

GENE JUAREZ

---

ACADEMY

**DRUG FREE SCHOOLS AND CAMPUSES**

**POLICY AND STANDARDS OF CONDUCT**

**Updated: 04/23/2010**

## **GENE JUAREZ ACADEMY DRUG FREE POLICY AND STANDARDS OF CONDUCT**

Drug use is the utilization of natural and/or synthetic chemical substances for non-medical reasons to affect the body, mind and behavior. Illegal drug use includes:

- Use of drugs that are legally prohibited.
- Use of a drug for purposes other than its prescribed use, or use and dosage for which it was sold
- Use of any product or substance that can produce a drug-like effect (glue, gasoline)
- Use of legal drugs in an inappropriate capacity (i.e. underage drinking – legal drinking age is 21)

First use is dangerous. Any use can lead to addiction. Drug and alcohol use negatively affects a person's life. The user suffers both physically and emotionally. He or she may lose everything: life, family, friends, income, freedom, and property.

Drugs and alcohol have a devastating impact on our society. In dollars, alcohol and drugs cost America over \$177 billion annually: employers lose productivity, taxpayer's money fund treatment programs for criminals and their victims and consumers pay higher insurance rates for automobiles, health and life. Alcohol and drugs alter the lives of people: family and friends of the alcohol/drug user, traffic fatalities, their families, as well as the victims of the crimes committed to support the drug habits.

Alcohol is the most abused drug in the United States. Although alcohol remains the primary cause of automobile crashes among young people, marijuana and cocaine are being found in increasing numbers. Appendix (B) provides a description of health risks associated with alcohol and drug use.

Staff and students, upon being hired by or enrolled in the Gene Juarez Academy, will receive a briefing and acknowledge in writing that they understand the provisions of the Drug Free Workplace Act of 1988 and Gene Juarez Academy's drug free policy. Appendix (D) provides the Drug Free Policy Statement.

Gene Juarez Academy staff and students are required to report to work or school on time and in appropriate mental and physical condition. Staff and students are prohibited from the unlawful manufacture, distribution, dispensation, possession or use of illicit drugs or alcohol.

This prohibition applies while on the property of the school or participating in any school-related or representative functions, on or off campus. Staff and students who violate this policy will be subject to disciplinary action up to and including termination of employment or enrollment and all avenues of legal recourse. It is our intent and obligation to provide a drug free, healthy, safe and secure workplace.

Students are reminded that prior to accepting a Pell Grant they must certify that they will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the period covered by the Pell Grant. A Pell Grant recipient convicted of a criminal drug offense resulting from a violation occurring during the period of enrollment covered by the Pell Grant must report the conviction, in writing, within ten (10)

calendar days of the conviction to the Director of Grants and Contracts Service, U.S. Department of Education, 400 Maryland Ave. S.W., Rm. 3073, FOB-6, Washington D.C. 20202-4571. Failure to report the conviction constitutes a violation of the Drug Free Workplace regulations. Penalties may include limitation, suspension, termination procedures and debarment.

Staff must notify the Executive Director of Administration in writing of a conviction of a criminal drug statute occurring in the workplace within five (5) calendar days after receiving the conviction. Disciplinary action will take place within thirty (30) days of notification and can range from mandatory counseling and successful completion of an approved Federal, State, local or other appropriate rehabilitation program, referral for prosecution, to termination of employment.

Treatment is available and may be expensive. For example, a typical live-in program lasting four weeks can cost from \$5000 to \$15,000. Out-patient programs can cost from \$1000 to \$5000. There may be programs to assist or cover these costs, though treatment is usually an expense borne by the patient. Eventually, both the person and the taxpayer pay. It has been proven that a drug or alcohol-addicted individual cannot just stop. It takes professional care for that person to recover.

There are classic danger signals that could indicate signs of drug use:

- Abrupt changes in personality, attitude, or mood
- Strong resistance to discipline or authority
- Continuing decline in work/school performance or attendance
- Increased borrowing of money
- Heightened secrecy
- Possession of drug-relation paraphernalia
- Increased hostility and aggressiveness
- Withdrawal from family and friends.

We strongly recommend that any person observing any of the above signs in either staff or students immediately notify the Employee Assistance Program (See Appendix C) with the facts of the observation. Identity is kept confidential. If the General Manager or the Executive Director is notified, they will forward all information directly to the Employee Assistance Program. Caution must be observed not to wrongly accuse a person suspected of alcohol or drug use.

