

**DeVry University**



**2017-2018 Annual Disclosure  
Student Right-to-Know and Campus Security (Clery Act)  
Annual Security Report  
Alcohol & Substance Abuse Policy  
Student Rights under FERPA  
*(The Family Educational Rights and Privacy Act)***

This document includes information for:

Charlotte, North Carolina

SEPTEMBER 8, 2017

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## CAMPUS WATCH

### **It's your campus - Protect it!**

A truly safe campus can only be achieved through the cooperation of students, faculty and staff. As a member of the DeVry University community, it is your responsibility to report a crime, suspicious activity or other emergencies on campus to the appropriate school official. Should you become a witness to or victim of a crime, immediately report the incident to local law enforcement officials, the Student Services office, or to the Campus Dean. All crimes will be investigated and when appropriate, brought to the attention of the Student Services office for disciplinary hearings.

### **Purpose of the Annual Disclosure Report**

DeVry University prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security and Crime Statistics Act*. The full text of this document can also be found on the <http://www.devry.edu/studentconsumerinfo.html> or by visiting your local Student Central office. This report was prepared with the assistance of local law enforcement agencies. Campus crime, arrest and referral statistics include those that were reported to local law enforcement and campus faculty and staff. This data may also include crimes that have occurred in private residences or businesses adjacent to the campus.

## REPORTING CRIMES AND EMERGENCIES

When making your report of an incident you will be asked to provide the following information:

1. Description of the incident
2. Date, time and location of the incident
3. Description of the persons or vehicles involved in the incident
4. Detail regarding who was notified about the incident

Upon receipt of this report DeVry University will determine the appropriate response, which could include disciplinary action against the offender(s), notification to local law enforcement, notification to the campus community or other public safety alternatives deemed appropriate given the circumstances. Please note that your identity may not be confidential when reporting an incident. DeVry University does not have procedures for voluntary, confidential reporting of crimes.

Once each semester, DeVry University will contact the Charlotte- Mecklenburg police departments and property management to monitor and record crimes that occur within the designated area surrounding the campus that have been reported to the local Police.

All Emergencies –Dial 911

## ANNUAL SECURITY REPORT

DeVry University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the SIREN notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Campus Dean will determine if there is a significant emergency or dangerous situation and what segment of the campus community will need to receive a notification.

DeVry University will:

- Test emergency response and evacuation procedures on an annual basis
- Document each test, including the date, time, and whether it was announced or unannounced
- Publicize emergency response and evacuation procedures in conjunction with at least one test per calendar year

## SIREN EMERGENCY ALERT SYSTEM

In the event of an emergency or a potentially dangerous threat to the campus or center arises, students, faculty and staff will receive timely notification via the SIREN system, on campus flyers, and/or email announcements. This includes any Clery Act crimes that are reported to the campus IC or local police and are considered to represent a serious or continuing threat to students, faculty, and staff. Please make sure to keep contact information updated in SIREN through the student portal at <http://my.devry.edu> for students and the Adtalem Global Education Commons at <https://apps.adtalem.com> for faculty and staff.

### **Area Police/Fire Non-Emergency Numbers:**

<u>County/City</u>	<u>Police</u>	<u>Fire/Paramedic</u>
Charlotte Campus	(704) 336-7600	(704) 336-4174
Charlotte Campus	(704) 336-7800	(704) 336-2441
Charlotte Campus	CHAR-MECK 311	(704) 336-2499

## CAMPUS ACCESS, FACILITY SECURITY AND LAW ENFORCEMENT

### **Charlotte Campus**

The Facilities department maintains the building and grounds with a concern for safety and security. Facilities staff inspect the facility regularly, promptly make repairs affecting safety and security hazards, and respond to reports of potential safety and security hazards such as broken windows, locks, etc. Students, faculty and staff can assist the Facilities staff by calling (704) 697-1020 to report concerns. Additionally, the Facilities Manager routinely inspects the grounds and building to review lighting and other environmental concerns for safety.

There are fire alarms and pull stations throughout the facility that should be used only in the event of an emergency. If an emergency requires evacuation, there are signs clearly posted throughout the building indicating the best routes for evacuation.

The building is generally open from Monday through Thursday: 8:30 am to 9:30 pm; Friday: 8:30 am – 4 pm. When the building is closed, it is locked and monitored by a security company. Access to classrooms and laboratories is limited to those enrolled in the courses meeting there. Access to on- and off-campus activities is limited to actively enrolled students and their guests. Students are responsible for the behavior of their guests at all times at campus-arranged events. DeVry University reserves the right to require that DeVry University identification cards be presented for admittance to certain locations and events. DeVry University may also require students to register their guests with Student Services prior to attendance. Student, faculty and staff identification cards should be worn at all times.

The on-duty security officer serves as an escort and on-campus security Monday through Thursday from 8:30 a.m. to 9:30 p.m.; Friday from 8:30 a.m. to 4:00 p.m. and Saturday from 8:30 a.m. to 1:00 p.m. The security officer must be called to respond to emergencies and can be contacted at (704) 564-0925. The security officer has the authority to ask questions and request identification at any time. Criminal incidents will be referred to local law enforcement.

All crime victims and witnesses are strongly encouraged to report incidents to both campus security and local police. Prompt reporting will ensure timely warning notices to the campus community and timely disclosure of crime statistics.

Students living in off-campus student housing facilities should check with the apartment landlord for specific safety and security measures at their complex. Although most complexes provide keys for individuals and restrict access to apartments, the level of additional security varies from complex to complex. Crimes committed at off-campus housing should be immediately reported to the Police department with jurisdiction over the complex and as soon as reasonably possible to the Student Services office.

The campus security department maintains a policy concerning the monitoring and recording, through local police departments, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities.

## **Charlotte Campus**

The Center is located in a public office building. This building has its own security and maintenance staff that must adhere to strict regulations of various city ordinances and routine inspections (i.e., Fire Department). The Center lists the hours it is accessible on the student bulletin board. Admittance to the Center during off hours must be arranged with the Campus Dean in conjunction with the building manager. Access to classroom facilities and computer laboratories is limited to those enrolled in courses. As a further safeguard, these areas are accessible only through doors with combination locks that are regularly changed.

<b><u>Location Address &amp; Phone #</u></b>	<b><u>Building Phone #</u></b>	<b><u>Fire Dept Phone #</u></b>	<b><u>Police Dept Phone #</u></b>
<u>Charlotte Campus</u> 2015 Ayrley Town Blvd. Suite 109 Charlotte, NC 28273 704-697-1020	(704) 583-2115	911	911
After hours emergency #	(704) 731-5538	911	911

## **SAFETY AND SECURITY**

Campus safety and security is the shared responsibility of students, faculty and staff. To enhance student, faculty and staff awareness of their responsibility for personal safety, various information and services, including but not limited to, the following are provided throughout the year:

- Pamphlets on personal safety
- Emergency safety information
- Optional renters insurance information for housing students
- Safety/security displays in the library and/or student services office
- Use of institution publications as a forum for personal safety topics
- Institution housing inspections to consider security precautions
- Escort services provided by on-duty security officer

## **Safety and Security Tips**

### **Personal**

- Stay alert and tuned in to your surroundings.
- Communicate that you are calm, confident and know where you are going.
- Stay away from isolated areas.
- Stay on the part of sidewalks furthest away from shrubs, dark doorways and alleys.
- Walk with a companion whenever possible.
- Check the back seat before getting into a car. Keep doors locked while driving.
- Don't overload yourself with packages or wear shoes or clothing that restricts movement.
- Avoid displaying large amounts of cash or jewelry.
- Carry a purse close to your body. Carry a wallet in an inside coat or front trouser pocket.
- If you think someone is following you, abruptly switch directions and walk toward an open store, restaurant or lighted home.
- Don't hitchhike or pick up hitchhikers.
- Park in well-lighted areas.
- Avoid isolated bus stops at times when few other people are around.
- Do not reveal your name, phone number or address to strangers.
- Never admit that you are alone or that you will be away from home.
- Keep an eye on neighbors' homes or apartments while they are away and have them do the same for you.
- Keep your local police department's phone number next to your phone.

### **Residence**

- Keep doors locked at all times

- Draw shades and curtains whether or not you are at home
- Keep money and jewelry locked in a safe place
- Leave a light on while you are away or use a timer
- Secure sliding glass doors with commercially available locks or a rigid wooden dowel in the track
- Don't hide spare keys in mailboxes, planters or under doormats
- Make a record of your valuables and keep it in a safe spot
- Don't leave a note that says you are not in
- Never prop doors open
- Keep ladders and tools in a locked area
- Have someone cut your lawn while you're on vacation

**Vehicle**

- Always lock your car and remove the keys. Make sure the windows are closed.
- Lock all valuables in the trunk
- Never leave an ID tag on your key ring
- Leave only the ignition key with parking attendants
- Park in well-lit areas

**Office**

- Keep your purse, wallet and other valuable items with you at all times or locked in a drawer or closet
- Never leave keys lying out
- Never leave change or cash on the desk or in a top drawer
- Notify security personnel of any suspicious persons or vehicles
- Lock doors when working after normal hours
- Report any broken or flickering lights, and doors that don't lock properly

**CAMPUS CRIME STATISTICS ARE INCLUDED AT THE END OF THIS DOCUMENT.**

**SEXUAL OFFENSE AWARENESS**

**Definitions**

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, social or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic violence is defined as felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Rape is defined as the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Sexual assault is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for his/her safety or the safety of others; or suffer substantial emotional distress.

## **Procedures to Follow After an Assault**

Victims of a sexual assault or rape are strongly encouraged to report the incident in order to deter these assaults and to ensure that victims receive the services they need. Steps should be taken to help deal with the physical and emotional trauma:

1. Go to a safe place; go somewhere to receive emotional support.
2. Report a sexual assault on campus to the Dean of Student Affairs or local leadership.
3. Report the assault to the police. If requested, DeVry University will assist with notification.
4. Preserve all physical evidence. Do not shower, bathe or douche and save the clothing worn.
5. Go to the hospital for medical care. Injuries should be treated and an examination completed to document and collect physical evidence of the assault. DeVry University will assist with transportation if necessary.
6. Seek professional counseling. This can help in the recovery from the psychological effects of the assault.

Please refer to the *Resources for Victims of Sexual Assault* section of this document for a list of local resources that will provide immediate advice and assistance to victims of sexual assault or rape.

Victims of a sexual assault or rape may request a change in their academic arrangements by contacting their Campus Dean. Changes will be made if feasible and reasonable to do so.

All reports filed with DeVry University will remain confidential. Staff and faculty should report any on-campus sexual offenses to the Human Resources office and the proper authorities.

### Disciplinary Action

Disciplinary procedures and sanctions as outlined in the Student Code of Conduct will be followed once charges are brought after an alleged sexual assault. Both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary hearing. Both the accuser, upon his/her written request, and the accused, of a crime of violence or a non-forcible sex offense, will be informed of the results of any disciplinary proceedings conducted as a result of an alleged sexual assault.

