer upon the Student's successful completion of the assigned sanctions or interventions. This includes any combination of administrative actions affecting the student's ability to enroll in classes, to receive an official transcript, to graduate, or to sign up for campus housing; or
  - b. Refer the student's non-compliance to the appropriate authority as a potential violation of the Alcohol Policy.<sup>11</sup>
2. **In cases involving violations committed by student groups or student organizations:**
  - a. Impose additional group sanctions as appropriate; or
  - b. Refer the Student Organization's non-compliance to the appropriate authority as a potential violation of the Alcohol Policy.

## **VI. Appeals Process:**

**A. Grounds for Appeal:** The Appellate Officer is an impartial decision-maker who serves as the designee of the Vice Chancellor for Student Affairs. A Student or Student Organization may appeal the Hearing Outcome only on the following grounds:

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<sup>11</sup> As per Section III.M of the Alcohol Policy, failure to comply with any disciplinary sanctions or interventions imposed pursuant to the Policy may also be considered a violation of the Policy.

1. **Procedural Rights:** A violation of procedural due process rights afforded in Appendix C, Section II of this Policy (material deviation from established procedures that would substantially affect the outcome);
2. **Newly Discovered Information:** Newly discovered information has been obtained that was not previously available during the initial investigation or the administrative hearing process through the exercise of due diligence, and this newly discovered information would substantially affect the outcome.

Mere dissatisfaction with the Hearing Outcome is not a valid basis for appeal.

- B. Appeal Submission:** The appeal must be submitted in writing to the applicable Appellate Officer within five (5) business days from the delivery of the resolution letter. The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. Receipt of the written appeal will be acknowledged in writing. Any sanctions imposed by the Hearing Officer **will not** be enforced until the deadline for submission of an appeal has passed. Once a Student or Student Organization submits a request for an appeal, the sanction(s) will not be enforced until after the determination of a final appeal decision.
- C. Appeal Review:** The Appellate Officer will assess the written appeal to determine whether the appeal is timely filed and, if so, whether the appeal is properly framed based on the two permissible grounds. If the Appellate Officer determines that the appeal was not timely filed or does not state one of the two permissible grounds for appeal, the appeal will be denied. If the appeal is timely filed and meets one or more of the grounds for appeal, the Appellate Officer shall review and consider solely the evidence contained in the case file. If necessary, the Appellate Officer may request to meet with the Student or with members of the Student Organization to discuss the appeal further in order to make a determination. No new evidence may be entered during the appeal process unless strictly outlined as a ground for appeal.
- D. Appeal Decision:** After the Appeal Review, the Appellate Officer will reach a decision after reviewing the case file, the grounds for appeal as stated in the written appeal, and any applicable discussion with the Student, members of the Student Organization, or other relevant witnesses. The decision of the Appellate Officer is final, and the Appellate Officer shall submit a written rationale of the decision within ten (10) business days after the Appeal Hearing, unless extraordinary circumstances require a longer period of time. When making a determination, the Appellate Officer may:
1. Uphold the decision of the Hearing Officer; or
  2. Overturn the decision of the Hearing Officer by:
    - a. Dismissing the case;
    - b. Remanding the case for a new Administrative Hearing; or
    - c. Modifying the sanctions. The Appellate Officer may not increase a sanction or other penalty, but may assign a lesser sanction if appropriate.

**VII. Maintenance of Records:** Access to any Student's alcohol conduct records will be governed by the provisions of the Family Educational Rights and Privacy Act of 1974 ("FERPA"). University officials or faculty members with a legitimate educational interest may have access to alcohol conduct records.

Except for disciplinary probation and suspension, a record of the outcome and any imposed sanction(s) will not appear on a Student's official University academic record. Disciplinary probation or suspension shall be reflected on a Student's academic transcript while active, but will be removed upon successful completion of all requisite conditions. A record of the outcome and any imposed sanction(s) shall appear on a Student's official University disciplinary record maintained by the Office of Student Conduct. A Student's record as it relates to this Policy will be maintained for seven years from the date of resolution.

## Appendix D

### Alcohol & Other Drug Risks & Resources

#### **I. Health Risks**

The use or abuse of alcohol and other drugs increases the risk for a number of health-related and other medical, behavioral and social problems. Below is a general description of the health risks associated with alcohol and drug use.

