

DRUG PREVENTION POLICY

The Institute of Advanced Medical Esthetics believes that it is very important to provide a safe environment for all of its students and staff. Substance abuse, while at work, school or otherwise, seriously endangers the safety of students and staff, as well as the general public, and creates a variety of problems including increased theft, decreased morale, decreased productivity, and a decline in the quality of services provided. It is also our Policy to prevent the use and/or presence of these substances in the school. The Institute of Advanced Medical Esthetics will strive to provide an environment conducive to making conscientious and healthy decisions when students are faced with difficult choices associated with the use of legal and illegal drugs.

It is a violation of school policy for any student to:

- Use illegal drugs or misuse prescription drugs;
- Misuse alcohol;
- Possess, trade, manufacture, distribute, dispense, buy or offer for sale alcohol, illegal and/or prescription drugs while on duty, during break periods, or on school property;
- Arrive or return to school intoxicated from use of illegal drugs, misused prescription drugs or alcohol;
- Engage in the use of illegal drugs, misuse of prescription drugs or alcohol during school hours or while on school property (including parking lots);
- Use prescription drugs or non-prescription drugs that may affect the safety of the student or fellow students, and members of the public;
- Have tampered or attempted to alter or attempt to interfere with the testing procedure; or
- Otherwise has refused to be tested.

For the purpose of this Policy, a student is presumed to be under the influence of drugs and/or alcohol if a urine test, blood test or other scientifically acceptable testing procedures shows a forensically acceptable positive quantum of proof of drugs and/or alcohol usage.

Any student, who is taking any prescription or non-prescription drug, which might impair safety, performance, or any motor functions, must advise his/her Instructor or the Institute of Advanced Medical Esthetics' Director before providing services under such medication.

Students are individually responsible for being aware of applicable laws, regulations, ordinances, and the Institute's policy for complying with them. The Institute of Advanced Medical Esthetics will assist in that endeavor by providing current information on an ongoing basis to all students.

Drug & Alcohol Testing

Reasonable Suspicion Testing:

Reasonable suspicion testing will occur when an Instructor or an Institute Director has reason to suspect that a student may be in violation of this Policy. The suspicion must be documented in writing within 24 hours of the event or prior to the release of the test findings. Reasonable suspicion testing may be based upon, among other things:

- Observed behavior, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of drug and/or alcohol use;
- A pattern of abnormal conduct or erratic behavior;
- Arrest or conviction for a drug-related offense, or the identification of a student as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The student is responsible for notification of the Institute of Advanced Medical Esthetics within five (5) business days, of any drug-related conviction;
- Information provided either by reliable and credible sources or independently corroborated regarding a student's substance use; or
- Newly discovered evidence that the student has tampered with a previous drug or alcohol test.

Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. To prevent this, all instructors will be trained in the recognition of drug and alcohol-related signs and symptoms. Testing may be for drugs or alcohol or both.

Reasonable Search:

To ensure that illegal drugs and alcohol do not enter or affect the school, the Institute of Advanced Medical Esthetics reserves the right to search all vehicles, containers, bags, personal belongings, or other items on school property in furtherance of this Policy. Individuals may be requested to display personal property for visual inspection upon the Institute's request. Searches will be conducted only where the Institute of Advanced Medical Esthetics has reason to believe that the student has violated the Institute's Policy. Failure to consent to a search or display of personal property for visual inspection will be grounds for discipline, up to and including termination from the program or denial of access to school premises. Searches of a student's personal property will take place only in the student's presence. All searches under this Policy will occur with the utmost discretion and consideration for the student involved. Individuals may be required to empty their pockets, but under no circumstances will a student be required to remove articles of clothing to be physically searched.