### Sexual Offense Awareness

Additional information regarding DeVry University's programs to prevent an incident, as well as the procedures to follow once an incident occurs (which includes a standard of evidence that will be used during any institutional conduct proceeding arising from such a report), of domestic violence, dating violence, sexual assault, or stalking can be found in DeVry University's Sexual Misconduct Prevention and Response Policy found at <http://www.devry.edu/studentconsumerinfo.html>.

## **RESOURCES FOR SEXUAL ASSAULTS**

### **National Resources**

#### Rape, Abuse & Incest National Network

1-800-656-HOPE (4673)

<https://www.rainn.org/get-help/national-sexual-assault-hotline>

#### National Child Abuse Hotline

1-800-422-4453

[www.childhelp.org/hotline/](http://www.childhelp.org/hotline/)

#### National Domestic Violence Hotline

1-800-799-7233

1-800-787-3224 (TTY)

[www.thehotline.org](http://www.thehotline.org)

#### National Teen Dating Abuse Lifeline

1-800-273-8255

[www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

## **Tribal Coalition Resources**

N/A

## **State Domestic Violence Coalition Resources**

North Carolina Coalition against Domestic Violence

919-956-9124

800-232-9124

<http://nccadv.org>

## **State Sexual Assault Coalition Resources**

919-871-1015

800-737-2272

[www.nccasa.org](http://www.nccasa.org)

## **North Carolina**

Abused Persons Crisis Services Hotline

(704) 333-2513

Crisis Walk in Center

(704) 531-2633

Charlotte Mecklenburg Police Department Special Victims

(704) 336-2811

Rape Victims Resources

(704) 336-8712

CMC Randolph Counseling Services Hotline

(704) 444-2400

Crisis Assistance Ministry

(704) 371-3000

<http://www.crisisassistance.org>

Sexual Assault Victims Crisis Services

(800) 656-4673

## **CAMPUS SEX CRIMES PREVENTION ACT**

The Campus Sex Crimes Prevention Act requires sex offenders already required to register in a State to provide notice, as required under State law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. The act requires that state procedures ensure this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems. These changes became effective two years after enactment of the law (2002).

This act amends the Higher Education Act of 1965 to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. This change takes effect two years after enactment (2002).

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders; requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.



To check registered sex offenders in a state see the State Sexual Offender Registry List section.

## **STATE SEXUAL OFFENDER REGISTRY LIST**

### **ALABAMA**

Website: <https://app.alea.gov/Community/wfSexOffenderSearch.aspx>

Phone Number: 334-353-1172

### **ALASKA**

Website: <http://www.dps.alaska.gov/sorweb/sorweb.aspx>

Phone Number: 907-269-0396 or 800-658-8892

### **ARIZONA**

Website: <http://www.azdps.gov/services/public/sex-offender>

Phone Number: 602-255-0611

### **ARKANSAS**

Website: <https://www.ark.org/offender-search/index.php>

Phone Number: 501-682-2222

### **CALIFORNIA**

Website: <http://www.meganslaw.ca.gov/>

Email Link: [meganslaw@doj.ca.gov](mailto:meganslaw@doj.ca.gov)

### **COLORADO**

Website: <https://www.colorado.gov/apps/cdps/sor/>

Phone Number: 303-239-4222

### **CONNECTICUT**

Website: <http://www.ct.gov/despp/site/default.asp>

Phone Number: 860-685-8000

### **DELAWARE**

Website: <https://sexoffender.dsp.delaware.gov/>

Phone Number: 302-739-5882

### **DISTRICT OF COLUMBIA**

Website: <http://sexoffender.dc.gov/>

Phone Number: 202-727-4407

### **FLORIDA**

Website: <http://offender.fdle.state.fl.us/offender/homepage.do;jsessionid=uBy8tGsCaP-sY7sXIFKNx33H>

Phone Number: 888-357-7332

### **GEORGIA**

Website: [http://state.sor.gbi.ga.gov/sort\\_public/SearchOffender.aspx](http://state.sor.gbi.ga.gov/sort_public/SearchOffender.aspx)

Email Link: [http://state.sor.gbi.ga.gov/sort\\_public/ContactUs.aspx](http://state.sor.gbi.ga.gov/sort_public/ContactUs.aspx)

### **HAWAII**

Website: <http://sexoffenders.hawaii.gov/sexoffender/welcome.html>

Phone Number: 808-587-3350

### **IDAHO**

Website: [http://www.isp.idaho.gov/sor\\_id/](http://www.isp.idaho.gov/sor_id/)

Phone Number: 208-884-7305

**ILLINOIS**

Website: <http://www.isp.state.il.us/sor/>

Phone Number: 217-785-0653

**INDIANA**

Website: <http://www.icrimewatch.net/indiana.php>

Phone Number: 800-62-4779

**IOWA**

Website: <http://www.iowasexoffender.com/>

Phone Number: 515-725-6050

**KANSAS**

Website: <http://www.accesskansas.org/kbi/ro.shtml>

Phone Number: 785-296-8200

**KENTUCKY**

Website: <http://kspsor.state.ky.us/>

Phone Number: 502-227-8700

**LOUISIANA**

Website: <http://www.lsp.org/socpr/default.html>

Phone Number: 800-858-0551

**MAINE**

Website: <http://sor.informe.org/cgi-bin/sor/index.pl>

Phone Number: 207-624-7270

**MARYLAND**

Website: <http://www.socem.info/>

Phone Number: 410-339-5000

**MASSACHUSETTS**

Website: <http://www.mass.gov/eopss/agencies/sorb/>

Phone Number: 978-740-6400

**MICHIGAN**

Website: [http://www.communitynotification.com/cap\\_main.php?office=55242/](http://www.communitynotification.com/cap_main.php?office=55242/)

Phone Number: 517-241-1806

**MINNESOTA**

Website: <https://coms.doc.state.mn.us/publicregistrantsearch>

Phone Number: 651-361-7340

**MISSISSIPPI**

Website: <http://state.sor.dps.ms.gov/>

Phone Number: 601-987-1540

**MISSOURI**

Website: <http://www.mshp.dps.mo.gov/CJ38/search.jsp>

Phone Number: 888-767-6747

## **MONTANA**

Website: <https://app.doj.mt.gov/apps/svow/>

Phone Number: 406-444-7068

## **NEBRASKA**

Website: <https://sor.nebraska.gov/>

Phone Number: 402-471-8647

## **NEVADA**

Website: <http://www.nvsexoffenders.gov/>

Phone Number: 775-684-6262

## **NEW HAMPSHIRE**

Website: <http://business.nh.gov/NSOR/search.aspx>

Phone Number: 800-735-2964

## **NEW JERSEY**

Website: <http://www.njsp.org/sex-offender-registry/index.shtml>

Phone Number: 609-882-2000 X2369

## **NEW MEXICO**

Website:

[http://sheriffalerts.com/cap\\_office\\_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlmaWNhdGlubi5jb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA==](http://sheriffalerts.com/cap_office_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlmaWNhdGlubi5jb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA==)

Phone Number: 505-827-9297

## **NEW YORK**

Website: [http://www.criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp)

Phone Number: 800-262-3257

## **NORTH CAROLINA**

Website: <http://sexoffender.ncsbi.gov/>

Email Link: <http://sexoffender.ncsbi.gov/contact.aspx>

## **NORTH DAKOTA**

Website: <http://www.sexoffender.nd.gov/>

Phone Number: 701-328-2210

## **OHIO**

Website: [http://www.communitynotification.com/cap\\_main.php?office=55149](http://www.communitynotification.com/cap_main.php?office=55149)

Phone Number: 866-406-4534

## **OKLAHOMA**

Website: <https://sors.doc.state.ok.us/svor/f?p=119:1:>

Email Address: [osor@doc.state.ok.us](mailto:osor@doc.state.ok.us)

## **OREGON**

Website: <http://sexoffenders.oregon.gov/>

Phone Number: 503-378-3720

## **PENNSYLVANIA**

Website: <http://www.pameganslaw.state.pa.us/>

Phone Number: 866-771-3170

**PUERTO RICO**Website: <http://sor.cjis.pr.gov/>

Phone Number: 787-729-2121

**RHODE ISLAND**Website: <http://www.paroleboard.ri.gov/sexoffender/agree.php>

Phone Number: 401-462-0905

**SOUTH CAROLINA**Website: <http://scor.sled.sc.gov/ConditionsOfUse.aspx>

Phone Number: 803-896-2601

**SOUTH DAKOTA**Website: <http://sor.sd.gov/>

Phone Number: 605-773-3331

**TENNESSEE**Website: <http://www.tn.gov/tbi/topic/sex-offender-registry-search>

Phone Number: 888-837-4170

**TEXAS**Website: <https://records.txdps.state.tx.us/SexOffender/PublicSite/Index.aspx>

Phone Number: 855-481-7070

**UTAH**Website: [http://www.communitynotification.com/cap\\_office\\_disclaimer.php?office=54438](http://www.communitynotification.com/cap_office_disclaimer.php?office=54438)

Phone Number: 801-495-7700

**VERMONT**Website: <http://vcic.vermont.gov/sor>

Phone Number: 802-241-5400

**VIRGINIA**Website: <http://sex-offender.vsp.virginia.gov/sor/>

Phone Number: 804-674-2825

**WASHINGTON**Website: <http://www.icrimewatch.net/washington.php>

Phone Number: 360-486-2419

**WEST VIRGINIA**Website: <https://apps.wv.gov/StatePolice/SexOffender/>

Phone Number: 304-746-2133

**WISCONSIN**Website: <http://offender.doc.state.wi.us/public/>

Phone Number: 608-240-5830

**WYOMING**Website: [http://www.communitynotification.com/cap\\_main.php?office=55699](http://www.communitynotification.com/cap_main.php?office=55699)

Phone Number: 307-777-7181

## **ALCOHOL AND SUBSTANCE ABUSE POLICY**

DeVry University expects all members of its community; students, faculty and staff, to be familiar with and to abide by applicable state, federal and local laws regarding alcohol and drugs. DeVry University forbids the use, possession, distribution or sale of drugs, except permitted substances when taken under a doctor's prescription and consistent with a doctor's instructions. DeVry University specifically prohibits the use, possession, distribution or sale of medical marijuana on its premises or at any DeVry University-sponsored event. The unauthorized possession, distribution, sale or consumption of alcoholic beverages anywhere on DeVry University property or at DeVry University -sponsored events is also forbidden. Violation of state, federal or other local regulations with respect to illegal drugs or alcohol are subject to both criminal prosecution and campus disciplinary action. Please refer to the following sections for additional information: Drug Free Schools and Communities Act, Laws Regarding Alcohol and Drugs, School Sanctions, and Local Treatment Resources, and the Code of Conduct in the Student Handbook <https://www.devry.edu/current-students/current-students-student-handbooks.html>.