**ALCOHOL** Can cause short-term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior. Long-term effects include risk of liver and heart damage, malnutrition, cancer and other illnesses. Can be highly addictive to some persons.

**AMPHETAMINES** Can cause short-term effects such as rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion. Tolerance to amphetamines increases rapidly. Long-term effects include physical and psychological dependence and withdrawal can result in depression and suicide. Continued high doses can cause heart problems, infections, malnutrition, and death.

**CANNABIS** Can cause short-term effects such as slow reflexes, an increase in forgetfulness, altered judgment of space and distance, and an aggravation of pre-existing heart and/or mental health problems. Long-term health effects include permanent damage to lungs, reproductive organs, and brain function and can interfere with the physical, psychological, and social development of young users.

**COCAINE** (crack) Can cause short-term effects such as impaired judgment; increased breathing or heart rate; heart palpitations; and anxiety, restlessness, hostility, paranoia, and/or confusion. Long-term effects may include damage to respiratory and immune systems, malnutrition, seizures, and loss of brain function. It is highly addictive.

**DESIGNER DRUGS/SYNTHETIC CANNABINOIDS** (e.g., bath salts, K2, spice) Can cause short-term effects such as elevated heart rate and blood pressure, chest pain, hallucinations, seizures, violent behavior, and paranoia. May lead to lack of appetite, vomiting, and tremor. Long-term use may result in kidney/liver failure, increased risk of suicide, and death.

**HALLUCINOGENS** (e.g., PCP, LSD, ecstasy, dextromethorphan) Can cause extreme distortions of what's seen and heard, sudden changes in behavior, and loss of concentration and memory. Increases risk of birth defects in user's children. Overdose can cause psychosis, convulsions, coma, and death. Frequent and long-term use can cause permanent loss of mental function.

**INHALANTS** (e.g., nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons) Can cause short-term effects such as nausea, dizziness, fatigue, slurred speech, hallucinations or delusions. May lead to rapid and irregular heart rhythms, heart failure, and death. Long-term use may result in loss of feeling, hearing, and vision and can result in permanent damage to the brain, heart, lungs, liver and kidneys.

**OPIATES/NARCOTICS** (e.g., heroin, morphine, opium, codeine, oxycodone, china white) Can cause physical and psychological dependence. Overdose can cause coma, convulsions, respiratory arrest, and death. Long-term use leads to malnutrition, infection, and hepatitis. Use of opiates through sharing needles is a leading cause of the spread of HIV and hepatitis. Highly addictive and tolerance increases rapidly.

**SEDATIVES** Can cause reduced reaction time and confusion. Overdose can cause coma, respiratory arrest, convulsions, and death. Withdrawal can be dangerous. In combination with other controlled substances, sedatives can quickly cause coma and death. Long-term use can produce physical and psychological dependence and tolerance can increase rapidly.

**TOBACCO** (e.g., cigarettes, cigars, chewing tobacco) Can cause diseases of the cardiovascular system, in particular smoking is a major risk factor for a myocardial infarction (heart attack), and diseases of the respiratory tract such as Chronic Obstructive Pulmonary Disease (COPD) and emphysema, and cancer, particularly lung cancer and cancers of the larynx and mouth. Nicotine is highly addictive.

For an extensive list of health-related risks, please visit *The National Institute on Drug Abuse*: <http://www.drugabuse.gov/>

## II. Resources

### **Emergency Department at UNC Hospitals**

<http://med.unc.edu/emergmed>, (919) 966-4721

For medical emergencies, call 911

24 hours

This resource is for students, employees, and community members.



## **UNC Campus Resources**

### **CAPS (Counseling and Psychological Services)**

Offers individual and group counseling to students, post-doctoral scholars, and their spouses who have paid the Student Health Fee. Walk in hours Monday through Friday, 9am to 4pm.

Located 3rd floor of Campus Health, James A Taylor Building.

<https://campushealth.unc.edu/services/counseling-and-psychological-services>

### **Office of the Dean of Students**

Offers support and guidance to students in crisis or facing difficult circumstances.

<https://deanofstudents.unc.edu/>

Located on 1st floor of SASB North

(919) 966-4042

### **Student Legal Services**

Offers free legal advice and representation to students on a variety of legal matters, including but not limited to, drug and alcohol citations. Sessions are confidential.