Student Assistance:

The Institute of Advanced Medical Esthetics holds all students accountable in terms of substance use but also supports getting help for students. Students who come forward voluntarily to identify that they have a substance problem will not be reprimanded. It is important for the student to come to an understanding regarding the extent of the problem in order to correct the problem and be able to avoid future usage in violation of the Institute's Policy. This is required in order to correct the problem and be able to avoid violating the Institute's Policy in the future. If the student is willing to actively engage in resolving the substance use problem, the Institute will refer the student to a Substance Abuse Professional for an assessment and possible outpatient counseling at the student's expense. This leave will be conditioned upon receipt of reports from the treatment providers that the student is cooperating

and making reasonable progress in the treatment program. The student will be permitted to return to school only if (s) he passes a drug /alcohol test and has satisfactory medical evidence that (s) he is fit for attendance.

This protection does not cover a student who confesses a problem after an incident or accident that requires a substance use test, or after being notified that a reasonable suspicion test is required.

Specimen Collection, Testing, and Results:

Testing shall be conducted by a trained collection person, who meets quality assurance and chain-of-custody requirements. A student who tests positive will be given an opportunity to explain the findings to the testing professional reviewing the test results. If it is proven the substances are medically necessary to the standards of the testing professional, the test result will be negative. A failure on the part of the student to provide such evidence will result in the issuance of a positive report.

All records of drug/alcohol testing will be stored separately and apart from the student's general files. These records shall be maintained under lock and key at all times. Access is limited to designated officials. Those designated officials that shall have access to these records are charged with the responsibility of maintaining the confidentiality of these records.

Disciplinary Action:

Violation of this Policy will result in the student's immediate termination. The student's file will list the reason for termination as "an immediate termination offense" as that term is defined in the Institute's Student Handbook. Re-admittance may be considered after 60 days. To be considered for re-admittance, the student must provide proof of having satisfactorily attended treatment that is provided by a Substance Abuse Professional (SAP) and/or prescribed by a SAP and completed a drug and/or alcohol test, determined by which test was previously positive, with a negative test result. If the student is re-admitted, (s) he must complete the prescribed follow-up testing by the SAP or by law, as applicable, to continue attending the Institute of Advanced Medical Esthetics. Treatment and follow-up testing will be at the expense of the student. The Institute of Advanced Medical Esthetics may terminate a student who has entered a rehabilitation program for violations of the Drug Free School Policy or any other school policy in accordance with the procedures set forth in the Student Handbook.

Confidentiality:

All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the Institute of Advanced Medical Esthetics as part of this drug testing program are confidential communications. Unless authorized by state laws, rules or regulations, the Institute will not release such information without a written consent form signed voluntarily by the person tested. Information on drug testing results will not be released unless such information or records are compelled by a court or a professional or occupational licensing board.

School Flexibility:

The Institute of Advanced Medical Esthetics reserves the right to alter or amend any portion of this policy at any time without prior notice. The Institute reserves the right to alter or modify this policy in a given situation depending on the totality of the circumstances. Time periods stated herein for the performance of any act or provision of any notice by the Institute are for guidance only and failure of the Institute of Advanced Medical Esthetics to strictly meet any time frame provided herein shall not preclude the Institute from taking any action provided herein. Under no circumstances shall failure to perform any act within the time frames herein excuse or relieve any student from his or her obligations, act to nullify any positive test, or relieve any student from the consequences of any positive test, or any other violation of this Policy.

DRUG-FREE SCHOOLS AND COMMUNITIES ACT

Drug Free Schools and Communities Act (DFSCA) The Drug-Free Schools and Communities Act (DFSCA) of 1989 - also known as the Drug-Free Schools and Campuses Act - requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs. The DFSCA also requires the establishment of a drug and alcohol prevention program.

See associated policy below.

