

4.4.00 Student-Athlete Drug Use Testing Policy

- 4.4.10 Statement of Need and Purpose: Recognizing that observed and suspected use of alcohol and illegal drugs by North Central Missouri College student-athletes is increasing, a program of deterrence will be instituted as a pro-active approach to a truly drug-free college. Likewise, through participating in athletics, students using illegal drugs pose a threat to their own health and safety as well as to that of other students. The purpose is threefold: 1) to provide for the health and safety of all student-athletes; 2) to undermine the effects of peer pressure by providing a legitimate reason for student-athletes to refuse to use illegal drugs; and 3) to encourage student-athletes who use drugs to participate in drug treatment programs. The program is designed to create a safe drug-free environment for student-athletes and to assist them in getting help when needed.
- 4.4.20 Program Objectives: 1) to provide a deterrent to the use of illegal drugs by students participating in athletics at NCMC; 2) to give students a valid reason to resist peer pressure to use illegal drugs; 3) to prevent injury, illness, and harm as a result of drug use and its effects; and 4) to educate students as to the serious physical, mental and emotional harm cause by the use of illegal drugs.
- 4.4.30 Drug Use Testing Policy to be Non-Punitive: No student-athlete will be penalized academically for testing positive for illegal drugs, banned substances, or other items listed in 4.4.70. The results of drug use tests pursuant to this policy will not be documented in any student-athlete's academic records.
- 4.4.40 Definition of an Athletic Program: An NCMC athletic program is an activity sponsored by the National Junior College Athletic Association and the NCMC Board of Trustees. The NJCAA states that athletic participation is a privilege and those student-athletes who use illegal performance-enhancing and/or recreational drugs substantively violate that privilege and may impact the athlete's ability to take advantage of that privilege.
- 4.4.50 Students to Declare their Intention to Participate in Athletics: All student-athletes participating in an in-season or off-season athletic program must declare their intention at the time of their enrollment for college each semester. At that time they will become subject to random drug testing for the entire semester or for as long as they participate in the program. Student-athletes who request to declare their intentions *after* enrollment must have an acceptable reason for not doing so at the appropriate time and must be approved by the coach(es) of the athletic program(s) in question as well as the Athletic Director. Student-athletes who declare late will then be subject to the random testing program for as long as they participate in the program. Any student-athlete not

- involved in an in/off-season program at the time of a particular random drug test period will not be subject to a random drug test.
- 4.4.60 **Consent Form to be Signed:** All athletic program participants and their parents/guardians (depending on the legal age of the student-athlete) shall sign and date an Athletic Drug Use Testing Consent Form (Exhibit). This shall occur during the first semester of enrollment and shall stay in effect until the student-athlete leaves the athletic program. The student will be given a copy of the Student-Athlete Drug Use Testing Policy, along with the Consent Form, at the time of their registration in an athletic course. No student may participate in practice or competition (either in-season or off-season) until the form is properly executed and on file with the Athletic Director and appropriate coach.
- 4.4.70 **Selection for Drug Use Testing:** At least five percent (5%) and no more than twenty-five percent (25%) of student-athletes in each in-season or off-season athletic program shall be randomly selected to be tested for drug use during each testing period, which shall be conducted no more than ten times per year. The percentage may be different for each test. The Athletic Director shall determine the percentage of student-athletes to be tested and the date for each test. He/she will draw student-athlete names at random. Student-athletes selected for testing during one test period will remain eligible for future tests and, if selected, may be tested in consecutive tests.
- 4.4.80 **Examples of Drugs for which to be Tested:** Drugs that an individual may not buy, possess, use, sell, or distribute under federal or Missouri law including but are not limited to marijuana, cocaine, opiates, amphetamines, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, and propoxyphene; all prescription drugs obtained without authorization; all prescription and/or over-the-counter drugs that are being used in an abusive manner; and performance-enhancing drugs. Tests for alcohol use may be by means of a breathalyzer or saliva test.
- 4.4.90 **Student-Athlete's Right to Privacy:** All aspects of the drug testing program will be conducted in a manner that will safeguard the personal and privacy rights of the student-athlete to the maximum degree possible.
- 4.4.100 **Sample Collection and Testing Procedures:**
Student-athletes who are selected to be tested for drug use will be required to report to Wright Memorial Hospital to provide a sample within sixty (60) minutes of the time that they are requested to do so. Refusal to provide a sample will be treated as a positive test for the student-athlete and the appropriate sanction shall be applied. NCMC shall give each student-athlete a form on which he/she may list any medications that he/she has taken or any other legitimate reasons for having been in contact with illegal

drugs or performance-enhancing drugs in the preceding four (4) days.

- 4.4.101 NCMC's Athletic Director may accompany the student-athletes to Wright Memorial Hospital where the sample is to be produced under their supervision.
- 4.4.102 Monitor(s) shall not observe the student-athlete while the sample is being produced but shall remain within hearing distance in order to guard against tampered samples and to ensure an accurate chain of custody of the sample. If at any time during the procedure a monitor has reason to believe that a student-athlete is tampering with a sample, the monitor may inform the Athletic Director who will determine if a new sample should be produced.
- 4.4.103 All samples will be identified with the student-athlete's assigned individual sport number and sealed.
- 4.4.104 The designated Medical Review Officer (MRO) shall read the test and make a determination for further testing. Any licensed professional chosen by NCMC to conduct the subsequent testing shall be required to have detailed written procedures to assure proper chain of custody of samples, proper control, and scientifically validated testing methods. Student-athletes may be contacted directly by the MRO for clarification of test results.
- 4.4.105 The licensed professional shall promptly contact the Athletic Director if the result of the drug use test is positive for any student-athlete.
- 4.4.106 The Athletic Director shall promptly contact the student-athlete and his/her parents/guardians (depending on the legal age of the student-athlete) to schedule a conference.
- 4.4.107 At the conference, the student-athlete or parents/guardians may offer any explanation of the positive result, including doctor's prescriptions for any drugs the student-athlete has used which might affect the outcome of the drug use test or alcohol test. Another test may be requested on the remaining portion of the sample at the expense of the student-athlete.
- 4.4.110 Sanctions for Positive Testing: A student-athlete who tests positive on a drug use test will be subject to the sanctions below. All offenses are cumulative for the student-athlete's enrollment at NCMC.
 - 4.4.111 First Offense
 - 4.4.111.1 The student-athlete will be suspended from all athletic programs for a period of six (6) weeks commencing with the confirmation of a positive drug use/alcohol test.
 - 4.4.111.2 The student-athlete will submit to weekly drug use testing for six (6) weeks at their expense and participate