## **DRUG FREE SCHOOLS & COMMUNITIES ACT**

### **Educational Guidelines Pertaining to Drug Free Schools & Communities Act**

DeVry University expects all members of its community including students, faculty and staff, to be familiar with and to abide by applicable state, federal and local laws regarding alcohol and drugs. Students are also responsible for knowing school regulations concerning alcohol use on campus. DeVry University forbids the unauthorized use, possession, distribution or sale of drugs or alcohol by a student anywhere on DeVry University property. Violation of these laws or regulations may subject a student to both criminal prosecution and campus disciplinary action.

Use of illicit drugs and abuse of prescription drugs pose a serious threat to mental and physical health. Alcohol is a drug. Its use in even the smallest amounts may be harmful to some people, and when used to excess, alcohol is harmful to everyone. For this reason, responsible drinking is essential and is expected of those who choose to drink.

### **Substance**

#### **Alcohol (at .08 Blood Alcohol Concentration & Above)**

Impaired motor abilities; reduced judgment; sleepiness; increased sexual desire but reduced ability to perform; nausea, vomiting; liver disorders-alcoholic hepatitis, alcoholic cirrhosis; cancer of the-tongue, mouth, throat, esophagus, liver, breast; fetal alcohol syndrome (most common symptom is mental retardation).

#### **Cannabis Marijuana Hash/Hash Oil THC**

Diminished-short term memory, motivation & cognition, coordination & concentration, oral communication, reaction time; anxiety & panic reactions; carcinogenic elements in smoke; damaged lungs & respiratory system.

#### **Cocaine (includes Crack Cocaine)**

Increased likelihood of risk taking; seizures; sleeplessness; paranoia; irregular heartbeat; can cause sudden death by stroke or heart failure, even in young users; cocaine psychosis (paranoia & hallucinations); ulceration of mucous membranes in the nose; sexual dysfunction; during pregnancy can cause severe physical & emotional problems in babies.

#### **Depressants, Tranquilizers, Barbiturates, Methaqualone**

Dangerous effects when mixed with alcohol; calmness & relaxed muscles; slurred speech, staggering gait, loss of motor coordination; altered perceptions; respiratory depression which can result in coma or death; disruption of normal sleep cycle; during pregnancy-birth defects, brain tumors in children; tolerance develops severe withdrawal symptoms; physical & psychological dependence.

#### **Other Stimulants (Excluding Cocaine), Amphetamines, Methamphetamines**

Increased heart & respiratory rates; elevated blood; decreased appetite; headaches; blurred vision; dizziness; sleeplessness; anxiety; amphetamine psychosis-violent behavior, hallucinations, delusions, paranoia; drug tolerance & dependency; mood swings; ulcers; mental confusion.

**Psychedelics, LSD, Mescaline, Psilocybin, Phencyclidine (PCP), MDMA (Ecstasy), MDA**

Distorted sense of distance, space and time; blockage of pain sensations; nausea, vomiting & diarrhea; severe mood disorders, panic depression, anxiety; greater suggestibility & feelings of invulnerability; unpredictable reactions if drugs are "cut" with impurities; tolerance after (3-4 daily doses--higher doses are required to produce same effects).

**Narcotics, Opium, Morphine, Codeine, Thebaine, Heroin, Methadone, Darvon, Demerol**

Feeling of euphoria followed by drowsiness; nausea & vomiting; respiratory depression; central nervous system depression; use of unsterile needles promotes-AIDS, hepatitis B, endocarditis (infection in the heart); women dependent on opiates have multiple pregnancy complications-spontaneous abortions, still births, anemia, diabetes.

**LAWS REGARDING ALCOHOL AND DRUGS**

**NORTH CAROLINA**

<http://ncga.stated.nc.us>

[http://ncga.nc.us?EnactedLegislation/Statutes/pdf/ByArticles/chapter\\_90?Article\\_5.pdf](http://ncga.nc.us?EnactedLegislation/Statutes/pdf/ByArticles/chapter_90?Article_5.pdf)

In addition to the Federal laws, the State of North Carolina has its own laws dealing with controlled substances.

- (a) Except as authorized by this Article, it is unlawful for any person:
  - (1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver, a controlled substance;
  - (2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance;
  - (3) To possess a controlled substance.
- (b) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(1) with respect to:
  - (1) A controlled substance classified in Schedule I or II shall be punished as a Class H felon, except as follows: (i) the sale of a controlled substance classified in Schedule I or II shall be punished as a Class G felony, and (ii) the manufacture of methamphetamine shall be punished as provided by subdivision (1a) of this subsection.
  - (1a) The manufacture of methamphetamine shall be punished as a Class C felony unless the offense was one of the following: packaging or repackaging methamphetamine, or labeling or relabeling the methamphetamine container. The offense of packaging or repackaging methamphetamine, or labeling or relabeling the methamphetamine container shall be punished as a Class H felony.
  - (2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class I felon, except that the sale of a controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class H felon. The transfer of less than 5 grams of marijuana or less than 2.5 grams of a synthetic cannabinoid or any mixture containing such substance for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).
- (c) Any person who violates G.S. 90-95(a)(2) shall be punished as a Class I felon.
- (d) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a)(3) with respect to:
  - (1) A controlled substance classified in Schedule I shall be punished as a Class I felon. However, if the controlled substance is MDPV and the quantity of the MDPV is 1 gram or less, the violation shall be punishable as a Class 1 misdemeanor.
  - (2) A controlled substance classified in Schedule II, III, or IV shall be guilty of a Class 1 misdemeanor. If the controlled substance exceeds four tablets, capsules, or other dosage units or equivalent quantity of hydromorphone or if the quantity of the controlled substance, or combination of the controlled substances, exceeds one hundred tablets, capsules or other dosage units, or equivalent quantity, the violation shall be punishable as a Class I felony. If the controlled substance is methamphetamine, amphetamine, phencyclidine, or cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances (except decocanized coca leaves or any

extraction of coca leaves which does not contain cocaine or ecgonine), the violation shall be punishable as a Class I felony.

- (3) A controlled substance classified in Schedule V shall be guilty of a Class 2 misdemeanor;
- (4) A controlled substance classified in Schedule VI shall be guilty of a Class 3 misdemeanor, but any sentence of imprisonment imposed must be suspended and the judge may not require at the time of sentencing that the defendant serve a period of imprisonment as a special condition of probation. If the quantity of the controlled substance exceeds one-half of an ounce (avoirdupois) of marijuana, 7 grams of a synthetic cannabinoid or any mixture containing such substance, or one-twentieth of an ounce (avoirdupois) of the extracted resin of marijuana, commonly known as hashish, the violation shall be punishable as a Class 1 misdemeanor. If the quantity of the controlled substance exceeds one and one-half ounces (avoirdupois) of marijuana, 21 grams of a synthetic cannabinoid or any mixture containing such substance, or three-twentieths of an ounce (avoirdupois) of the extracted resin of marijuana, commonly known as hashish, or if the controlled substance consists of any quantity of synthetic tetrahydrocannabinols or tetrahydrocannabinols isolated from the resin of marijuana, the violation shall be punishable as a Class I felony.

- (d1) (1) Except as authorized by this Article, it is unlawful for any person to:
  - a. Possess an immediate precursor chemical with intent to manufacture a controlled substance; or
  - b. Possess or distribute an immediate precursor chemical knowing, or having reasonable cause to believe, that the immediate precursor chemical will be used to manufacture a controlled substance; or
  - c. Possess a pseudoephedrine product if the person has a prior conviction for the possession of methamphetamine, possession with the intent to sell or deliver methamphetamine, sell or deliver methamphetamine, trafficking methamphetamine, possession of an immediate precursor chemical, or manufacture of methamphetamine. The prior conviction may be from any jurisdiction within the United States.

Except where the conduct is covered under subdivision (2) of this subsection, any person who violates this subdivision shall be punished as a Class H felon.

- (2) Except as authorized by this Article, it is unlawful for any person to:
  - a. Possess an immediate precursor chemical with intent to manufacture methamphetamine; or
  - b. Possess or distribute an immediate precursor chemical knowing, or having reasonable cause to believe, that the immediate precursor chemical will be used to manufacture methamphetamine.

Any person who violates this subdivision shall be punished as a Class F felon.

(d2) The immediate precursor chemicals to which subsection (d1) of this section applies are those immediate precursor chemicals designated by the Commission pursuant to its authority under G.S. 90-88, and the following (until otherwise specified by the Commission):

- (1) Acetic anhydride.
- (2) Acetone.
- (2a) Ammonium nitrate.
- (2b) Ammonium sulfate.
- (3) Anhydrous ammonia.
- (4) Anthranilic acid.
- (5) Benzyl chloride.
- (6) Benzyl cyanide.
- (7) 2-Butanone (Methyl Ethyl Ketone).
- (8) Chloroephedrine.
- (9) Chloropseudoephedrine.
- (10) D-lysergic acid.
- (11) Ephedrine.
- (12) Ergonovine maleate.
- (13) Ergotamine tartrate.

- (13a) Ether based starting fluids.
- (14) Ethyl ether.
- (15) Ethyl Malonate.
- (16) Ethylamine.
- (17) Gamma-butyrolactone.
- (18) Hydrochloric Acid. (Muriatic Acid).
- (19) Iodine.
- (20) Isosafrole.
- (21) Sources of lithium metal.
- (22) Malonic acid.
- (23) Methylamine.
- (24) Methyl Isobutyl Ketone.
- (25) N-acetylanthranilic acid.
- (26) N-ethylephedrine.
- (27) N-ethylepseudoephedrine.
- (28) N-methylephedrine.
- (29) N-methylpseudoephedrine.
- (30) Norpseudoephedrine.
- (30a) Petroleum based organic solvents such as camping fuels and lighter fluids.
- (31) Phenyl-2-propane.
- (32) Phenylacetic acid.
- (33) Phenylpropanolamine.
- (34) Piperidine.
- (35) Piperonal.
- (36) Propionic anhydride.
- (37) Pseudoephedrine.
- (38) Pyrrolidine.
- (39) Red phosphorous.
- (40) Safrole.
- (40a) Sodium hydroxide (Lye).
- (41) Sources of sodium metal.
- (42) Sulfuric Acid.
- (43) Tetrachloroethylene.
- (44) Thionylchloride.
- (45) Toluene.

(e) The prescribed punishment and degree of any offense under this Article shall be subject to the following conditions, but the punishment for an offense may be increased only by the maximum authorized under any one of the applicable conditions:

- (1), (2) Repealed by Session Laws 1979, c. 760, s. 5.
- (3) If any person commits a Class 1 misdemeanor under this Article and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be punished as a Class I felon. The prior conviction used to raise the current offense to a Class I felony shall not be used to calculate the prior record level.
- (4) If any person commits a Class 2 misdemeanor, and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be guilty of a Class 1 misdemeanor. The prior conviction used to raise the current offense to a Class 1 misdemeanor shall not be used to calculate the prior conviction level.
- (5) Any person 18 years of age or over who violates G.S. 90-95(a)(1) by selling or delivering a controlled substance to a person under 16 years of age but more than 13 years of age or a pregnant female shall be punished as a Class D felon. Any person 18 years of age or over who violates G.S. 90-95(a)(1) by selling or delivering a controlled substance to a person who is 13 years of age or younger shall be punished as a Class C felon. Mistake of age is not a defense to



a prosecution under this section. It shall not be a defense that the defendant did not know that the recipient was pregnant.