DRUG AND ALCOHOL PREVENTION PROGRAM:

Since Institute is eligible to participate in Federal Title IV Financial Aid programs, the school certifies to the Department of Education that it operates an alcohol and drug-free campus. The Institute fully supports the prevention of alcohol and drug abuse by employees and students. Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our schools and our community. The U.S. Department of Education requires institutions of higher education to implement a drug prevention and awareness program for their students and employees through the Safe and Drug Free Schools and Communities Act. All students are expected to conduct themselves as mature adults and as members of an academic community. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol

IAME provides assistance to employees or students dealing with drug and/or alcohol abuse, as well as referrals to outside agencies and programs. The effects of drugs and alcohol can be devastating and affect not only ourselves but also our loved ones. The use and abuse of drugs and alcohol can lead to physical and psychological health problems such as liver damage and

psychotic behavior. As well, substance abuse impairs coordination and thinking. Long-term use can result in permanent damage to the brain, elevated blood pressure and heart rate, risk of stroke, heart failure, respiratory depression and failure, pneumonia, tuberculosis, lung abscesses, increased risk of mouth and throat cancer, alcoholic fatty liver, hepatitis, and cirrhosis, duodenal ulcers, reflux, diarrhea, impaired judgment and verbal ability, apathy, introversion, antisocial behavior, inability to concentrate, and deterioration of relationships with family, friends, and co-workers. The severity of health problems depends on the type, intensity, and longevity of the drug or alcohol use. Even short term use runs the risk of overdose and possible death. Prolonged, excessive drinking can shorten life span 10-12 years. Drinking or using illegal drugs while pregnant can cause pre-term health problems as well as permanent birth defects post-term.

All drug and alcohol information is contained in our School Handbook/Catalog and discussed during orientation for every class. IAME maintains drug and alcohol education information and a list of counseling and support services in the administration office as well as in the common areas in the school. All students and staff are made aware of the following information:

Drug and Alcohol Counseling

Institute provides assistance to employees or students dealing with drug and/or alcohol abuse, as well as referrals to outside agencies and programs.

Social Service Organizations **Henrico County Social Services & Department of Human Services**

8600 Dixon Powers Drive.Henrico, VA 23228 (804) 501-4001

Alcoholics Anonymous Virginia Area

5310 Markel Rd #108 Richmond, VA 23230 (703) 281-7501

National Clearinghouse for Drug Abuse Info.

11426 Rockville Pike, Suite 200 Rockville, MD 20852 (301) 468-2600 (800) 729-6686

Richmond Area of Narcotics Anonymous

PO Box 26249 Richmond, VA 23260 (804) 965-1871

National Domestic Violence Hotline

PO Box 161810 Austin, TX 78716 (800) 799-SAFE

VA Family Violence and Sexual Assault Hotline: 1-800-838-8238

Local State & Federal Laws for Drugs & Alcohol Virginia State Statutes

The Commonwealth of Virginia and the Virginia State Alcoholic Beverage Control Board have enacted a variety of laws and regulations that govern alcoholic beverages. They are

summarized as follows:

1. Persons under the age of 21 are prohibited from possessing or consuming beer, wine, liquor, or other alcoholic beverages. Persons found in violation of this statute may be fined up to \$2500 and imprisoned for a period of not more than 12 months. In addition, such person's Virginia driver's license may be suspended for a period of not more than 1 year.
2. Persons may be fined up to \$100 for drinking in public.
3. Persons found in possession of a false driver's license may be fined up to \$1000 and imprisoned for a period not to exceed 12 months. Driving privileges may be revoked for 30 to 365 days.
4. It is illegal for intoxicated persons, regardless of age, to purchase or to possess alcoholic beverages.
Persons in violation of this statute may be fined up to \$1000 and imprisoned for a period not to exceed 12 months.
5. It is illegal to serve or sell alcoholic beverages to persons who are intoxicated or suspected of being under the legal drinking age. It is also illegal to purchase alcoholic beverages for such persons. Individuals believed to be intoxicated are prohibited from remaining in an area where alcoholic beverages are served. Persons found in violation of these statutes may be fined up to \$1000 and imprisoned for a period not to exceed 12 months.
6. It is illegal to drive while under the influence of alcohol. Individuals are considered impaired if their blood alcohol content (BAC) exceeds .08. Persons under the age of 21 who drive with a BAC of at least .02 but less than .08 may be fined up to \$500 and have their driver's license suspended for up to six months. Persons with a BAC of .08 or higher or persons refusing a breath test will have their driver's license automatically revoked.
7. It is illegal to purchase alcoholic beverages from any person not licensed to sell them, to sell alcoholic beverages without the appropriate license, and to consume alcoholic beverages in any unlicensed public area.

