
I. PURPOSE

This policy establishes the conditions for a safe and productive work environment at Athlos Academy of Utah that is free from the effects of unlawful use, distribution, dispensing, manufacture, and possession of controlled substances or alcohol use during work hours.

II. DEFINITIONS

- A. **Controlled Substances:** Include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance, including analogues and look-alike drugs.
- B. **Substance Abuse:** The use or possession of any drug in a manner prohibited by law, and the use of alcohol or any legal drug or other substance in such a way that the user's performance as a school employee is impaired.

III. POLICY

- A. Athlos Academy of Utah's employees may not unlawfully manufacture, dispense, possess, distribute, use or be under the influence of any controlled substance or alcohol during working hours, on school property, or while operating a school vehicle at any time, or other vehicle while on duty.
- B. All drug or alcohol testing shall be done in compliance with applicable federal and state regulations.
 - 1. All drug or alcohol testing shall be conducted by a federally certified or licensed physician or clinic, or testing service approved by the state Department of Human Resource Management.
 - 2. Drug or alcohol tests with positive results shall require a confirmation test.
- C. All employees of Athlos Academy of Utah shall undergo a drug screening test when reasonable suspicion exists to believe that they are under the influence of controlled substances or alcohol.
 - 1. Reasonable suspicion primarily arises from observable symptoms of the use or of being under the influence of alcohol or drugs including:
 - a. Observable symptoms of the use or of being under the influence of alcohol or controlled substances;
 - b. Presence of drug or alcohol paraphernalia;

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- c. Any involvement (even indirectly) in an accident or near-miss that resulted or may have resulted in an employee injury or property damage or loss;
 - d. Reports of drug or alcohol possession, use and/or distribution;
 - e. Unexplained or suspicious absenteeism or tardiness;
 - f. Unexplained significant deterioration in employee performance or behavior;
 - g. Criminal citations, arrests or convictions; and/or
 - h. Any behavior that would suggest that controlled substances or alcohol are present in the body; and/or
 - i. Following any work-related injury in compliance with Worker's Compensation.
2. Authorization for a drug test based on reasonable suspicion must be obtained from the Lead School Administrator, or designee in the *Reasonable Suspicion Drug or Alcohol Test Authorization Form*.

D. In the event an employee:

1. Tests positive for unlawful controlled substances or alcohol;
2. Refuses to submit to a drug or alcohol test;
3. Attempts to taint, avoid, delay or circumvent the testing process;
4. Is arrested (charged or convicted) on an alcohol or drug-related offense; or
5. Violates this policy in some other way;

Athlos Academy will initiate appropriate administrative and criminal investigations, and a confirmed violation of this policy may result in discipline up to and including termination of employment.

- E. Athlos Academy of Utah may **not** request or require an employee or job applicant to undergo drug and/or alcohol testing on an arbitrary and capricious basis.

Legal References:

[Utah Admin R477-14](#)

[Utah Code § 34-41-101](#)

[41 U.S.C. § 8101-8106](#) (Drug-Free Workplace Act)

Related Documents:

[Reasonable Suspicion Drug or Alcohol Test Authorization Form](#)