2612 – Substance Abuse and Drug-Testing Program

Barton County Community College strongly believes that the use and abuse of illegal and/or banned drugs:

A. Is detrimental to the physical and psychological health of students;

B. Interferes negatively with the academic performance of students;

C. Is dangerous to the life and health of the student and potentially his/her classmates/teammates during performance, competition and practice; and

D. Compromises the integrity and spirit of extra-curricular activity performance and intercollegiate athletics competition.

Thus, Barton has made it a policy that the use and abuse of illegal and/or banned drugs will not be tolerated for students. For those students who receive a performance award from the Institution, the College will conduct a "zero-tolerance program" including testing and sanctions. While there is no intent to intrude upon the private life of the student, the College is interested in the well being of its students who perform and represent the Institution. Barton recognizes the addictive results of illicit drug use and, as provided in this policy, will encourage treatment and rehabilitation for any student involved in the drug-testing program.

I. PURPOSE

A. Education – To educate Barton County Community College students about the problems associated with drug use and abuse.

B. Detection of Abuse – To detect students who may be involved in substance use or abuse through testing methods.

C. Treatment and Rehabilitation – To assist in the treatment and rehabilitation of a students who tests positive for drug use as part of this program, so that the student may safely and fully participate in academics, extra-curricular activities, and athletics, and to reduce personal, family, and social disruption.

D. Discourage and Deter Drug Use – To discourage and deter the use of drugs by imposing significant sanctions on offenders.

E. Promote Health and Safety of Student Participation – To provide reasonable safeguards assuring that every student is able to participate in extra-curricular activity performances and athletics competition unimpaired by illegal or banned drugs.

II. SUBSTANCE ABUSE EDUCATION AND PREVENTION PROGRAM

A. Objective – To provide educational guidance to the student regarding the physical, mental, and legal consequences of illegal drug use.

B. Program – Students will be required to participate in an annual workshop with their activity sponsor, coach, Dean of Student Services and/or drug prevention coordinator which will provide information regarding drug abuse and will aid in the educational process of the student about the consequences of illegal drug use. Additional educational presentations may be held and required throughout the year. These programs will be announced to students as they are scheduled, and attendance of students who receive a performance award shall be mandatory.

III. DRUG-TESTING PROGRAM

The activity sponsor, with the assistance of the Dean of Student Services, and/or the College Nurse shall inform students involved in extra-curricular activities of the drug–testing program. The head coach, with the assistance of Athletic Director (or designee), and/or the head athletic trainer shall inform the student athletes about the drug-testing program. Information concerning the program and a consent form associated with the program shall be provided to every student receiving a performance award. The consent form must be signed and submitted by the student as a condition of participation and receipt of aid. A student participating in extra-curricular activities is defined as any student who represents the Institution by performing in an activity in the name of the College and is receiving financial aid from or through Barton County Community College for participation in that activity. Student athlete is defined as any student who is certified eligible (signed letter of intent) to participate in varsity athletics, is ”red-shirted” or otherwise associated with the team and/or involved in workouts/practices, and a student athlete who has completed eligibility and is receiving financial aid from or through Barton County Community College.

The student shall be subjected to testing as described in the policy. Failure to sign the consent form prior to practice, performance and/or competition shall result in the student’s ineligibility for practice, performance, or competition until the student signs the form. Additionally, students who receive financial aid (specifically a performance award) from or through Barton County Community College must sign the consent form as a condition of receipt of such aid. The program shall be conducted by a medical laboratory agency as selected by the College and supervised by College personnel as appointed.

A. Mandatory Drug Testing Program – All performance award students shall be subject to unannounced, random tests during the course of the academic year. The College will determine a prescribed percentage of each activity group and team that shall be subject to testing. The College shall provide the medical laboratory agency with performance award rosters and athletic team rosters for students in extra-curricular activities; students will be randomly selected for testing by the agency consistent with the activity group and team percentages as prescribed by the College. The College will determine the number of random tests that occur each year.

