

Drug and Alcohol Conduct Guidelines for All Students

Mitchell Tech is a Drug-Free Workplace. It is the goal of Mitchell Tech to provide a drug and alcohol-free environment. Mitchell Tech students shall not be involved with the use, possession, or sale of drugs, alcohol, or any controlled substances including cannabis used or possessed for medical purposes in any manner that may impair any person's ability to perform assigned tasks or otherwise adversely impact their behavior. Furthermore, no student shall possess the previously mentioned substances in the workplace, classroom, laboratory, vehicle, or at any intramural sports event, class trip, or campus function or consume alcoholic beverages in association with said places during working, classroom, laboratory, or vehicle operating hours or at any time prior to performing safety-sensitive functions which may impair that person's ability to perform their duties.

It is the policy of the Mitchell Tech that the unlawful manufacture, distribution, dispensation, possession, use, or being under the influence of a controlled substance on property of Mitchell Tech or while a student of Mitchell Tech is engaged in an activity assigned as part of his/her involvement with Mitchell Tech is prohibited unless said controlled substance is used as prescribed by a doctor. A description of applicable legal sanctions is listed in Policy MTC 1035. For purposes of this section, a prescription does not include a written certification for use of medical marijuana, pursuant to SDCL 34-20G-1(23). Students who use medical marijuana pursuant to a validly issued written certification when not on property controlled by the College may subsequently report to class or participate in activities as long as such use does not cause impairment or disrupt academic or campus activities.

Financial aid may be affected if violations occur. Students convicted of the possession of illegal drugs while receiving Title IV financial aid may have their financial aid suspended for one year. If a student is convicted of selling drugs, they may have their financial aid eligibility suspended for two years. Additional convictions will add at least two years to the above suspensions.

These guidelines will be interpreted, administered, and amended by Mitchell Tech as necessary within its discretion.

Reasonable Suspicion

Mitchell Tech practices zero tolerance for drug or alcohol use by students while in classrooms, labs, or safety-sensitive areas. When an instructor, supervisor or administrator observes a student with behavior or an appearance that is characteristic of alcohol or drug use, the student will be required to submit to drug or alcohol testing. The student will be immediately suspended from school until test results are received. The College is responsible for the cost of this test.

Positive Test Results after Reasonable Suspicion

A student with a positive test result will meet with the Dean of Student Success or designee to determine disciplinary and treatment options that the student must follow in order to be reinstated into school. Mitchell Tech's intent is to establish a positive environment in which these problems can be addressed locally in a helpful and supportive manner rather than a punitive way.

If a student tests positive for alcohol (0.02 or higher), the student will be removed from classes and taken home. A breath alcohol test administered the following day must be considered negative for alcohol concentration before the student may return to classes. If a student tests positive for alcohol in a subsequent follow-up test, the student will be referred to a substance

abuse professional (SAP) and must complete a prescribed treatment plan and follow-up testing in order to remain enrolled in the program at Mitchell Tech. The student can continue to attend classes until such time as they can meet with the SAP as long as they test negative on alcohol tests that will be administered daily. The student is responsible for the cost of the initial referral to a SAP. The student will be responsible for the cost of any follow-up counseling or treatment and any follow-up drug testing.

If a student tests positive for drug use, the student will be immediately suspended from school until Mitchell Tech receives results from the review by the medical review officer. Based on the medical review officer's report of a positive drug test, the student will be required to meet with a substance abuse professional (SAP) to determine the counseling or treatment plan the student must follow to remain enrolled at Mitchell Tech. The student would also be subject to unannounced follow-up testing as determined by the SAP in order to remain in classes. The student is responsible for the cost of the initial referral to a SAP. The student will be responsible for the cost of any follow-up counseling or treatment and any follow-up drug testing.

Cannabidiol (CBD) use is not a legitimate medical explanation for a laboratory-confirmed marijuana or tetrahydrocannabinol (THC) positive result. Therefore, Medical Review Officers will verify a drug test confirmed at the appropriate cutoffs as positive, even if the person being tested states he or she only used a CBD product.

All positive tests for drug use (refusal to submit to a test or an altered specimen is considered a positive test result) will be reviewed by a medical review officer who is a licensed physician with knowledge of substance abuse disorders. The medical review officer will interpret and evaluate the results of each test, along with relevant medical information, including possession of a medical marijuana card, about each student, to determine whether or not a positive test resulted. If the result of the test is positive, the medical review officer will also determine if the student was impaired at the time of the test because of drug use. (Students who use medical marijuana pursuant to a validly issued written certification when not on property controlled by the College may subsequently report to class or participate in activities as long as such use does not cause impairment or disrupt academic or campus activities.) The medical review officer will contact the student whose test is positive or whose test has been altered or refused. Mitchell Tech will also be notified of a positive test result.

Based on the medical review officer's review of a positive drug test, the student will be required to meet with a substance abuse professional (SAP) to determine the counseling or treatment plan the student must follow to remain enrolled at Mitchell Tech. The student would also be subject to unannounced follow-up testing as determined by the SAP in order to remain in classes. The student is responsible for the cost of the initial referral to a SAP. The student will be responsible for the cost of any follow-up counseling or treatment and any follow-up drug testing.