Controlled Substances - CSA Schedule

In compliance with the Drug-Free Workplace Act of 1988, the Drug-Free Communities and Schools Act Amendments of 1989, and the Commonwealth of Virginia's Policy on Alcohol and Other Drugs of 1991, the following summary is provided for your information. Controlled substances are classified under the Controlled Substances Act into "schedules" that indicate their relative medicinal use and probability of abuse and dependence (addiction). The Institute's policy addresses these controlled substances.

Controlled Substances Schedules

Schedule I: The drug or other substance has a high potential for abuse. The drug or other substance has no currently accepted medical use in treatment in the United States. There is a

lack of accepted safety for use of the drug or other substance under medical supervision. Some Schedule I substances are heroin, LSD, marijuana, GHB, MDMA (Ecstasy), and methaqualone.

Schedule II: The drug or other substance has a high potential for abuse. The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions. Abuse of the drug or other substance may lead to severe psychological or physical dependence. Schedule II substances include morphine, PCP, cocaine, methadone, Ritalin, and methamphetamine.

Schedule III: The drug or other substance has a potential for abuse less than the drugs or other substances in Schedules I and II. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence. Anabolic steroids, codeine and hydrocodone with aspirin or Tylenol, Ketamine, and some barbiturates are Schedule III substances.

Schedule IV: The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Included in Schedule IV are Darvon, Talwin, Equanil, Valium, Rohypnol, and Xanax.

Schedule V: The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV. Over-the-counter cough medicines with codeine are classified in Schedule V.

Federal Penalties:

The law prescribes ranges of permissible penalties upon conviction. As required by the Federal Safe and Drug-Free Communities and Schools Act of 1994, the pertinent state laws, including sanctions for their violation, are summarized below:

1. Possession of a controlled substance classified in Schedule I or II of the Drug Control Act, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment ranging from one to ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
2. Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
3. Possession of a controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is

confinement in jail for up to six months and fine up to \$1,000, either or both.

4. Possession of a controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to \$500.

5. Possession of a controlled substance classified in Schedule I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a felony conviction for which the punishment is imprisonment from five to forty years and a fine up to \$500,000. Upon conviction, the violator must be imprisoned for not less than five years, but may suffer life imprisonment, and a fine up to \$500,000.

6. Possession of a controlled substance classified in Schedules III, IV, or V of the Drug Control Act or an imitation controlled substance which imitates a controlled substance classified in Schedule III, IV, or V, except for an anabolic steroid classified in Schedule III constituting a violation of Virginia Code 18.2-248.5 , with the intent to sell or otherwise distribute, upon conviction exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to \$2,500, either or both.

7. Possession of marijuana, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to thirty days and a fine up to \$500, either or both. Upon a second conviction, punishment is confinement in jail for up to one year and fine up to \$2,500, either or both.

8. Possession of less than one-half ounce of marijuana with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than one-half ounce to five pounds, the crime is a felony with a sanction of imprisonment from one to ten years, or in the discretion of the jury or court trying the case without jury, confinement in jail for up to one year and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than five pounds, the crime is a felony with a sanction of imprisonment from five to thirty years.

