



## **DRUG FREE WORKPLACE POLICY**

### **POLICY**

Avalon School of Cosmetology seeks to promote a healthy and responsible campus environment which is conducive to teaching and learning.

The following policy is to notify all employees and students that in compliance with **MnSCU Policy 5.18** and the **Federal Drug Free Workplace Act of 1988 (Public Law 101-690)** that Avalon School of Cosmetology prohibits employees or students from being under the influence, using, possessing, manufacturing, selling, or otherwise distributing, any alcoholic beverage, illegal drug or any controlled substance in the workplace, on school property, or as part of any school activity, as well as any other unlawful conduct involving alcohol.

The drug free workplace consists of all Avalon School of Cosmetology property, including, but not limited to, all lecture classrooms, parking lots, the administrative office, storage rooms, lockers and student common areas.

### **EXCEPTIONS AND EXEMPTIONS**

The medically authorized use of a prescription drug is exempt from this policy.

### **HEALTH RISKS**

The abuse of illegal drugs or alcohol can cause serious detriment to a person's health and interferes with alertness, coordination, reaction, response, judgment, decision-making, or safety. The health risks associated with the misuse of the previously mentioned vary but may include and are not limited to: convulsions, coma, paralysis, irreversible brain damage, tremors, fatigue, paranoia, insomnia, and possible death. Working while under the influence of drugs or alcohol could be a danger to the individual under the influence, clients, coworkers, students or school staff.

### **DISCIPLINE**

Violators of this policy are subject to the following disciplinary sanctions, consistent with local, State, and Federal Law, including timely involvement of law enforcement agencies when appropriate.

- Employees found to have violated this policy will be subject to disciplinary action including, but not limited to any one or all of the following: oral and written reprimand, suspension, termination, requiring such employee to participate satisfactorily in an approved drug abuse assistance or rehabilitation program and referral for prosecution.
- Students found to have violated this policy will be subject to disciplinary action according to the Student Code of Conduct, including, but not limited to any one or all of the following: warning, confiscation, suspension, expulsion, requiring such student to participate satisfactorily in an approved drug abuse assistance or rehabilitation program and referral for prosecution.
- Avalon School of Cosmetology shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that a student or employee may have illegal drugs in his or her possession on school premises. Where appropriate, Avalon School of Cosmetology shall also notify licensing boards.

## LAWS RELATING TO DRUG VIOLATIONS

BELOW IS A LIST OF VIOLATION CODES ASSOCIATED WITH THE UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION, OR USE OF ANY CONTROLLED SUBSTANCE. ANY EMPLOYEE OR STUDENT VIOLATING ANY OF THE DESCRIBED LAWS OF THE HEALTH AND SAFETY CODE OR THE BUSINESS AND PROFESSIONAL CODE COULD BE SUBJECT TO FINES AND IMPRISONMENT.

FEDERAL TRAFFICKING PENALTIES DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES	
Cocaine (Schedule II)	500–4999 grams mixture	<p><b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	5 kgs or more mixture	<p><b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>	
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture		
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture		
Fentanyl Ana-logue (Schedule I)	10–99 grams mixture		100 grams or more mixture		
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture		
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture		
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture		
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount		<p><b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	1 gram				
Other Schedule III drugs	Any amount	<p><b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>			
All other Schedule IV drugs	Any amount				
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>			
All Schedule V drugs	Any amount		<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p>		

		<b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.
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## **MINNESOTA LAW - ALCOHOL**

Minnesota has many statutes which regulate and control the use and abuse of alcohol. For example, driving while under the influence (DUI) may result in a fine, jail time, and/or revocation of driver's license. Possession of alcohol under age 21 or use of false identification to purchase alcohol may result in a fine. Furnishing alcohol to persons under 21 is punishable by a fine and/or time in prison. Federal Law Violations of federal laws for possession, use, or distribution of illegal drugs carry mandatory penalties for first time offenders including: imprisonment, fines, loss of property, and loss of professional licensure.

Additional penalties may include the denial of federal student financial aid benefits or other federal licenses and benefits.

## **WHERE CAN EMPLOYEES OR STUDENTS GO FOR HELP?**

Alcohol & Drug Treatment Unit

315 1st Ave

Rock Rapids, IA

(712) 472-3442

New Life Treatment Center

130 Dakota Street

Woodstock, MN

(507) 777-4321

Keystone Treatment Center

1908 West 42nd Street

Sioux Falls, SD

(605) 335-1820

Avalon School of Cosmetology has a list of additional agencies on request.

## **Policy Distribution Procedures**

The Drug-Free Workplace Policy will be distributed to all employees and students on an annual basis using the following procedure:

- Students will receive a copy of the Drug-Free Workplace Policy at the time of initial enrollment. The enrollment agreement signed by every student will acknowledge receipt of the Drug-Free Workplace Policy.
- Employees will receive a copy of the Drug-Free Workplace Policy on their date of hire. It will be read, and the signature page will be returned to be put in the employee file.

Annually, the school director will be responsible for distributing the policy to current staff and employees.

## **Biennial Review**

The school conducts a biennial review of its Drug-Free Workplace Policy to determine the program's effectiveness, any needed changes, the number of drug- and alcohol-related violations

and fatalities, and the number and type of sanctions imposed. Contact the School Director to request a copy of the biennial review.

(06/18)



## Drug-Free Workplace Policy Acknowledgement of Receipt

By signing this document, the employee or student agrees to abide by Avalon School of Cosmetology's Drug-Free Workplace Policy and understands the sanctions associated with violating such policy.

Check one:

- Staff
  
- Student

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Print Name

SSN

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Signature

Date