

Drug Free/Weapon Free Policy

PURPOSE

It is the policy of Tri-State Cosmetology Institute (TSCI) to provide an educational setting free of alcohol and illegal drugs and to take reasonable measures to ensure that employee and/or student alcohol and drug use does not jeopardize the safety and health of our employees, our students, the public, the success of our operations, or adversely affect this institution.

The dangers of alcohol or drug abuse are far reaching. Such abuse can harm not only the health and safety of the abusing person, but their fellow students, instructors and the public as well. The safe and effective performance of the work that our students undertake demands each student's full attention and clear thinking. As a result, at TSCI every employee and student has a right to expect that all employees and students are drug and alcohol free and prepared to perform jobs and studies in as safe and effective manner as possible at all times. TSCI sees no reason to accept even a small risk that drug or alcohol use by employees or students might cause or contribute to accidents, unsafe practices or other performance problems.

As explained in this policy, it is TSCI's goal to provide an educational setting that is free from the illegal manufacture, distribution, dispensation, possession, sale and use of illegal drugs or alcohol. It is also the goal of TSCI to provide a safe educational setting by eliminating the hazards to health and job safety created by weapon use. Therefore, this policy is also written to set forth guidelines for a weapon free place of education. We believe these goals to be in the best interest of our employees and our students. For purposes of this policy, TSCI consists of the following location:

1120 Vista De Oro Dr., El Paso TX 79935

This policy is also written to inform each student/employee that it is against state and federal law for employees or students to possess, use or distribute illegal drugs or alcohol on TSCI property or as part of its activities. Violations of these laws, depending on the severity of the violation, may constitute a misdemeanor or felony. Accordingly, employees and students will be disciplined for possessing, using or distributing illegal drugs or alcohol in violation of this policy.

TSCI values its employees and students and, therefore, has a strong commitment to establish programs promoting high standards of health and safety for employees and students alike. Accordingly, TSCI will comply with the requirements of the Drug Free Workplace Act, Drug Free School and Communities Act as well as all other applicable Federal, State and local laws and regulations. Students or employees who use illegal drugs, abuse alcohol, or engage in controlled substance abuse tend to be less productive, less reliable, and prone to greater absenteeism. For these reasons, TSCI prohibits certain conduct as described in more detailed below. While TSCI has no intention of intruding into the personal lives of its students or employees, it is recognized that serious involvement with drugs or alcohol will affect work performance. Students or employees that have a drug or alcohol problem are strongly encouraged to seek assistance through one of the following Assistance Programs. See Appendix A for counseling services available in your student/employee catalog and Appendix B (at the end of this policy) for drug penalties.

SCHOOL POLICY ON ALCOHOL/DRUG ABUSE AND WEAPON USE:

Pursuant to its Drug/Alcohol Free Program, TSCI may conduct a reasonable search of an employee/ student and/or his/her work area, vehicle if driven or parked on school property, and other personal items such as a purse, wallet, equipment or briefcase. Continued employment and enrollment is conditional upon your submission to a reasonable search. The legal use of prescribed drugs or over the counter drugs is permitted on the job only if it does not impair an employee or student's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace/school.

Any of the following can result in immediate expulsion/termination from TSCI:

1. Manufacturing, distributing, dispensing, possessing, storing, selling, attempting to sell, purchasing, attempting to purchase, transferring or using alcohol or illegal drugs while on TSCI property or on TSCI time.
2. Being subject to the effects of alcohol or illegal drug while on school property or on school time.
3. Failing, when requested by the school to enroll in any alcohol or other drug treatment or counseling program and failing to adhere to the requirements of the program.

DRUG AND ALCOHOL TESTING:

Whenever TSCI officials have reasonable suspicion that a student has used illegal drugs, consumed alcohol on TSCI premises, or engaged in controlled substance abuse, they may require the student to go through necessary testing as prescribed by the school. Refusing consent to be tested for drugs or alcohol is reason for immediate termination.

CONSEQUENCES OF VIOLATION OF THE DRUG FREE POLICY:

- Violation of this policy may result in severe disciplinary action including discharge from TSCI, at either Vice Presidents' or President's discretion.
- Any student receiving Title IV aid will immediately lose eligibility for future disbursements in addition to being required to refund any unearned portion of their current financial aid.
- In addition to any disciplinary action, TSCI may in its sole discretion, refer the student to treatment or counseling program for illegal drug use or alcohol abuse.
- TSCI may also refer the student to a local law enforcement agency for prosecution for violations of the standards of conduct.

ZERO TOLERANCE WEAPONS POLICY:

TSCI recognizes that Texas has recently enacted a concealed handgun law. However, the right to carry a concealed handgun DOES NOT apply to our premises. TSCI is committed to providing a safe working environment for all of its employees, students and visitors. We observe the safety laws of both the federal and state government; however, safety is also every employee and student's responsibility. Therefore, all employees and students are requested to do everything reasonable and necessary to keep this a safe place to work and learn.

In order to continue to provide a safe campus, it is the policy of TSCI that all firearms or weapons of any type, concealed or unconcealed, are prohibited on TSCI premises.

Any violation of this policy will be grounds for immediate discharge and expulsion from the campus.

APPENDIX B

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture		
Substance/Quantity		Penalty		
Any Amount Of Other Schedule I & II Substances		First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid		Second Offense: 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.		
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: 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.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Any Amount Of All Schedule V Drugs		First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p>First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	<p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)</p>	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>1 to 49 marijuana plants</p>	
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	