When the student has completed the treatment plan as outlined by the substance abuse professional, the student's name will be returned to the selection pool for random drug testing as long as the student remains enrolled in the program.

If the results of a positive drug test are confirmed by a medical review officer and are not the result of medication currently prescribed to the student, the student will be dismissed from any zero-tolerance program which currently includes the Power Line Construction & Maintenance and Electrical Utilities & Substation Technology programs. The zero-tolerance policy is consistent with industry standards and is recommended by industry. For purposes of this

section, a prescription does not include a written certification for use of medical marijuana, pursuant to SDCL 34-20G-1(23).

Community Alcohol and Drug Resources

AA (Alcoholics Anonymous)
424 E. 9th Ave.
Mitchell, SD 57301
605.996.8264

Dakota Counseling Institute
910 W. Havens
Mitchell, SD 57301
605.996.9686

Stepping Stones
901 S. Miller
Mitchell, SD 57301
605.995.8180



POLICY

Category	Approval		
Series 1000: Students	Effective	Administration	Board
	2/22/10	12/4/09	2/22/10
	Revised		For Review
	6/25/18		2022

DRUG-FREE CAMPUS

MTC 1035

PHILOSOPHY

Student and employee safety is a paramount concern to Mitchell Technical College, the Mitchell School District No. 17-2, and the Board of Education. Alcohol and drug dependency is an illness and a hazard that interferes with the ability to learn and function responsibly in the school setting and community. Persons abusing controlled substances or under the influence of mood-altering or psycho-active chemicals are a serious risk to themselves and to others. MTC recognizes that chemical abuse (drug and alcohol) has become a serious problem in our country. Substance abuse problems are the responsibility of the individual, home, and community, with the schools sharing in that responsibility. We accept our obligation to establish a positive environment in which these problems can be addressed locally in a helpful and supportive rather than a punitive way. The intent of this policy is to promote healthy living through awareness, prevention, dependency education, and intervention.

LEGAL COMPLIANCE

It is the policy of Mitchell Technical College that the unlawful manufacture, distribution, dispensation, possession, use, or being under the influence of a controlled substance on property of MTC or while a student of MTC is engaged in an activity assigned as part of his/her involvement with MTC is prohibited unless said controlled substance is used as prescribed by a doctor.

Students convicted of the possession of illegal drugs while receiving Title IV financial aid may have their financial aid suspended for one year. If a student is convicted of selling drugs, they may have their financial aid eligibility suspended for two years. Additional convictions will add at least two years to the above suspensions.

PREVENTION

The objective of prevention is to promote the personal and social growth of individuals in order to avoid drug and alcohol related problems. Serious health risks are associated with abusers of drugs and alcohol. Heavy alcohol consumption can produce major, irreversible damage to the brain, heart, central nervous system, liver, and other body systems, and may cause intellectual disabilities, birth defects, and reduced weight to offspring of pregnant women. Some of the effects of commonly abused drugs include skin disorders, malnutrition, ulcers, brain damage, life-threatening infections and diseases, hallucinations, visual disturbances, convulsions, delirium, coma, speech and muscle impairment, violent behavior, loss of concentration and memory, nausea, constipation, increase in pulse rate, damage to liver, kidneys, blood and bone marrow, and death.

MTC's drug prevention program includes annual distribution of this policy to all enrolled students; educating students on the health risks and legal sanctions associated with abuse of alcohol and drugs; and outlining clear procedures in the MTC Student Handbook on how MTC will handle suspected incidences of violations to this policy.

Students are encouraged to seek assistance for substance abuse problems. Students can be assured that voluntarily seeking assistance for these problems will not jeopardize the student's status in school and will be handled in a professional manner, and confidentiality will be protected to the full extent permitted by law.

INTERVENTION PROCEDURES

The student who violates this policy will be referred to the administration of Mitchell Technical College. The student will be referred to legal officials, agents, or agencies when appropriate. Depending on the severity, the College may require chemical dependency evaluation and/or treatment by a trained chemical dependency counselor. Expenses incurred are the responsibility of the student.

If a student is under the age of 21 or a dependent student, regardless of age, MTC may disclose to a parent or guardian, without the student's consent, information regarding the student's violation of the use or possession of alcohol or a controlled substance.

The student may be suspended or expelled from a program in compliance with SDCL 13-32-4.

Legal Reference: Public Law 100-690
 SDCL 13-32-4
 SDCL 34-20B-11 to 34-20B-26
 Drug-Free Schools and Campuses Regulations (EDGAR Part 86)

6/22/15 – The period of ineligibility for Title IV financial aid funds was amended to match the federal regulations for student financial aid.
1/9/17 – Updated policy from "district" to "MTC". Further clarifications to language made to meet federal regulations and to focus policy to students and not staff.
6/25/18 – A paragraph was added that MTC may disclose violations of this policy to parents when the student is a minor or a dependent.