in a drug assistance program that is designed to meet the needs of the student-athlete through mandatory counseling. A student-athlete may, at their expense, elect to pursue private counseling to fulfill this requirement; those unable to afford private counseling may be eligible to receive private counseling as arranged by the NCMC Dean of Student Services. As a condition of continued participation in NCMC athletic programs, student-athletes who elect private counseling are required to submit verification that they have received such.

4.4.111.3 At the end of the six (6) weeks, if the student-athlete has completed a counseling program and tested negative on all drug use tests authorized by NCMC, he/she may resume participation in NCMC athletic programs.

4.4.111.4 Failure to comply with the provisions above will result in the suspension of the student-athlete from athletic practice/competition for the remainder of the semester. If the suspension occurs during the last six (6) weeks of the semester, the suspension shall extend into the next semester.

4.4.112 Second offense in any two (2) consecutive years:

4.4.112.1 The student-athlete will be suspended from all athletic programs for the remainder of the current semester; however, if the suspension occurs during the last six (6) weeks of the semester, the suspension shall extend to the next semester.

4.4.112.2 Under a full-semester suspension, the student-athlete will forfeit any athletic scholarship.

4.4.112.3 The student-athlete must successfully complete, at his/her expense, an approved drug education/counseling program. Documentation shall include approved reports from the provider.

4.4.112.4 The student-athlete will be subject to bi-monthly drug use testing, as authorized by NCMC, during the period of suspension at his/her expense. He/she must test negative on each test.

4.4.112.5 Failure to comply with the provisions above will result in the suspension of the student-athlete from athletic practice/competition for an additional semester.

4.4.120 Appeals: A student-athlete may appeal a suspension under this Policy to the Athletic Director by filing a written notice within five (5) days of the positive report of drug use. The student-athlete will remain suspended pending the appeal. The Athletic Director shall conduct an investigation to determine whether the original findings and suspension were justified. His/her findings may be appealed in accordance with existing Board policy.

- 4.4.130 *Volunteering for Help* Component: Student-athletes with drug dependence may voluntarily be tested. They may obtain intervention and should be given help without automatic loss of eligibility. In order to participate in *Volunteering for Help*, a student-athlete must identify themselves and initiate a request to their coach or Athletic Director prior to being selected for random drug use testing. However, a student-athlete will not be permitted to enter the *Volunteering for Help* program less than thirty (30) days prior to an NJCAA or conference post-season competition.
- 4.4.131 Program Purpose: Coaches occupy special roles in the lives of athletes, as student-athletes may choose to talk about a personal problem with a coach rather than a parent or other important adult. Therefore, this program allows a student-athlete to voluntarily come forward to ask for help.
- 4.4.132 Program Promotion: Coaches shall inform their student-athletes at the beginning of the practice season of the *Volunteering for Help* program and shall provide this outline to their student-athletes.
- 4.4.133 Drug Use Test Required: The student-athlete entering the *Volunteering for Help* program will be required to take a drug use test immediately to establish a baseline for follow-up testing. He/she will be referred to Wright Memorial Hospital for testing for the drugs listed in 4.4.70. Re-testing will be limited to such drugs when the initial positive sample is among the drugs listed. The sample to be tested would be drawn at Wright Memorial Hospital and reviewed by the Athletic Director.
- 4.4.134 Athletic Eligibility: A positive test from a volunteering student-athlete shall not be used to automatically remove athletic eligibility for six (6) weeks; instead, the test results will be used to help the provider complete an assessment on the extent of the problem. This assessment is necessary before an intervention program can be designed. The volunteering student-athlete will remain as a member of his/her athletic team but will not practice/compete until a negative sample is verified by the College's lab. This second test will be at the student-athlete's expense. The student-athlete will regain athletic eligibility immediately upon lab verification of the negative sample.
- 4.4.135 Program Steps: The NCMC coach or other staff member identified above shall meet with the student-athlete, and with his/her consent, the NCMC coach/staff member may arrange for a meeting with the parents/guardians (depending on the legal age of the student-athlete) and possibly other NCMC staff members. The Coach shall

become involved in helping the student-athlete and family take the first step to getting trained professional help. Eventually, the student-athlete and/or family will select an agency from the approved provider list to get an assessment and begin an intervention program. If the student-athlete changes his/her mind, the Coach will ask for evidence (a negative sample) before any involvement in athletic programs is allowed.

- 4.4.136 Status of Volunteer Student-Athlete: The status of a student-athlete who enters the *Volunteering for Help* program continues until the end of the season. If the season ends before six (6) weeks, the student-athlete's status continues into the next season. Once the volunteer student-athlete regains athletic eligibility, at least two (2) tests have been conducted. One (1) additional test at the College's expense will be conducted within four (4) weeks of the student-athlete's return to athletic eligibility. After the volunteer student-athlete has had two (2) successive negative tests, the student-athlete shall be returned to the random drug use testing program.

Second Review