Once it has been determined by Academy management that assistance to overcome a drug problem is necessary, the individual should be counseled on that need for assistance. Records must be accurately maintained of any counseling efforts provided to the individual. The school can only offer advice in a limited manner and ultimate responsibility for action falls with the individual. If the individual is in danger of harming himself or others, local law authorities should immediately be contacted or call 9-1-1.

Gene Juarez Academy recognizes drug use and dependency as an illness and a grave health problem. The Academy also recognizes drug use as a serious safety and security issue. Staff and students needing help in dealing with such problems are encouraged to use our Employee Assistance program and health insurance plans, as appropriate. Appendix (C) lists area drug/or alcohol treatment and recovery information resources.

Here are a few legal facts of which you should be aware:

1. Possession of drugs is a crime for which you could be charged, even if the drugs are not yours.
2. The sale of fake drugs is a crime that carries stiff penalties for violators.
3. You can be arrested if you are in a house, school, area, or vehicle where people have, or are using drugs, even though you are not.
4. You are considered to be in possession of drugs, under legal terms of “constructive possession”, if you have drugs in your locker, any personal carrying case, vehicle or house.

There are numerous legal sanctions under local, State, and Federal laws which can be used against violators. Penalties can range from suspension, revocation, and denial of a driver's license to 20 – 50 years imprisonment. Property may be seized. Community service may be mandated. Examples of penalties and sanctions in State and federal laws pertaining to drugs can be found in Appendices (A1) and (A2).

Recent Federal anti-drug laws affect a number of areas in everyone's lives. Students could lose eligibility for financial aid, and could be denied other Federal benefits such as Social Security, retirement, welfare, health and disability insurance and veteran's benefits. The Department of Housing and Urban Development, which provides funds to states and communities for public housing, now has the authority to evict residents and members of their household who are involved in drug-related crimes on or near public housing premises. Businesses could lose Federal contracts if the company does not promote a drug free environment. In addition, a record of a felony or conviction in a drug-related crime may prevent a person from entering certain careers.

The laws of the State of Washington are adequate to protect the innocent, but stringent enough to ensure that person involved with illegal drugs or unwise use of alcohol can be duly punished. For example, a small amount of drugs found on a person may lead to imprisonment, payment of all court costs as well as participation in mandatory community service. A person found to be under the influence of alcohol while driving could lose his/her driver's license, vehicle, receive an increase in automobile insurance rates, be forced to pay court costs, attorney's fees, participate in community service and end up in prison.

There are drug/alcohol counseling, treatment, and rehabilitation facilities available in our area where you can seek advice and help. The yellow pages of the local telephone book is an excellent source. Another option is to contact the Washington State Alcohol and Drug 24-Hour Help Line (800) 562-1240. Local law enforcement agencies also have information readily available.

APPENDIX A1  
FEDERAL PENALTIES AND SANCTIONS  
FOR ILLEGAL POSSESSION AND TRAFFICKING

21.U.S.C. 844 (a)

- First conviction: Up to one-year imprisonment and fined at least \$1000 but not more than \$100,000 or both.
- After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2500 but not more than \$250,000 or both.
- Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000 or both if:
  1. First conviction and the amount of crack possessed exceeds five grams
  2. Second crack conviction and the amount of crack possessed exceeds three grams.
  3. Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21.U.S.S. 853 (a) (2) and 811 (a) (7)

- Forfeiture of personal and real property used to possess or to facilitate possessions of a controlled substance if that offense is punishable by more than one-year imprisonment. (see special sentencing provisions re: crack)

21.U.S.C. 881 (a) (4)

- Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21.U.S.C. 853 (a)

- Denial of Federal benefits, such as student loans. Grants, contracts, and professional and commercial licenses up to one year for first offense, up to five years for second offense.

Miscellaneous

- Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc. are vested within the authorities of individual federal agencies.