- (6) For the purpose of increasing punishment under G.S. 90-95(e)(3) and (e)(4), previous convictions for offenses shall be counted by the number of separate trials at which final convictions were obtained and not by the number of charges at a single trial.
  - (7) If any person commits an offense under this Article for which the prescribed punishment requires that any sentence of imprisonment be suspended, and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be guilty of a Class 2 misdemeanor.
  - (8) Any person 21 years of age or older who commits an offense under G.S. 90-95(a)(1) on property used for a child care center, or for an elementary or secondary school or within 1,000 feet of the boundary of real property used for a child care center, or for an elementary or secondary school shall be punished as a Class E felon. For purposes of this subdivision, the transfer of less than five grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1). For purposes of this subdivision, a child care center is as defined in G.S. 110-86(3)a., and that is licensed by the Secretary of the Department of Health and Human Services.
  - (9) Any person who violates G.S. 90-95(a)(3) on the premises of a penal institution or local confinement facility shall be guilty of a Class H felony.
  - (10) Any person 21 years of age or older who commits an offense under G.S. 90-95(a)(1) on property that is a public park or within 1,000 feet of the boundary of real property that is a public park shall be punished as a Class E felon. For purposes of this subdivision, the transfer of less than five grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).
- (f) Any person convicted of an offense or offenses under this Article who is sentenced to an active term of imprisonment that is less than the maximum active term that could have been imposed may, in addition, be sentenced to a term of special probation. Except as indicated in this subsection, the administration of special probation shall be the same as probation. The conditions of special probation shall be fixed in the same manner as probation, and the conditions may include requirements for rehabilitation treatment. Special probation shall follow the active sentence. No term of special probation shall exceed five years. Special probation may be revoked in the same manner as probation; upon revocation, the original term of imprisonment may be increased by no more than the difference between the active term of imprisonment actually served and the maximum active term that could have been imposed at trial for the offense or offenses for which the person was convicted, and the resulting term of imprisonment need not be diminished by the time spent on special probation.
- (g) Whenever matter is submitted to the North Carolina State Crime Laboratory, the Charlotte, North Carolina, Police Department Laboratory or to the Toxicology Laboratory, Reynolds Health Center, Winston-Salem for chemical analysis to determine if the matter is or contains a controlled substance, the report of that analysis certified to upon a form approved by the Attorney General by the person performing the analysis shall be admissible without further authentication and without the testimony of the analyst in all proceedings in the district court and superior court divisions of the General Court of Justice as evidence of the identity, nature, and quantity of the matter analyzed. Provided, however, the provisions of this subsection may be utilized by the State only if:
- (1) The State notifies the defendant at least 15 business days before the proceeding at which the report would be used of its intention to introduce the report into evidence under this subsection and provides a copy of the report to the defendant, and
  - (2) The defendant fails to file a written objection with the court, with a copy to the State, at least five business days before the proceeding that the defendant objects to the introduction of the report into evidence.

If the defendant's attorney of record, or the defendant if that person has no attorney, fails to file a written objection as provided in this subsection, then the objection shall be deemed waived and the report shall be admitted into evidence without the testimony of the analyst. Upon filing a timely objection, the admissibility of the report shall be determined and governed by the appropriate rules of evidence.

Nothing in this subsection precludes the right of any party to call any witness or to introduce any evidence supporting or contradicting the evidence contained in the report.

(g1) Procedure for establishing chain of custody without calling unnecessary witnesses. -

- (1) For the purpose of establishing the chain of physical custody or control of evidence consisting of or containing a substance tested or analyzed to determine whether it is a controlled substance, a statement signed by each successive person in the chain of custody that the person delivered it to the other person indicated on or about the date stated is prima facie evidence that the person had custody and made the delivery as stated, without the necessity of a personal appearance in court by the person signing the statement.
- (2) The statement shall contain a sufficient description of the material or its container so as to distinguish it as the particular item in question and shall state that the material was delivered in essentially the same condition as received. The statement may be placed on the same document as the report provided for in subsection (g) of this section.
- (3) The provisions of this subsection may be utilized by the State only if:
  - a. The State notifies the defendant at least 15 days before trial of its intention to introduce the statement into evidence under this subsection and provides the defendant with a copy of the statement, and
  - b. The defendant fails to notify the State at least five days before trial that the defendant objects to the introduction of the statement into evidence.

If the defendant's attorney of record, or the defendant if that person has no attorney, fails to file a written objection as provided in this subsection, then the objection shall be deemed waived and the statement shall be admitted into evidence without the necessity of a personal appearance by the person signing the statement. Upon filing a timely objection, the admissibility of the report shall be determined and governed by the appropriate rules of evidence.

- (4) Nothing in this subsection precludes the right of any party to call any witness or to introduce any evidence supporting or contradicting the evidence contained in the statement.

(h) Notwithstanding any other provision of law, the following provisions apply except as otherwise provided in this Article.

- (1) Any person who sells, manufactures, delivers, transports, or possesses in excess of 10 pounds (avoirdupois) of marijuana shall be guilty of a felony which felony shall be known as "trafficking in marijuana" and if the quantity of such substance involved:
  - a. Is in excess of 10 pounds, but less than 50 pounds, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25 months and a maximum term of 39 months in the State's prison and shall be fined not less than five thousand dollars (\$5,000);
  - b. Is 50 pounds or more, but less than 2,000 pounds, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
  - c. Is 2,000 pounds or more, but less than 10,000 pounds, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
  - d. Is 10,000 pounds or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars (\$200,000).

- (1a) For the purpose of this subsection, a "dosage unit" shall consist of 3 grams of synthetic cannabinoid or any mixture containing such substance. Any person who sells, manufactures, delivers, transports, or possesses in excess of 50 dosage units of a synthetic cannabinoid or any mixture containing such substance, shall be guilty of a felony, which felony shall be known as "trafficking in synthetic cannabinoids," and if the quantity of such substance involved:
  - a. Is in excess of 50 dosage units, but less than 250 dosage units, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25 months

- and a maximum term of 39 months in the State's prison and shall be fined not less than five thousand dollars (\$5,000);
- b. Is 250 dosage units or more, but less than 1250 dosage units, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
  - c. Is 1250 dosage units or more, but less than 3750 dosage units, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
  - d. Is 3750 dosage units or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars (\$200,000).
- (2) Any person who sells, manufactures, delivers, transports, or possesses 1,000 tablets, capsules or other dosage units, or the equivalent quantity, or more of methaqualone, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as "trafficking in methaqualone" and if the quantity of such substance or mixture involved:
- a. Is 1,000 or more dosage units, or equivalent quantity, but less than 5,000 dosage units, or equivalent quantity, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
  - b. Is 5,000 or more dosage units, or equivalent quantity, but less than 10,000 dosage units, or equivalent quantity, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
  - c. Is 10,000 or more dosage units, or equivalent quantity, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars (\$200,000).
- (3) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or any coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation of coca leaves, and any salt, isomer, salts of isomers, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances (except decocainized coca leaves or any extraction of coca leaves which does not contain cocaine) or any mixture containing such substances, shall be guilty of a felony, which felony shall be known as "trafficking in cocaine" and if the quantity of such substance or mixture involved:
- a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
  - b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than one hundred thousand dollars (\$100,000);
  - c. Is 400 grams or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined at least two hundred fifty thousand dollars (\$250,000).
- (3a) Repealed by Session Laws 1999-370, s. 1, effective December 1, 1999.
- (3b) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of methamphetamine or any mixture containing such substance shall be guilty of a felony which

felony shall be known as "trafficking in methamphetamine" and if the quantity of such substance or mixture involved:

- a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
- b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined not less than one hundred thousand dollars (\$100,000);
- c. Is 400 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined at least two hundred fifty thousand dollars (\$250,000).

(3c) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of amphetamine or any mixture containing such substance shall be guilty of a felony, which felony shall be known as "trafficking in amphetamine", and if the quantity of such substance or mixture involved:

- a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25 months and a maximum term of 39 months in the State's prison and shall be fined not less than five thousand dollars (\$5,000);
- b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
- c. Is 400 grams or more, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined at least one hundred thousand dollars (\$100,000).

(3d) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of MDPV or any mixture containing such substance shall be guilty of a felony, which felony shall be known as "trafficking in MDPV," and if the quantity of such substance or mixture involved:

- a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
- b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined not less than one hundred thousand dollars (\$100,000);
- c. Is 400 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined at least two hundred fifty thousand dollars (\$250,000).

(3e) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of mephedrone or any mixture containing such substance shall be guilty of a felony, which felony shall be known as "trafficking in mephedrone," and if the quantity of such substance or mixture involved:

- a. Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
- b. Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term

- of 120 months in the State's prison and shall be fined not less than one hundred thousand dollars (\$100,000);
- c. Is 400 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined at least two hundred fifty thousand dollars (\$250,000).
- (4) Any person who sells, manufactures, delivers, transports, or possesses four grams or more of opium or opiate, or any salt, compound, derivative, or preparation of opium or opiate (except apomorphine, nalbuphine, analoxone and naltrexone and their respective salts), including heroin, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as "trafficking in opium or heroin" and if the quantity of such controlled substance or mixture involved:
- a. Is four grams or more, but less than 14 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
- b. Is 14 grams or more, but less than 28 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 120 months in the State's prison and shall be fined not less than one hundred thousand dollars (\$100,000);
- c. Is 28 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 282 months in the State's prison and shall be fined not less than five hundred thousand dollars (\$500,000).
- (4a) Any person who sells, manufactures, delivers, transports, or possesses 100 tablets, capsules, or other dosage units, or the equivalent quantity, or more, of Lysergic Acid Diethylamide, or any mixture containing such substance, shall be guilty of a felony, which felony shall be known as "trafficking in Lysergic Acid Diethylamide". If the quantity of such substance or mixture involved:
- a. Is 100 or more dosage units, or equivalent quantity, but less than 500 dosage units, or equivalent quantity, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
- b. Is 500 or more dosage units, or equivalent quantity, but less than 1,000 dosage units, or equivalent quantity, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
- c. Is 1,000 or more dosage units, or equivalent quantity, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred thousand dollars (\$200,000).
- (4b) Any person who sells, manufactures, delivers, transports, or possesses 100 or more tablets, capsules, or other dosage units, or 28 grams or more of 3,4-methylenedioxyamphetamine (MDA), including its salts, isomers, and salts of isomers, or 3,4-methylenedioxymethamphetamine (MDMA), including its salts, isomers, and salts of isomers, or any mixture containing such substances, shall be guilty of a felony, which felony shall be known as "trafficking in MDADMA." If the quantity of the substance or mixture involved:
- a. Is 100 or more tablets, capsules, or other dosage units, but less than 500 tablets, capsules, or other dosage units, or 28 grams or more, but less than 200 grams, the person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 51 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
- b. Is 500 or more tablets, capsules, or other dosage units, but less than 1,000 tablets, capsules, or other dosage units, or 200 grams or more, but less than 400 grams, the

person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 93 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);

- c. Is 1,000 or more tablets, capsules, or other dosage units, or 400 grams or more, the person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 222 months in the State's prison and shall be fined not less than two hundred fifty thousand dollars (\$250,000).
- (5) Except as provided in this subdivision, a person being sentenced under this subsection may not receive a suspended sentence or be placed on probation. The sentencing judge may reduce the fine, or impose a prison term less than the applicable minimum prison term provided by this subsection, or suspend the prison term imposed and place a person on probation when such person has, to the best of his knowledge, provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, co-conspirators, or principals if the sentencing judge enters in the record a finding that the person to be sentenced has rendered such substantial assistance.
  - (6) Sentences imposed pursuant to this subsection shall run consecutively with and shall commence at the expiration of any sentence being served by the person sentenced hereunder.
    - (i) The penalties provided in subsection (h) of this section shall also apply to any person who is convicted of conspiracy to commit any of the offenses described in subsection (h) of this section.