<https://studentlegalservices.web.unc.edu/>

Located in Union 3512

(919) 962-1303

### **Carpe Diem**

15-hour alcohol education class that fulfills the court requirement under deferred prosecution. <http://www.carpediemnc.org/>

(919) 929-7087

### **Student Wellness Carolina Recovery Community**

For students in recovery, this group offers social support and 1-on-1 coaching.

<https://studentwellness.unc.edu/our-services/alcohol-abuse-prevention/carolina-recovery-community>

Email [carolinarecovery@unc.edu](mailto:carolinarecovery@unc.edu) for more info.

## **Accessibility Resources and Service**

For students who may need accommodations under the Americans with Disabilities Act. <https://accessibility.unc.edu>

Located on the second floor of SASB North

(919) 962-8300

## **Equal Opportunity and Compliance Office**

For students, faculty, and staff who may need accommodations or to report an incident of discrimination or harassment based on any protected status as set forth in the *Policy on Prohibited Discrimination, Harassment and Related Misconduct*. <https://eoc.unc.edu>

Located at 137 E. Franklin Street, Suite 404 (Fourth Floor)

(919) 966-3576

## **Campus Resources for Faculty & Staff**

### **Employee Assistance Program**

Confidential counseling and resource program for UNC employees. <http://hr.unc.edu/benefits/work-life-programs/employee-assistance-program/>

24-hour ComPsych line for employees and family members 877-314-5841

## **Off-Campus Resources**

### **Alcoholics Anonymous/Narcotics Anonymous**

AA meetings in Orange County, NC: <http://www.aanc33.org/orange-county-meeting-list/>

NA meetings (click "Find meetings near me"): <http://crna.org/meeting-search/>

Al-Anon/Alateen: <http://www.alanonalateen6nc.org/public/meeting%20list.php>

For info on meetings frequented by other college students, contact Carolina Recovery Group at [carolinarecovery@unc.edu](mailto:carolinarecovery@unc.edu)

## **Outpatient Services**

### **Freedom House Recovery Center**

Offers crisis and detox services as well as outpatient services for alcohol and drug abuse treatment. <http://freedomhouserecovery.org/>

104 New Stateside Drive  
Chapel Hill, NC 27516

(919) 942-2803

### **UNC Alcohol & Substance Abuse Program (ASAP)**

Outpatient treatment for alcohol and drug dependency.  
<http://www.uncmedicalcenter.org/uncmc/care-treatment/alcohol-and-substance-abuse/>

UNC Medical Center

101 Manning Drive

Chapel Hill, NC 27514

984-974-1000

### **First Step Services, locations in Raleigh, Durham, Cary, and Garner**

Assessments, DWI services, and outpatient services for alcohol and drug abuse.  
<http://www.firststepnc.com/>

211 E. Six Forks Road Suite 117  
Raleigh, NC 27609

(919) 833-8899

### **Durham Child Development and Behavioral Health Clinic**

Outpatient services young adults up to 21 years of age.  
<https://www.dukemedicine.org/locations/durham-child-development-and-behavioral-health-clinic>

402 Trent Drive  
Durham, NC 27710

919-668-5559

**Legacy Freedom Treatment Centers**, locations in Raleigh, Charlotte, Asheville, and Wilmington

Intensive outpatient services for addiction. <http://www.legacyfreedom.com/>

4944 Parkway Plaza #300  
Charlotte, NC 28217  
(877) 254-5536  
(704) 930-2456

**Full-Life Counseling**, locations in Raleigh and Winston-Salem

Pre-treatment, counseling, and sober living services. <http://full-life-counseling.com/>

1066 W 4th St  
Winston-Salem, NC 27101  
  
(336) 923-7526

**Residential Programs**

Fellowship Hall, Greensboro

<http://www.fellowshiphall.com/>

Four Circles Recovery, Asheville

<http://www.fourcirclesrecovery.com/>

Red Oak Recovery, Asheville

<https://www.redoakrecovery.com/>

Pavillon Treatment Center, Asheville

<http://www.pavillon.org/>

**Sober Living**

**Bluefield**, Durham

Sober living and recovery support for male college students.  
<http://bluefieldrecovery.com/>

916 W. Trinity Avenue  
Durham, NC 27701

(919) 973-4159

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