**APPENDIX A1 FEDERAL TRAFFICKING PENALTIES**

DRUG	1ST OFFENSE	2ND OFFENSE
METHAMPHETAMINE	Not less than 10 years. Not more than life.  If death or serious injury - not less than 20 years. Not more than life  Fine of not more than \$4 million individual. \$10 million other than individual.	Not less than 20 years. Not more than life.
HEROIN		If death or serious injury - not less than life.
COCAINE		Fine of not more than \$8 million individual. \$20 million other than individual.
COCAINE BASE		
PCP		
LSD		
FENTANYL		
FENTANYL ANALOGUE		

**FEDERAL TRAFFICKING PENALTIES - MARIJUANA**

DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE
MARIJUANA Mixture containing detectable quantity	- Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life - Fine not more than \$4 million individual, \$10 million other than individual.	- Not less than 20 years, not more than life. If death or serious injury, not less than life. - Fine not more than \$8 million individual, \$20 million other than individual.
MARIJUANA Mixture containing detectable quantity	- Not less than 5 years, not more than 40 years. - If death or serious injury, not less than 20 years, not more than life. - Fine not more than \$2 million individual, \$5 million other than individual.	- Not less than 10 years, not more than life. - If death or serious injury, not less than life. - Fine not more than \$4 million individual, \$10 million other than individual.
MARIJUANA	- Not more than 20 years. - If death or serious injury, not less than 20 years, not more than life. - Fine \$1 million individual, \$5 million other than individual.	- Not more than 30 years. - If death or serious injury, life. - Fine \$2 million individual, \$10 million other than individual.
HASHISH		
HASHISH OIL		
MARIJUANA		
MARIJUANA	- Not more than 5 years. - Fine not more than \$250,000, \$1 million other than individual.	- Not more than 10 years. - Fine \$500,000 individual, \$2 million other than individual.
HASHISH		

**APPENDIX A2  
WASHINGTON STATE PENALTIES & SANCTIONS FOR ILLEGAL POSSESSION  
OF A CONTROLLED SUBSTANCE**

<b>DRUG NAME</b>	<b>DELIVERY, MANUFACTURING AND/OR POSSESSION WITH INTENT TO DELIVER OFFENSE AND PENALTIES IN MONTHS</b>			<b>POSSESSION OFFENSE AND PENALTIES IN MONTHS</b>		
	<b>1ST</b>	<b>2ND</b>	<b>3RD</b>	<b>1ST</b>	<b>2ND</b>	<b>3RD</b>
HEROIN	21-27	36-48	67-89	0-3	2-6	3-9
COCAINE	21-27	36-48	67-89	0-3	2-6	3-9
METHAMPHETAMINE	21-27	36-48	67-89	0-2	0-3	2-5
PCP	3-9	13-17	33-43	0-2	0-3	2-5
LSD	3-9	13-17	33-43	0-2	0-3	2-5
MARIJUANA	1-3	9-12	22-29	0-2	0-3	2-5 OVER 1 GRAM
NARCOTIC DRUGS	51-68	67-89	98-130			
NARCOTIC DRUGS DELIVERED TO SOMEONE UNDER 18				0-3	2-6	3-9
NON-NARCOTIC DRUGS TO SOMEONE UNDER 18 AND 3 YEARS JUNIOR	31-41	46-61	77-102			
NARCOTIC DRUGS OR V OR NON-NARCOTIC DRUG (EXCEPT PCP)				0-2	0-3	2-5
IMITATION CONTROLLED SUBSTANCE DELIVERED BY PERSON OVER 18 TO SOMEONE UNDER 18	6-17	15-20	41-54			
				<b>ADDITIONAL POSSESSION ITEMS:</b> DRUG PARAPHERNALIA OR MARIJUANA LESS THAN 40 GRAMS UP TO 90 DAYS IN JAIL AND FIND		
NARCOTICS OR NON-NARCOTICS TO SOMEONE OVER 18	3-9	13-17	33-43			
				THE TWO PENALTIES ABOVE ARE MISDEMEANORS. <b>ALL OTHER PENALTIES ON THIS PAGE ARE FELONIES</b>		
DELIVERY OF MATERIAL IN LIEU OF A CONTROLLED SUBSTANCE	1-3	9-12	22-29			

## APPENDIX B HEALTH RISKS ASSOCIATED WITH DRUGS AND ALCOHOL

Drug and/or alcohol use impairs the thought process, judgment and coordination required to live everyday life: the safe operations of motor vehicles, ability to function at work or school, social events, even brushing your teeth.

It only takes 6 – 18 months of consistent alcohol use for adolescents to become alcoholics. Once is all it can take for drugs. Cessation of drug or alcohol intake produces withdrawal symptoms including severe anxiety, tremors, hallucinations, and convulsions. Drug and alcohol withdrawal can be life threatening. The combination of alcohol with other drugs can produce effect even more devastating. Mortality data suggests that alcohol-linked causes of death result in an average of 27.1 years loss of potential life.

Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These babies have irreversible physical abnormalities, mental problems or both. Alcohol and drug use is associated with stillbirths, miscarriages, and infants who have visual, auditory, mental and motor disturbances. Pregnant women should refrain from any drug use without first consulting their doctors. In addition, research indicates that children of parents who use drugs and alcohol are at greater risk than other youngsters of using drugs and alcohol themselves. Recovering addicts should abstain from any drug or alcohol use.

Drugs and alcohol can cause permanent damage:

- Diminished motor skills (coordination, slowed reactions)
- Impaired cognitive functions (perception, sensation, memory)
- Hampered judgment
- Mental illness (depression, paranoia, dementia)
- Altered personality (increased aggressiveness, or reversion)

Possible physical deterioration may take the form of:

- Cancers of vital anatomy: liver, breast, stomach
- Damage to the brain, kidneys, liver, and pancreas
- Serum hepatitis
- Coma
- Seizures
- Diminished immunity to disease

APPENDIX C  
LOCAL DRUG AND ALCOHOL TREATMENT AND RECOVERY  
INFORMATION RESOURCES

Resources for drug and alcohol recovery assistance and information:

Washington State

Alcohol & Drug 24-Hour Help Line 1.800.562.1240

King County

Recovery Centers of King County: 206.322.2970 or [www.rckc.org](http://www.rckc.org)

Alcoholics Anonymous: 206.587.2838 or [www.seattleaa.org](http://www.seattleaa.org)

Seattle Area Narcotics Anonymous: 206.790.8888 or [www.seattlena.org](http://www.seattlena.org)

Center for Human Services: 206.362.7282 or [www.chs-nw.org](http://www.chs-nw.org)

Pierce County

Pierce County Services: [www.co.pierce.wa.us](http://www.co.pierce.wa.us)

Chemical Abuse Resources and Education (C.A.R.E.): 253.572.CARE (2273)

Pierce County Alcoholics Anonymous: 253.474.8897 or [www.piercecountyaa.org](http://www.piercecountyaa.org)

Pierce County Area Narcotics Anonymous: 253.531.8792 or [www.pcana.org](http://www.pcana.org)

In the event of an emergency, call 911.

APPENDIX D  
DRUG FREE EMPLOYEE AND STUDENT STATEMENT

1. Gene Juarez Academy has a policy of maintaining a drug free workplace and educational facility. As a condition of employment or education, employees and students must comply with the terms of the policy. All employees and students are hereby notified that the unlawful manufacture, distribution, dispensation, possession and use of controlled substances (drugs and/or alcohol) are prohibited in this institution's workplace and educational facility. Employees and students are required to report to work or school on time and in appropriate mental and physical condition.
2. Gene Juarez Academy workplace and educational facility are defined as:
  - A. The entire campus facility and grounds.
  - B. Any location used for an off-site Academy or Company function; i.e. competition, hair show or conference, meetings.
  - C. Any location used for Academy or Company-related or representative functions
3. Employees are required to report any conviction under a criminal drug statute for any violations occurring on or off the Academy workplace and educational facility while in the service of the Academy in any capacity within five (5) calendar days to the Executive Director. A Pell grant recipient convicted of a criminal drug offense must report the conviction, in writing, within ten (10) calendar days in the manner as directed by the Pell Grant Certification Statement.
4. Non-Compliance with Gene Juarez Academy's Drug Free policy will result in one or all of the following actions:
  - A. Referral to appropriate legal authorities for prosecution.
  - B. Mandatory counseling, and/or rehabilitation and successful completion of an approved Federal, State, local or other appropriate agency chemical abuse counseling and rehabilitation program. Successful completion will be acknowledged with the presentation of certified documentation to the Academy by the approved agency.
  - C. Termination of employment or enrollment.
5. All employees and students must read the following statements:

I have received:

  - A. The Gene Juarez Academy of Beauty Drug Free Policy.
  - B. Addendum (A1) and (A2): Examples of Federal and State sanctions and penalties for illegal drug possession and trafficking.
  - C. Addendum B: Health risks associated with drug and alcohol use.
  - D. Addendum C: Local Drug and Alcohol Information

I agree to abide by the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989.

I understand Gene Juarez Academy has established a drug free workplace and educational facility and I agree To acknowledge and comply with the terms in the policy.

I understand the penalties that may be imposed on me for violating the Drug Free Policy.