Local Prohibitions on Drug Paraphernalia: Several Maryland jurisdictions have their own laws prohibiting the sale, display, distribution, or possession with intent to sell, of drug paraphernalia.

#### **§ 90-113.21. General provisions.**

- (a) As used in this Article, "drug paraphernalia" means all equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Controlled Substances Act, including planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, and concealing controlled substances and injecting, ingesting, inhaling, or otherwise introducing controlled substances into the human body. "Drug paraphernalia" includes, but is not limited to, the following:
- (1) Kits for planting, propagating, cultivating, growing, or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived;
  - (2) Kits for manufacturing, compounding, converting, producing, processing, or preparing controlled substances;
  - (3) Isomerization devices for increasing the potency of any species of plant which is a controlled substance;
  - (4) Testing equipment for identifying, or analyzing the strength, effectiveness, or purity of controlled substances;
  - (5) Scales and balances for weighing or measuring controlled substances;
  - (6) Diluents and adulterants, such as quinine, hydrochloride, mannitol, mannite, dextrose, and lactose for mixing with controlled substances;
  - (7) Separation gins and sifters for removing twigs and seeds from, or otherwise cleaning or refining, marijuana;
  - (8) Blenders, bowls, containers, spoons, and mixing devices for compounding controlled substances;
  - (9) Capsules, balloons, envelopes and other containers for packaging small quantities of controlled substances;
  - (10) Containers and other objects for storing or concealing controlled substances;
  - (11) Hypodermic syringes, needles, and other objects for parenterally injecting controlled substances into the body;
  - (12) Objects for ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the body, such as:
    - a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
    - b. Water pipes;
    - c. Carburetion tubes and devices;

- d. Smoking and carburetion masks;
- e. Objects, commonly called roach clips, for holding burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
- f. Miniature cocaine spoons and cocaine vials;
- g. Chamber pipes;
- h. Carburetor pipes;
- i. Electric pipes;
- j. Air-driven pipes;
- k. Chillums;
- l. Bongs;
- m. Ice pipes or chillers.

(b) The following, along with all other relevant evidence, may be considered in determining whether an object is drug paraphernalia:

- (1) Statements by the owner or anyone in control of the object concerning its use;
- (2) Prior convictions of the owner or other person in control of the object for violations of controlled substances law;
- (3) The proximity of the object to a violation of the Controlled Substances Act;
- (4) The proximity of the object to a controlled substance;
- (5) The existence of any residue of a controlled substance on the object;
- (6) The proximity of the object to other drug paraphernalia;
- (7) Instructions provided with the object concerning its use;
- (8) Descriptive materials accompanying the object explaining or depicting its use;
- (9) Advertising concerning its use;
- (10) The manner in which the object is displayed for sale;
- (11) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a seller of tobacco products or agricultural supplies;
- (12) Possible legitimate uses of the object in the community;
- (13) Expert testimony concerning its use;
- (14) The intent of the owner or other person in control of the object to deliver it to persons whom he knows or reasonably should know intend to use the object to facilitate violations of the Controlled Substances Act. (1981, c. 500, s. 1.)

**§ 90-113.22. Possession of drug paraphernalia.**

(a) It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance other than marijuana which it would be unlawful to possess, or to inject, ingest, inhale, or otherwise introduce into the body a controlled substance other than marijuana which it would be unlawful to possess.

(b) Violation of this section is a Class 1 misdemeanor.

(c) Prior to searching a person, a person's premises, or a person's vehicle, an officer may ask the person whether the person is in possession of a hypodermic needle or other sharp object that may cut or puncture the officer or whether such a hypodermic needle or other sharp object is on the premises or in the vehicle to be searched. If there is a hypodermic needle or other sharp object on the person, on the person's premises, or in the person's vehicle and the person alerts the officer of that fact prior to the search, the person shall not be charged with or prosecuted for possession of drug paraphernalia for the needle or sharp object, or for residual amounts of a controlled substance contained in the needle or sharp object. The exemption under this subsection does not apply to any other drug paraphernalia that may be present and found during the search. For purposes of this subsection, the term "officer" includes "criminal justice officers" as defined in G.S. 17C-2(3) and a "justice officer" as defined in G.S. 17E-2(3). (1981, c. 500, s. 1; 1993, c. 539, s. 624; 1994, Ex. Sess., c. 24, s. 14(c); 2013-147, s. 1; 2014-119, s. 3(a); 2015-284, s. 2.)

**§ 90-113.22A. Possession of marijuana drug paraphernalia.**

(a) It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze,

package, repackage, store, contain, or conceal marijuana or to inject, ingest, inhale, or otherwise introduce marijuana into the body.

(b) A violation of this section is a Class 3 misdemeanor. A violation of this section shall be a lesser included offense of G.S. 90-113.22. (2014-119, s. 3(b).)

**§ 90-113.23. Manufacture or delivery of drug paraphernalia.**

(a) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia knowing that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance which it would be unlawful to possess, or that it will be used to inject, ingest, inhale, or otherwise introduce into the body a controlled substance which it would be unlawful to possess.

(b) Delivery, possession with intent to deliver, or manufacture with intent to deliver, of each separate and distinct item of drug paraphernalia is a separate offense.

(c) Violation of this section is a Class 1 misdemeanor. However, delivery of drug paraphernalia by a person over 18 years of age to someone under 18 years of age who is at least three years younger than the defendant shall be punishable as a Class I felony. (1981, c. 500, s. 1; c. 903, s. 1; 1993, c. 539, s. 625; 1994, Ex. Sess., c. 24, s. 14(c).)

**§ 90-113.24. Advertisement of drug paraphernalia.**

(a) It is unlawful for any person to purchase or otherwise procure an advertisement in any newspaper, magazine, handbill, or other publication, or purchase or otherwise procure an advertisement on a billboard, sign, or other outdoor display, when he knows that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia described in this Article.

(b) Violation of this section is a Class 2 misdemeanor. (1981, c. 500, s. 1; c. 903, s. 1; 1993, c. 539, s. 626; 1994, Ex. Sess., c. 24, s. 14(c).)

**§ 90-113.25:** Reserved for future codification purposes.

**§ 90-113.26:** Reserved for future codification purposes.

**§ 90-113.27. Needle and hypodermic syringe exchange programs authorized; limited immunity.**

(a) Any governmental or nongovernmental organization, including a local or district health department or an organization that promotes scientifically proven ways of mitigating health risks associated with drug use and other high-risk behaviors, may establish and operate a needle and hypodermic syringe exchange program. The objectives of the program shall be to do all of the following:

(1) Reduce the spread of HIV, AIDS, viral hepatitis, and other bloodborne diseases in this State.

(2) Reduce needle stick injuries to law enforcement officers and other emergency personnel.

(3) Encourage individuals who inject drugs to enroll in evidence-based treatment.

(b) Programs established pursuant to this section shall offer all of the following:

(1) Disposal of used needles and hypodermic syringes.

(2) Needles, hypodermic syringes, and other injection supplies at no cost and in quantities sufficient to ensure that needles, hypodermic syringes, and other injection supplies are not shared or reused. No public funds may be used to purchase needles, hypodermic syringes, or other injection supplies.

(3) Reasonable and adequate security of program sites, equipment, and personnel. Written plans for security shall be provided to the police and sheriff's offices with jurisdiction in the program location and shall be updated annually.

(4) Educational materials on all of the following:

a. Overdose prevention.

b. The prevention of HIV, AIDS, and viral hepatitis transmission.

c. Drug abuse prevention.

d. Treatment for mental illness, including treatment referrals.

e. Treatment for substance abuse, including referrals for medication assisted treatment.

(5) Access to naloxone kits that contain naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose, or referrals to programs that provide access to naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose.



(6) For each individual requesting services, personal consultations from a program employee or volunteer concerning mental health or addiction treatment as appropriate.

(c) Notwithstanding any provision of the Controlled Substances Act in Article 5 of Chapter 90 of the General Statutes or any other law, no employee, volunteer, or participant of a program established pursuant to this section shall be charged with or prosecuted for possession of any of the following:

(1) Needles, hypodermic syringes, or other injection supplies obtained from or returned to a program established pursuant to this section.

(2) Residual amounts of a controlled substance contained in a used needle, used hypodermic syringe, or used injection supplies obtained from or returned to a program established pursuant to this section.

The limited immunity provided in this subsection shall apply only if the person claiming immunity provides written verification that a needle, syringe, or other injection supplies were obtained from a needle and hypodermic syringe exchange program established pursuant to this section. In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer who, acting on good faith, arrests or charges a person who is thereafter determined to be entitled to immunity from prosecution under this section shall not be subject to civil liability for the arrest or filing of charges.

(d) Prior to commencing operations of a program established pursuant to this section, the governmental or nongovernmental organization shall report to the North Carolina Department of Health and Human Services, Division of Public Health, all of the following information:

(1) The legal name of the organization or agency operating the program.

(2) The areas and populations to be served by the program.

(3) The methods by which the program will meet the requirements of subsection (b) of this section.

(e) Not later than one year after commencing operations of a program established pursuant to this section, and every 12 months thereafter, each organization operating such a program shall report the following information to the North Carolina Department of Health and Human Services, Division of Public Health:

(1) The number of individuals served by the program.

(2) The number of needles, hypodermic syringes, and needle injection supplies dispensed by the program and returned to the program.

(3) The number of naloxone kits distributed by the program.