9. Notwithstanding the previously mentioned provisions, Rohypnol shall be deemed to be listed on Schedule I for the purposes of penalties for violations of the Drug Control Act. Any person knowingly manufacturing, selling, giving, distributing, or possessing Rohypnol shall be punished under the penalties prescribed for other Schedule I controlled substances

STUDENT SPECIFICS

CONDUCT POLICY/RULES & REGULATIONS (excerpt specific to alcohol/drugs)

Codes of Practice are guidelines designed to promote an efficient, effective, and pleasant educational atmosphere. By becoming aware of what we expect from you and what you can expect from us, we hope to eliminate any misunderstanding that would serve to make your tenure with us any less than the great experience we know it can be.

I. **Alcohol/Drugs:** All students must be in fit mental and physical condition to perform the work required. No alcohol or drugs are tolerated anywhere on the premises. Possession or use of either will be grounds for immediate dismissal. The Institute prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employee on campus or attending a school function.

Immediate dismissal for the day and possible probation or termination will occur. Severity of charges will be determined by Campus Director. Do not store alcohol, illegal or prescription drugs in your locker or personal work stations. We reserve the right to perform announced or unannounced locker searches at any time during business hours if a student is suspected of violating any of the Standards of Conduct. Violation will result in immediate termination.

DISCIPLINARY POLICIES

Students and Staff must understand that any infraction of the Standards of Conduct, General Policies or the Enrollment Agreement could result in any of the following disciplinary actions:

GENERAL PROBATION: This is separate from Federal Financial Aid SAP probation. A Student may be placed on a specified time of probation for any infraction of the Standards of Conduct, General Policies or the Enrollment Agreement. If the Student does not correct the problem, he/she will be placed on a second probation. If the problem is not corrected during the second probationary period, he/she may be suspended for three days or dismissed permanently at the discretion of the Director of School.

SUSPENSION: Enrollment may be immediately suspended for up to three days for infraction of the Standards of Conduct or General Policies or the Enrollment Agreement at the discretion of the school administration. The suspension time allotted for any violation will not extend the Student's contract end date. This could result in extra instructional charges for the Student.

DISMISSAL - TERMINATION: Enrollment may be terminated at the discretion of school administration for any reason deemed necessary to maintain the positive educational environment and general objectives of the institution or for reasons list under immediate termination – including but not limited to:

Engaging in the manufacture, distribution, dispensation, possession or use of prescription or illegal drugs or alcohol

EMPLOYEE/STAFF SPECIFICS

As a condition of employment, every employee shall abide by the terms of this and all policies pertaining to the School. Any employee who violates this or any policy is subject to Institute sanctions, including immediate termination of employment, as well as criminal sanctions from federal, state, or local law if applicable.

An employee may be required to participate in a drug abuse or drug rehabilitation program. An employee must notify Director of Schools of any criminal drug or alcohol conviction for a violation occurring in the Institute workplace no later than 5 days after such conviction. It is also a condition of employment that employees understand and support all policies for the prevention of drug and alcohol abuse on Campus.

BIENNIAL REVIEW

Institute

conducts a biennial review of its drug and alcohol prevention policy to first, determine its effectiveness, secondly, implement changes to the program as they are needed and lastly, to help determine the number of drug and alcohol-related violations and fatalities that occur on or near our campus's.

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The reports are written and filed by the Director of School or assigned coordinator, and are maintained in the Administration office for full view to interested parties upon request.

This process also ensures that the disciplinary sanctions described in the ASR are consistently enforced. Any Student or Staff member who violates this or any policy is subject to Institute sanctions, including immediate termination of enrollment/employment, as well as criminal sanctions from federal, state, or local law if applicable.

The possession, use or distribution of potentially harmful drugs such as marijuana, hallucinogens, amphetamines, barbiturates and opiates is illegal and subject to very harsh penalties. Although Institute does not assume the responsibility of acting as an arm of the law, members of our Campus's have no immunity from enforcement of the law. Use of many of these drugs may threaten the physical and mental health of the user. Use by one student may also threaten the welfare of other students. Distribution by any student clearly threatens the welfare of the entire community.