

# DRUG PREVENTION POLICY

The Aveda Institute believes that it is very important to provide a safe environment for all of its students and Team Members. Substance abuse, while at work, school or otherwise, seriously endangers the safety of students and Team Members, 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 Aveda Institute 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 an Institute 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 Aveda Institute 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 of Education 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 Aveda Institute 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 Aveda Institute reserves the right to search all vehicles, containers, lockers, 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 Aveda Institute 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 Aveda Institute 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 "a Major Standard Violation" 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 Aveda Institute. Treatment and follow-up testing will be at the expense of the student. The Aveda Institute 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 Aveda Institute 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 Aveda Institute 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 Aveda Institute 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.