(4) The number and type of treatment referrals provided to individuals served by the program, including a separate report of the number of individuals referred to programs that provide access to naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose. (2016-88, s. 4.)

§ 90-113.28: Reserved for future codification purposes.

§ 90-113.29: Reserved for future codification purposes.

Alcohol: Drinking alcoholic beverages is prohibited on public property under North Carolina State law and under many county and local codes within North Carolina.

**§ 18B-300. Purchase, possession and consumption of malt beverages and unfortified wine.**

(a) Generally. – Except as otherwise provided in this Chapter, the purchase, consumption, and possession of malt beverages and unfortified wine by individuals 21 years old and older for their own use is permitted without restriction.

(a1) Consumption on Premises During Time of Permit Revocation or Suspension. – It shall be unlawful to consume or for a permittee or his agent or employee to allow the consumption of malt beverages or unfortified wine on the premises of any business during the period of time that any on-premises permit issued to the business authorizing the sale and consumption of malt beverages or unfortified wine has been suspended or revoked by the Commission. The prohibition in this subsection does not apply to the premises upon which the business was located at the time the permit was suspended or revoked if the business ceases to operate in that location and the owner of the property is not the permittee, provided that the permittee is not engaged in any other business or other activity on the premises during the period of suspension or revocation.

(b) Consumption at Off-Premises Establishment. – It shall be unlawful to consume, or for a permittee to allow the consumption of, malt beverages or unfortified wine on any premises having only an off-premises permit for the kind of alcoholic beverage being consumed.

(c) Local Ordinance. – A city or county may by ordinance:

(1) Regulate or prohibit the consumption of malt beverages and unfortified wine on the public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county;

(2) Regulate or prohibit the possession of open containers of malt beverages and unfortified wine on public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county; and

(3) Regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events.

For the purposes of this subsection, an open container means a container whose seal has been broken or a container other than the manufacturer's unopened original container. As provided by G.S. 18B-102(a), possession or consumption of alcoholic beverages is unlawful except as authorized by the ABC law. (1939, c. 158, s. 503; 1971, c. 872, s. 1; 1973, c. 1452, ss. 1-3; 1977, c. 176, ss. 2, 3; c. 693; 1979, c. 19, s. 2; c. 445, s. 4; c. 893, s. 11; 1981, c. 412, s. 2; 1983, c. 435, s. 32; 1985, c. 141, s. 1; 1995, c. 144, s. 1; c. 366, s. 2; 2001-79, s. 1; 2013-392, s. 1.)

**§ 18B-301. Possession and consumption of fortified wine and spirituous liquor.**

(a) Possession at Home. – It shall be lawful, without an ABC permit, for any person at least 21 years old to possess for lawful purposes any amount of fortified wine and spirituous liquor at his home or a temporary residence, such as a hotel room.

(b) Possession on Other Property. – It shall be lawful, without an ABC permit, for a person to possess for his personal use and the use of his guests not more than eight liters of fortified wine or spirituous liquor, or eight liters of the two combined, at the following places:

(1) The residence of any other person with that person's consent; (2) Any other property not primarily used for commercial purposes and not open to the public at the time the alcoholic beverage is possessed, if the owner or other person in charge of the property consents to that possession and consumption;

(3) An establishment with a brown-bagging permit as defined in G.S. 18B-1001(7).

(c) Special Occasions. – It shall be lawful for a person to possess, without a permit and not for sale, any amount of fortified wine or spirituous liquor for a private party, private reception, or private special occasion, at the following places:

(1) His home or a temporary residence, such as a hotel room;

(2) Any other property not primarily used for commercial purposes, which is under his exclusive control and supervision, and which is not open to the public during the event;

(3) The licensed premises of any business for which the Commission has issued a special occasions permit under G.S. 18B-1001(8), if he is the host of that private function and has the permission of the permittee.

(d) Consumption. – It shall be lawful for a person to consume fortified wine and spirituous liquor in any place where it is lawful for him to possess those alcoholic beverages under subsections (a) through (c).

(e) Incident to Sale. – It shall be lawful to possess fortified wine and spirituous liquor at any place, such as an ABC store, where possession is a necessary incident to lawful sale. Consumption at such a place shall be unlawful unless the establishment has a permit authorizing consumption on the premises as well as sale.

(f) Unlawful Possession or Use. – As illustration, but not limitation, of the general prohibition stated in G.S. 18B-102(a), it shall be unlawful for:

(1) Any person to consume fortified wine, spirituous liquor, or mixed beverages or to offer such beverages to another person:

a. On the premises of an ABC store, or

b. Upon any property used or occupied by a local board, or

c. On any public road, street, highway, or sidewalk.

(2) Any person to display publicly at an athletic contest fortified wine, spirituous liquor, or mixed beverages;

(3) Any person to permit any fortified wine, spirituous liquor, or mixed beverages to be possessed or consumed upon any premises not authorized by this Chapter;

- (4) Any person to possess or consume any fortified wine, spirituous liquor, or mixed beverages upon any premises where such possession or consumption is not authorized by law, or where the person has been forbidden to possess or consume that beverage by the owner or other person in charge of the premises;
- (5) Any person to possess on any of the premises described in subsections (a) through (c) a greater amount of fortified wine or spirituous liquor than authorized by this Chapter;
- (6) Any permittee, other than a mixed beverage or culinary permittee, to possess spirituous liquor or mixed beverages on his licensed premises.
- (7) Any person to possess on his person or consume malt beverages or unfortified wine upon any property owned or leased by a local board of education and used by the local board of education for school purposes. Provided, however, the prohibition in G.S. 18B-102(a) and this subdivision shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1977, 2nd Sess., c. 1138, ss. 8-12, 18; 1979, c. 384, s. 3; c. 609, s. 2; c. 718; c. 893, s. 10; 1981, c. 412, s. 2; c. 747, s. 39; 1983, c. 917, s. 1; 1985, c. 566, s. 1; 1991, c. 459, s. 1; 1993, c. 508, s. 1; 1995, c. 372, s. 1.)

**§ 18B-302. Sale to or purchase by underage persons.**

(a) Sale. – It shall be unlawful for any person to:

- (1) Sell malt beverages or unfortified wine to anyone less than 21 years old; or
- (2) Sell fortified wine, spirituous liquor, or mixed beverages to anyone less than 21 years old.

(a1) Give. – It shall be unlawful for any person to:

- (1) Give malt beverages or unfortified wine to anyone less than 21 years old; or
- (2) Give fortified wine, spirituous liquor, or mixed beverages to anyone less than 21 years old.

(b) Purchase, Possession, or Consumption. – It shall be unlawful for:

- (1) A person less than 21 years old to purchase, to attempt to purchase, or to possess malt beverages or unfortified wine; or
- (2) A person less than 21 years old to purchase, to attempt to purchase, or to possess fortified wine, spirituous liquor, or mixed beverages; or
- (3) A person less than 21 years old to consume any alcoholic beverage.

(c) Aider and Abettor.

(1) By Underage Person. – Any person who is under the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 2 misdemeanor.

(2) By Person over Lawful Age. – Any person who is over the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 1 misdemeanor.

(d) Defense. – It shall be a defense to a violation of subsection (a) of this section if the seller:

- (1) Shows that the purchaser produced a driver's license, a special identification card issued under G.S. 20-37.7, a military identification card, or a passport, showing his age to be at least the required age for purchase and bearing a physical description of the person named on the card reasonably describing the purchaser; or
- (2) Produces evidence of other facts that reasonably indicated at the time of sale that the purchaser was at least the required age.

(3) Shows that at the time of purchase, the purchaser utilized a biometric identification system that demonstrated (i) the purchaser's age to be at least the required age for the purchase and (ii) the purchaser had previously registered with the seller or seller's agent a drivers license, a special identification card issued under G.S. 20-37.7, a military identification card, or a passport showing the purchaser's date of birth and bearing a physical description of the person named on the document.

(e) Fraudulent Use of Identification. – It shall be unlawful for any person to enter or attempt to enter a place where alcoholic beverages are sold or consumed, or to obtain or attempt to obtain alcoholic beverages, or to obtain or attempt to obtain permission to purchase alcoholic beverages, in violation of subsection (b) of this section, by using or attempting to use any of the following:

- (1) A fraudulent or altered drivers license.
- (2) A fraudulent or altered identification document other than a drivers license.

- (3) A drivers license issued to another person.
- (4) An identification document other than a drivers license issued to another person.
- (5) Any other form or means of identification that indicates or symbolizes that the person is not prohibited from purchasing or possessing alcoholic beverages under this section.
- (f) Allowing Use of Identification. – It shall be unlawful for any person to permit the use of the person's drivers license or any other form of identification of any kind issued or given to the person by any other person who violates or attempts to violate subsection (b) of this section.
- (g) Conviction Report Sent to Division of Motor Vehicles. – The court shall file a conviction report with the Division of Motor Vehicles indicating the name of the person convicted and any other information requested by the Division if the person is convicted of any of the following:
  - (1) A violation of subsection (e) or (f) of this section.
  - (2) A violation of subsection (c) of this section.
  - (3) A violation of subsection (b) of this section, if the violation occurred while the person was purchasing or attempting to purchase an alcoholic beverage.
  - (4) A violation of subsection (a1) of this section.
 Upon receipt of a conviction report, the Division shall revoke the person's license as required by G.S. 20-17.3.
- (h) Handling in Course of Employment. – Nothing in this section shall be construed to prohibit an underage person from selling, transporting, possessing or dispensing alcoholic beverages in the course of employment, if the employment of the person for that purpose is lawful under applicable youth employment statutes and Commission rules.
- (i) Purchase, Possession, or Consumption by 19 or 20-Year Old. – A violation of subdivision (b)(1) or (b)(3) of this section by a person who is 19 or 20 years old is a Class 3 misdemeanor.
- (j) Notwithstanding any other provisions of law, a law enforcement officer may require any person the officer has probable cause to believe is under age 21 and has consumed alcohol to submit to an alcohol screening test using a device approved by the Department of Health and Human Services. The results of any screening device administered in accordance with the rules of the Department of Health and Human Services shall be admissible in any court or administrative proceeding. A refusal to submit to an alcohol screening test shall be admissible in any court or administrative proceeding.
- (k) Notwithstanding the provisions in this section, it shall not be unlawful for a person less than 21 years old to consume unfortified wine or fortified wine during participation in an exempted activity under G.S. 18B-103(4), (8), or (11). (1933, c. 216, s. 8; 1959, c. 745, s. 1; 1967, c. 222, s. 3; 1969, c. 998; 1971, c. 872, s. 1; 1973, c. 27; 1977, 2nd Sess., c. 1138, s. 2; 1979, c. 683, s. 2; 1981, c. 412, s. 2; c. 747, ss. 40, 41; 1983, c. 435, ss. 32, 35; c. 740, ss. 1, 2; Ex. Sess., c. 5; 1985, c. 141, ss. 2-3; 1993, c. 539, s. 311; 1994, Ex. Sess., c. 24, s. 14(c); 1999-406, s. 7; 2001-461, ss. 2, 3; 2001-487, s. 42(b); 2005-350, s. 6(a); 2006-253, s. 26; 2007-537, s. 1; 2015-264, s. 7.)

