



ALCOHOL AND DRUG-FREE CAMPUS

Southeast Technical College Policy STC 916

Purpose

Southeast Technical College (STC) requires an alcohol and drug-free learning and working environment.

STC will comply with the Drug-Free Schools and Communities Act along with state and federal laws. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including marijuana or its derivatives, is prohibited on campus and other learning sites where students may be assigned.

General Statement of Policy

As a condition of enrollment with STC, all students are required to comply with this policy.

1. While South Dakota law may permit certain actions regarding marijuana, the use and possession of marijuana, whether for medicinal or recreational purposes, is prohibited under federal law. Federal law classifies marijuana (cannabis) as a Schedule 1 controlled substance and criminalizes the growth or use of marijuana. The use of medical marijuana is also restricted by federal laws such as the Drug-Free Workplace Act and Drug-Free Schools and Communities Act.
2. STC supports rehabilitation of students with alcohol or drug abuse problems except in those circumstances where alcohol or drug use has created or could create the risk of injury or death to STC employees or other students.
3. Alcohol and drug-free awareness programs will be established to inform students of this policy as well as the dangers of alcohol and drug abuse on campus and any available resources for counseling or rehabilitation.
4. Discipline will be imposed for violations of this policy which may include suspension or expulsion as well as a referral for prosecution, if appropriate.
5. STC will make a good faith effort, on a continuing basis, to maintain an alcohol and drug-free campus.
6. Students must notify the STC President or their designee in writing no later than five calendar days of any criminal conviction for an alcohol and/or drug statute violation occurring on STC campus.

7. STC will inform students annually of the Alcohol and Drug-Free Campus policy, and STC will also post this policy on the college's website for their reference.

Assistance

STC has information available to all students regarding resources available to assist with alcohol and/or drug problems including counseling or rehabilitation.

A student's decision to seek assistance will not be used as a basis for disciplinary action, nor will it be a defense to or a mitigating factor in the imposition of appropriate disciplinary action, including expulsion, where facts indicating a violation of this policy are obtained independent of the student's pursuit of assistance.

Definitions

Alcohol includes any beverage used for the purpose of becoming intoxicated. This usually includes distilled spirits, wine, ciders, and malt beverages. This also includes ethyl alcohol, or other low molecular weight alcohol, including methyl and isopropyl alcohol.

Legal Drug includes prescribed drugs and over-the-counter drugs which have been legally obtained per federal law and are being used for the purpose for which they were prescribed or manufactured.

Illegal drug means any drug:

- (a) Which is not legally obtainable;
- (b) Which is legally obtainable but has not been legally obtained per federal law;
- (c) Prescribed drugs legally obtained but not being used for prescribed purposes; or
- (d) All substances listed in the Federal Control Substance Act, so called "designer drugs" which have not been included in the Federal Control Substances Act, and the misuse of other non-drug substances, such as glue, are covered by this definition.

Under the influence means for the purpose of this policy that the student is affected by a drug or alcoholic substance, or the combination of a drug and alcohol, in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior or to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. A determination of influence can be established by professional opinion, a scientifically valid test and, in some cases such as alcohol, by a lay person's opinion.

Possession means the state of having, owning, or controlling any amount of any drug or alcoholic beverage.

Reasonable Suspicion means a determination based on objective facts and inferences drawn from those facts as well as personal observations that suggest a student is under the influence of drugs and/or alcohol.

Campus includes all STC property including motor vehicles, parking areas, and sidewalks surrounding the buildings. Campus also includes any location used for learning or student activities as an STC student.

Reporting Procedures

1. **Reasonable Suspicion.** STC may request a student to leave the classroom, lab, or STC property if there is reasonable suspicion that the student is under the influence of drugs and/or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
 - i. A pattern of abnormal or erratic behavior which is so unusual that it warrants summoning an instructor, administrator, or someone else for assistance.
 - ii. Information provided by a reliable and credible source with personal knowledge.
 - iii. Direct observation of drug or alcohol use.
 - iv. Presence of the physical symptoms of drug and/or alcohol use, i.e., glassy or bloodshot eyes, slurred speech, poor coordination and/or reflexes, abrupt swings in mood or energy level, or excessive irritability and emotional outbursts.
 - v. Possession of substances and/or alcohol as stated above.
2. Instructors are required to detail in writing the basis for their determination that reasonable suspicion existed to warrant the removal of a student from class, lab, or campus, including, but not limited to, the specific facts, symptoms, or observations and a description of any evidence obtained after searching STC property or the student's personal property brought onto STC property.

Those STC programs that require testing as a prerequisite to entrance into the STC program shall not be governed by this policy until the student has been enrolled into the program.

Confidentiality

Information obtained on individuals pursuant to this policy will be disclosed only to those persons who have legitimate need for it. Medical records pertaining to drug and/or alcohol use are confidential, and access to such records shall be in accordance with STC policy. Medical records pertaining to drug and/or alcohol use are not kept in the student file.

Dissemination of Policy and Training

The policy is located on STC's website under Consumer Information – Southeast Tech Policies.

Legal References:

41 U.S.C. 702 et seq. Drug Free Workplace Act of 1988 (as amended)
21 U.S.C. 811 Controlled Substances Act of 1970 (CSA)
20 U.S.C. 2011 Drug-Free Schools and Communities Act of 1989 (DFSCA)

Board Approved:

Policy	Date	Board Action
approved	08-05-26	ST01051