
I. PURPOSE

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

II. DEFINITIONS

- A. Alcohol: Includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. Controlled Substances: Include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance, including analogues and look-alike drugs.

III. POLICY

- A. Athlos Academy's employees may not unlawfully manufacture, dispense, possess, distribute, use or be under the influence of any alcohol or controlled substance during working hours, on school property, or while operating a school vehicle at any time, or other vehicle while on duty. This includes the misuse/abuse of all legal prescription drugs, "over the counter" drugs or any other substance which impair an employee's ability to perform his/her job safely or properly.
 - 1. All employees are held to this policy's standards, including "safety-sensitive" employees; those whose jobs include operating school vehicles and are required to hold a commercial driver's license.
- B. Employees who have a prescription from a physician for medical treatment including controlled substances, are permitted to possess such substances and associated necessary paraphernalia, such as an inhaler or syringe.
 - 1. The employee must inform the Lead School Administrator or designee.
 - 2. The employee may be required to provide a copy of the prescription.
 - 3. Only prescription medications prescribed to the employee as noted on the original label are permissible and must be administered as prescribed on the label.
 - 4. All medications shall be kept in a secure location and out of reach from students.

- C. Medical Waste listed in this policy must be properly disposed of in appropriate medical disposal containers. Such medical waste includes:
- a. Infectious waste:
 - i. Infectious to other people; specifically, items that have been in contact with blood such as needles, blades, glass pipettes, gloves, gauze and other potentially harmful disposables from exam and treatment rooms.
 - ii. Such waste shall be disposed of immediately in the proper waste receptacles located in the school or the nurse's office.
 - b. Pharmaceutical Waste:
 - i. Expired, unused and partially used pharmaceuticals.
 - ii. Such waste shall not be stored at the school and must be disposed of immediately in the proper waste receptacles located in the school or the nurse's office or returned home for proper disposal.
- D. All testing for alcohol or controlled substances shall be done in compliance with applicable federal and state regulations.
- 1. All testing for alcohol or controlled substances shall be conducted by a federally certified or licensed physician or clinic, or testing service approved by the state in compliance with Minn. Stat. § 181.953.
 - 2. Alcohol and controlled substance tests with positive results or a possible false positive shall require a confirmation test.
 - 3. The following situations require testing for alcohol and controlled substances:
 - a. Pre-employment; and
 - b. Reasonable suspicion.
- D. All employees of Athlos Academy shall undergo a drug screening test when reasonable suspicion exists to believe that they are under the influence of alcohol or controlled substances.
- 1. Reasonable suspicion primarily arises from observable symptoms of the use or of being under the influence of alcohol or controlled substances including:

- a. Observable symptoms of use or of being under the influence of alcohol or controlled substances;
 - b. Presence of alcohol or controlled substances paraphernalia;
 - 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 alcohol or controlled substances 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 or statements that would suggest that alcohol or controlled substances 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 must be obtained from the Lead School Administrator, or designee in the *Drug and Alcohol Testing Authorization Form*.
- E. Athlos Academy may **not** request or require an employee or job applicant to undergo alcohol and controlled substance testing on an arbitrary and capricious basis.
- F. Athlos Academy may not discharge, discipline, discriminate against, or request rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
- G. In accordance with Minn. Stat. § 181.953(10), employees who test positive for alcohol or controlled substances on a confirmatory test, **must** be given the opportunity to participate in, at the employee's own expense, either a drug or alcohol counseling or rehabilitation program.
1. An employee who agrees to counseling or rehabilitation shall be **considered** to be retained only if they are able to successfully complete any and all job duties abide by all policies and procedures as outlined in Athlos Academy's *Employee Handbook*.
- H. In the event an employee:
1. Tests positive for unlawful alcohol or controlled substances, or the misuse/abuse of all legal prescription drugs, "over the counter" drugs or any other substance which impair an employee's ability to perform his/her job safely or properly;

Drug-Free Workplace

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

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