**§ 18B-302.1. Penalties for certain offenses related to underage persons.**

- (a) A violation of G.S. 18B-302(a) or (a1) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, if the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least two hundred fifty dollars (\$250.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars (\$500.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15A-1343(b1)(6).
- (b) A violation of G.S. 18B-302(c)(2) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, if the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars (\$500.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this

offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least one thousand dollars (\$1,000) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15A-1343(b)(6).

(c) In addition to the punishments imposed under this section, the court may impose the provisions of G.S. 18B-202 and of G.S. 18B-503, 18B-504, and 18B-505. (1999-433, s. 1; 2007-537, s. 2.)

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

(a) Limited Immunity for Samaritan. – Notwithstanding any other provision of law, a person under the age of 21 shall not be prosecuted for a violation of G.S. 18B-302 for the possession or consumption of alcoholic beverages if all of the following requirements and conditions are met:

(1) The person sought medical assistance for an individual experiencing an alcohol-related overdose by contacting the 911 system, a law enforcement officer, or emergency medical services personnel.

(1a) The person acted in good faith when seeking medical assistance, upon a reasonable belief that he or she was the first to call for assistance.

(2) The person provided his or her own name to the 911 system or to a law enforcement officer upon arrival.

(3) Repealed by Session Laws 2015-94, s. 2, effective August 1, 2015, and applicable to offenses committed on or after that date.

(4) The person did not seek the medical assistance during the course of the execution of an arrest warrant, search warrant, or other lawful search.

(5) The evidence for prosecution of a violation of G.S. 18B-302 for the possession or consumption of alcoholic beverages was obtained as a result of the person seeking medical assistance for the alcohol-related overdose.

(b) Limited Immunity for Overdose Victim. – The immunity described in subsection (a) of this section shall extend to the person who needed medical assistance if the requirements in subdivisions (1), (1a), (4), and (5) of subsection (a) are satisfied.

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

(d) Civil Liability for Arrest or Charges. – In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer who, acting in good faith, arrests or charges a person who is thereafter determined to be entitled to immunity under this section shall not be subject to civil liability for the arrest or filing of charges. (2013-23, s. 3; 2015-94, s. 2.)

**§ 18B-303. Amounts of alcoholic beverages that may be purchased.**

(a) Purchases Allowed. – Without a permit, a person may purchase at one time:

(1) Not more than 80 liters of malt beverages, except draft malt beverages in kegs for off-premises consumption. For purchase of a keg or kegs of malt beverages for off-premises consumption, the permit required by G.S. 18B-403.1(a) must first be obtained;

(2) Any amount of draft malt beverages by a permittee in kegs for on-premise consumption;

(3) Not more than 50 liters of unfortified wine;

(4) Not more than eight liters of either fortified wine or spirituous liquor, or eight liters of the two combined.

(b) Unlawful Purchase. – Except as provided in subsection (c) and in Article 11, it shall be unlawful for any person to purchase, or for any person to sell, an amount of alcoholic beverages greater than that stated in subsection (a).

(c) Greater Amounts. – Amounts of alcoholic beverages greater than those listed in subdivisions (a)(3) and (a)(4) may be purchased with a purchase-transportation permit under G.S. 18B-403. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3; 1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1977, 2nd Sess., c. 1138, ss. 8-

12, 18; 1979, c. 384, s. 3; c. 609, s. 2; c. 718; c. 893, s. 10; 1981, c. 412, s. 2; 1989, c. 553, s. 1; 1993, c. 508, s. 2; 2001-262, s. 5; 2006-253, s. 3.2.)

**§ 18B-304. Sale and possession for sale.**

(a) Offense. – It shall be unlawful for any person to sell any alcoholic beverage, or possess any alcoholic beverage for sale, without first obtaining the applicable ABC permit and revenue licenses.

(b) Prima Facie Evidence. – Possession of the following amounts of alcoholic beverages, without a permit authorizing that possession, shall be prima facie evidence that the possessor is possessing those alcoholic beverages for sale:

(1) More than 80 liters of malt beverages, other than draft malt beverages in kegs;

(2) More than eight liters of spirituous liquor; or

(3) Any amount of nontaxpaid alcoholic beverages. (1913, c. 44, s. 2; 1915, c. 97, s. 8; 1923, c. 1, ss. 2, 6, 10; C.S., ss. 3379, 3411(b), (f), (j); 1937, c. 49, ss. 13, 15; 1945, c. 635; 1949, c. 1251, s. 2; 1951, c. 850; 1955, c. 560; 1957, c. 984; c. 1235, s. 1; 1963, c. 932; 1967, c. 222, ss. 4, 6; 1969, c. 789; 1971, c. 872, s. 1; 1975, c. 654, s. 4; 1977, c. 176, ss. 1-3; 1981, c. 412, s. 2; c. 747, s. 42; 1989, c. 553, s. 2; 1993, c. 508, s. 3.)

**§ 18B-305. Other prohibited sales.**

(a) Sale to Intoxicated Person. – It shall be unlawful for a permittee or his employee or for an ABC store employee to knowingly sell or give alcoholic beverages to any person who is intoxicated.

(b) Discretion for Seller. – Any person authorized to sell alcoholic beverages under this Chapter may, in his discretion, refuse to sell to anyone. It shall be unlawful for any person to knowingly buy alcoholic beverages for someone who has been refused the right to purchase under this subsection.

(c) Notwithstanding subsection (b) of this section, no permittee may refuse to sell alcoholic beverages to a person solely based on that person's race, religion, color, national origin, sex, or disability. (1937, c. 49, ss. 11, 15; c. 411; 1971, c. 872, s. 1; 1977, 2nd Sess., c. 1138, s. 5; 1981, c. 412, s. 2; 1999-462, s. 5.)

**§ 18B-306. Making wines and malt beverages for private use.**

An individual may make, possess, and transport native wines and malt beverages for his own use and for the use of his family and guests. Native wines shall be made principally from honey, grapes, or other fruit or grain grown in this State, or from wine kits containing honey, grapes, or other fruit or grain concentrates, and shall have only that alcoholic content produced by natural fermentation. Malt beverages may be made by use of malt beverage kits containing grain extracts or concentrates. Wine kits and malt beverage kits may be sold in this State. No ABC permit is required to make beverages pursuant to this section. (1971, c. 872, s. 1; 1973, c. 1218; 1981, c. 412, s. 2; c. 747, s. 43; 1985, c. 114, s. 6.)

**§ 18B-307. Manufacturing offenses.**

(a) Offenses. – It shall be unlawful for any person, except as authorized by this Chapter, to:

(1) Sell or possess equipment or ingredients intended for use in the manufacture of any alcoholic beverage, except equipment and ingredients provided under a Brew on Premises permit or a Winemaking on Premises permit; or

(2) Knowingly allow real or personal property owned or possessed by him to be used by another person for the manufacture of any alcoholic beverage, except pursuant to a Brew on Premises permit or a Winemaking on Premises permit.

(b) Unlawful Manufacturing. – Except as provided in G.S. 18B-306, it shall be unlawful for any person to manufacture any alcoholic beverage, except at an establishment with a Brew on Premises permit or a Winemaking on Premises permit, without first obtaining the applicable ABC permit and revenue licenses.

(c) Second Offense of Manufacturing. – A second offense of unlawful manufacturing of alcoholic beverage shall be a Class I felony. (1905, c. 498, s. 2; Rev., s. 3533; 1923, c. 1, ss. 4, 6, 26; C.S., ss. 3407, 3411(d), (f), (z); 1937, c. 49, s. 13; 1945, c. 635; 1951, c. 850; 1955, c. 560; 1957, c. 984; c. 1235, s. 1; 1969, c. 789; 1971, c. 872, s. 1; 1979, c. 699, s. 1; 1981, c. 412, s. 2; c. 747, s. 44; 1997-467, s. 1; 2006-222, s. 2.2; 2006-227, s. 2.)

**§ 18B-308. Sale and consumption at bingo games.**

It shall be unlawful to sell or consume, or for the owner or other person in charge of the premises to allow the sale or consumption of, any alcoholic beverage in any room while a raffle or bingo game is being conducted in that room under Part 2 of Article 37 of Chapter 14 of the General Statutes. (1905, c. 498, ss. 6-8; Rev., ss. 3526, 3534; C.S., s. 3371; 1937, c. 49, ss. 12, 16, 22; c. 411; 1955, c. 999; 1967, c. 222, ss. 1, 8; c. 1256, s. 3;

1969, c. 1018; 1971, c. 872, s. 1; 1973, c. 1226; 1977, c. 176, s. 1; 1977, 2nd Sess., c. 1138, ss. 8-12, 18; 1979, c. 384, s. 3; c. 609, s. 2; c. 718; c. 893, s. 10; 1981, c. 412, s. 2; 1983, c. 896, s. 4.)

**§ 18B-309. Alcoholic beverage sales in Urban Redevelopment Areas.**

(a) A food business as defined in G.S. 18B-1000(3), a retail business as defined in G.S. 18B-1000(7), or an eating establishment as defined in G.S. 18B-1000(2) that holds an ABC permit under this Chapter and is located in a part of a city that has been designated as an Urban Redevelopment Area under Article 22 of Chapter 160A of the General Statutes shall not have alcoholic beverage sales in excess of fifty percent (50%) of the business's total annual sales. The city council, or its designee, shall file a certified copy of the official action and original documents, including a map or similar information, designating the area as an Urban Redevelopment Area. The Commission shall make this information available to any permittee who makes a request for this information to the Commission.

(b) Upon request of a city, the Commission shall investigate the total annual alcohol sales and total sales of a business as defined in this section. The Commission shall report the results of such an investigation to the city council, and the report shall contain only the percentage of annual alcohol sales in proportion to the business's total annual sales. A city may request an investigation of a particular business by the Commission only once in each calendar year. These audits may be conducted by the Commission only upon the request of the city council.

(c) Businesses covered by this section shall maintain full and accurate monthly records of their finances, separately indicating each of the following:

- (1) Amounts expended by the business for the purchase of alcoholic beverages and the quantity of alcoholic beverages purchased;
  - (2) Amounts collected from the sale of alcoholic beverages sold; and
  - (3) Amounts collected from the sale of food, nonalcoholic beverages, and all other items sold by the business.
- Records of purchases of alcoholic beverages and sales of alcoholic beverages shall be filed separate and apart from all other records maintained on the premises, and all records related to alcoholic beverages, including original invoices, shall be maintained on the premises for three years and shall be open for inspection and audit pursuant to G.S. 18B-502. (1999-322, s. 1; 2001-515, s. 3(a).)

**§§ 18B-310 through 18B-399. Reserved for future codification purposes.**

**FEDERAL**

Federal law penalizes the unlawful manufacturing, distribution, use, sale, and possession of controlled substances. The penalties vary based on many factors, including the type and amount of the drug involved, and whether there is intent to distribute. Federal law sets penalties for first offenses ranging from less than one year to life imprisonment and/or fines up to \$10 million. Penalties may include forfeiture of property, including vehicles used to possess, transport, or conceal a controlled substance; the denial of professional licenses or Federal benefits, such as student loans, grants, and contracts; successful completion of a drug treatment program; community service; and ineligibility to receive or purchase a firearm. Federal law holds that any person who distributes, possesses with intent to distribute, or manufactures a controlled substance on or within one thousand feet of an educational facility is subject to a doubling of the applicable maximum punishments and fines. See the Federal Controlled Substances Act at 21 USC 800.

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## SCHOOL SANCTIONS \*\*

### **(APPLIED TO ALL CATEGORIES OF SUBSTANCES)**

The following are prohibited under the Code of Conduct applicable to students:

- Use, possession or distribution of narcotic or other controlled substances, except as expressly permitted by law, or being under the influence of such substances.
- Use, possession or distribution of alcoholic beverages, except as expressly permitted by law and DeVry University regulation; or public intoxication.

The sanctions listed below may be imposed upon any covered person found to have violated the Code of Conduct. The listing of the sanctions should not be construed to imply that covered persons are entitled to progressive discipline. The sanctions may be used in any order and/or combination that DeVry University deems appropriate for the conduct in question.

- a) Warning - A verbal or written notice that the respondent is in violation of or has violated DeVry University regulations.
- b) Probation - A written reprimand with stated conditions in effect for a designated period of time, including the probability of more severe disciplinary sanctions if the respondent is found to be violating any DeVry University regulation(s) during the probationary period.
- c) Fines - Fines may be imposed, as determined or approved by DeVry University.
- d) Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- e) Housing Suspension - Separation of the respondent from his or her DeVry University controlled housing for a definite period of time. Conditions for readmission to housing may be specified.
- f) Housing Expulsion - Permanent separation of the respondent from DeVry University controlled housing.
- g) DeVry University Suspension - Separation of the respondent from DeVry University for a definite period of time, after which the respondent is eligible to return. Conditions for readmission may be specified.
- h) DeVry University Expulsion - Permanent separation of the respondent from all DeVry University locations and DeVry Education Group institutions.

### **FACULTY AND STAFF**

Colleagues of the institution are prohibited from:

- While performing school business under the influence of a controlled substance
- possession, use, sale of a controlled substance
- furnishing a controlled substance to a minor.

Sanctions for this violation could lead up to termination of employment.

\*\*These sanctions are in addition to any criminal sanctions that may be imposed. Student colleagues are subject to both colleague and student sanctions.

## LOCAL TREATMENT RESOURCES

The following is a sampling of local area information and treatment resources. A more comprehensive listing of available counseling and treatment programs can be obtained in the Student Central.

### Alcoholics Anonymous

(704) 332-4387

(877) 233-6853

### Mecklenburg County Alcohol and Drug Treatment

(704) 336-3067

### Carolinas Medical Center Horizons Outpatient Services

(704) 446-0391



RHA Behavioral Health Services – Charlotte ACCESS

(704) 522-5424

Narcotics Anonymous

(704) 366-8980

Legacy Freedom Treatment Centers

(704) 930-2456

## **STUDENT RIGHTS UNDER FERPA**

*(The Family Educational Rights and Privacy Act)*

DeVry University respects the rights and privacy of its students and acknowledge the responsibility to maintain confidentiality of personally identifiable information.

FERPA is a federal law that affords students the following rights with respect to their education records:

1. THE RIGHT TO INSPECT AND REVIEW THE STUDENT'S EDUCATION RECORDS

Students have the right to review their education records within 45 days of the day the institution receives their request. Students should submit to the registrar, dean, or head of the academic department written requests that identify the record(s) they wish to inspect. The institution official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the official to whom the request is submitted does not maintain the records, that official will advise the student of the correct official to whom the request should be addressed.

2. THE RIGHT TO SEEK AN AMENDMENT OF INACCURATE OR MISLEADING INFORMATION

Students may ask the institution to amend a record that they believe is inaccurate or misleading. They should write to the official responsible for the record, clearly identify the part of the record they believe should be changed and specify why it is inaccurate or misleading. If the institution decides not to amend the record as requested by the student, the student will be notified of the decision and advised of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when they are notified of the right to a hearing. Following the hearing, if the institution still decides not to amend the record, the student has a right to place a clarifying statement in the record. The institution is not required to consider requests for amendment to grades or disciplinary decisions.

3. THE RIGHT TO LIMIT DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION

Students have the right to consent to disclosure of personally identifiable information contained in their educational records, except to the extent that FERPA authorizes disclosure without consent. An exception that permits disclosure without consent is disclosure to school officials who have legitimate educational interests, and the disclosure of directory information. Directory information is not considered to be harmful or an invasion of privacy if disclosed. See additional information on next page.

4. THE RIGHT TO FILE A COMPLAINT WITH THE U.S. DEPARTMENT OF EDUCATION IF THE INSTITUTION FAILS TO COMPLY WITH FERPA REQUIREMENTS

Complaints should be directed to:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

## **DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (FERPA) designates certain student information as “Directory Information” and gives the institution the right to disclose such information without having to ask students’ permission. The items listed below as “Directory Information” may be released for any purpose at the discretion of the institution. Under the provisions of FERPA, students have the right to withhold the disclosure of any or all of the categories of information listed below. **The following information will be released unless students specifically request that their information be withheld:**

- **Directory Information:** Name, address, telephone number, email address, date and place of birth, dates of attendance, previous institution(s) attended, major field of study (program), enrollment status, degrees and awards, past and present participation in officially recognized activities.
- **Hometown program:** Through DeVry’s Hometown program, information regarding students’ enrollment, activities, honors, graduation, awards and employment may be released to newspapers, students’ high schools, and various DeVry departments for informational and promotional materials it publishes.
- **Career Services:** Students approaching graduation and working with career services staff on career planning, job interviewing and resume preparation authorize release of the following records for a period of fifteen months after graduation: the resume, identifying data, academic work completed, immigration status (if applicable), and authorize career services to verify information graduates provide regarding their employment. At no time is compensation information released or published.

### To Withhold Information

To have directory, hometown program or career services information withheld, students must submit a written request to the Registrar. Once filed, this request becomes a permanent part of the student’s record and no information may be released until the student instructs the institution otherwise.

## **VOTER REGISTRATION**

As a participant in Title IV Federal Student Financial Aid programs, DeVry University would like to remind students who are U.S. citizens of the importance of registering to vote.

If you are interested in participating in local, state, or national elections, please visit the Election Assistance Commission website at [www.eac.gov/voter\\_resources/register\\_to\\_vote.aspx](http://www.eac.gov/voter_resources/register_to_vote.aspx) to learn how you can register to vote.

## **UNAUTHORIZED DISTRIBUTION OF COPYRIGHTED MATERIALS**

DeVry University strives to provide access to varied materials, services and equipment for students, faculty and staff and does not knowingly condone policies or practices that constitute an infringement of Federal copyright law. Transmitting or downloading any material that you do not have the right to make available and that infringes any patent, trademark, trade secret, copyright or other proprietary rights of any party is prohibited.

Installing or distributing pirated or unlicensed software is also forbidden. Violation of these requirements may subject students, faculty and staff to civil and criminal liabilities. Students, faculty or staff who violate federal copyright law do so at their own risk. Copyright status is applied to a work as soon as it is created. Users should assume that all writings and images are copyrighted.

Title 17 of the United States Code (17 USC §501 et seq.) outlines remedies for copyright infringement that may include some or all of the following: obtaining an injunction to stop the infringing activity; impounding and disposing of the infringing articles; an award to the copyright owner of actual damages and the profits of the infringer, or in the alternative, an award of statutory damages which may be increased if the infringement is found to be willful; an award of two times the amount of the license fee a copyright owner could have gotten; an award of the full costs incurred in bringing an infringement action, and the award of attorney’s fees; and for criminal copyright infringement, fines and imprisonment.

DeVry University maintains a campus network to support and enhance the academic and administrative needs of our students, faculty and staff. DeVry University is required by Federal Law – H.R. 4137 to make an annual disclosure informing students that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. DeVry University takes steps to detect and punish users who illegally distribute copyrighted materials.

DeVry University reserves the right to suspend or terminate network access to any campus user that violates this policy and Network access may be suspended if any use is impacting the operations of the network. Violations may be reported to appropriate authorities for criminal or civil prosecution. The existence and imposition of sanctions do not protect members of the campus community from any legal action by external entities.

### **Alternatives to Illegal Downloading**

Illegal downloads hurt artists and deter the incentive to create. U.S. laws protect the rights of individuals regarding their own works. Below are lists of sites that offer free or inexpensive products that you can use without violating copyright law.

#### **FREE AND LEGAL**

##### **Clipart:**

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

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

##### **Fonts:**

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

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

##### **Photos:**

<http://www.freefoto.com/index.jsp>

<https://www.photospin.com/Default.asp?>

##### **Music:**

<http://download.cnet.com/windows/>

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

<http://betterpropaganda.com/>

**DEVRY UNIVERSITY-CHARLOTTE ANNUAL CAMPUS CRIME STATISTICS**  
**Reported in accordance with Uniform Crime Reporting procedures and the**  
**Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act**

	<u>On Campus</u>			<u>Public Property</u>		
Total Crimes Reported for:	2014	2015	2016	2014	2015	2016
<b><u>Criminal Offenses (includes attempts)</u></b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Sexual Assault - Rape	0	0	0	0	0	0
Sexual Assault - Fondling	0	0	0	0	0	0
Sexual Assault - Incest	0	0	0	0	0	0
Sexual Assault - Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	1	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	1
Arson	0	0	0	0	0	0
<b><u>HATE CRIMES</u></b>						
	2014	2015	2016	2014	2015	2016
If there are any hate crimes to report, please enter count here and narrative description below.	0	0	0	0	0	0
<b><u>VAWA Offenses</u></b>						
	2014	2015	2016	2014	2015	2016
Domestic violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b><u>Arrests</u></b>						
	2014	2015	2016	2014	2015	2016
Weapons: carrying, possession, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
<b><u>Referral for Disciplinary Actions</u></b>						
	2014	2015	2016	2014	2015	2016
Weapons: carrying, possession, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
<b><u>Hate Crimes</u></b>	<i>Provide narrative description of any incidents occurring during the three most recent calendar years. Include date, geographic location, and category of prejudice and offense type.</i>					
Prejudice Categories:						
Race, Religion						
Sexual Orientation	Example: "2013: One on-campus robbery characterized by religious bias."					
Gender, Gender Identity						
Disability						
Ethnicity						
National Origin						
On campus or public property:	2014	2015	2016			
<b><u>Total Unfounded Crimes</u></b>	0	0	0			