B. Testing Program Based on Reasonable Suspicion – Information obtained by the College indicating “reasonable suspicion” of drug use by a student receiving a performance award shall prompt the College to require the student to submit to drug-testing. Specimen collection shall be conducted in accordance with the College’s and testing agency’s agreed upon processes. Reasonable suspicion shall not mean

a mere “hunch” or “intuition,” but shall instead be based upon a specific event or occurrence which has led to the belief that a student has used drugs banned by this policy and program. Any of the following criteria shall be sufficient on its own to constitute “reasonable suspicion”:

1. Direct observation of drug use by a reliable informant;

2. Direct observation by those associated with the activity or athletic department (activity sponsor, coaches, athletic trainers, team physician, Athletic Director, Coordinator of Student Housing, Coordinator of Facility Management, College Nurse, Dean of Student Services) of physical and mental deficiency, medically indicated symptomology of drug use, aberrant conduct, or unexplained absenteeism;

3. Observation of, or evidence obtained by, College personnel leading to the common sense conclusion that use has, is, or could be occurring;

4. Common sense conclusions about observed or reliably described human behavior upon which practical people ordinarily rely (e.g., significant changes in behavioral patterns, academic performance, activity, or athletic, with regards to anabolic steroids, significant weight gain and unusually aggressive behavior);

5. Police or court determination (current or past) that the student has used or possessed prohibited drugs;

6. A demonstrated history of use of prohibited drugs, either prior legal convictions or prior positive tests for prohibited drugs through the College’s or any other reliable testing program. Prior positive tests include any positive result including the results that fall into the “zero-tolerance” category. These are tests that fall below the established laboratory criteria for a positive test (e.g. > 15 nanograms/ml for marijuana), but indicate a lower concentration level of the banned substance.

C. Voluntary Disclosure Drug Testing Program – A student may disclose use of a prohibited substance and avoid the College’s first-time offender penalty by participating in the voluntary disclosure program. Disclosure of an activity student drug use may be made to the activity sponsor, College Counselor, College Nurse, and/or Dean of Student Services. Disclosure of student athlete drug use may be made to the Coach, Athletic Director, Head Athletic Trainer, College Counselor, College Nurse, and/or Dean of Student Services. When voluntary disclosure occurs, the activity sponsor or head coach shall be informed of disclosure by any of the other College personnel receiving disclosure from the student. The College employee informed of the disclosure shall be obligated to inform the other College employees listed above and refer the student for testing and referral to counseling and/or rehabilitation. Test results for activity students shall be reported to the activity sponsor, College Counselor, College Nurse, and/or Dean of Student Services. Test results for student-athletes shall be reported to the Coach, Athletic Director, Head Athletic Trainer, College Counselor, and/or Dean of Student Services. If found positive for banned drug(s), the student shall be retested forty (40) days after receipt of the initial positive documentation. If documentation demonstrates a decrease in

the drug(s) metabolite, the student shall continue counseling until released by the counselor. If documentation demonstrates an increase in the drug(s) metabolite, the student shall be declared a first-time offender and submit to actions/sanctions indicated in this program. This option is available to the student on a one-time basis during his/her academic/athletic/activity career.

IV. BANNED DRUGS

Drugs banned by Barton include the following as well as all drugs banned by the NCAA (Appendix I):

A. Amphetamines
B. Cocaine
C. Tetrahydrocannabinol – THC (marijuana)
D. Anabolic Steroids

V. CONSENT FORM: All activity students and student athletes shall read and complete the form entitled, *Consent and Authorization Agreement*. This form must be completed before a student is allowed to practice, perform, or compete.

VI. METHODOLOGY

A. Collection and Coding

1. In order to enforce this drug policy, it shall be necessary to acquire a urine specimen from the student.

2. Urine voiding shall be monitored by a member of the testing agency selected by the College or a designated allied health professional.

3. Chain of custody in specimen collection, preparation, and handling shall be followed as prescribed by the testing agency to ensure accurate and confidential results. *A document that explains the* chain of specimen *custody will be provided to each student prior to testing* (Appendix II). Further, prior to testing, each student will be given an opportunity to provide information concerning any medication being taken or other circumstances that might attribute to a positive test.

B. Notification

1. Students requested to provide a urine sample shall not expect to be given notification prior to testing.

2. If a student is selected for testing based on “reasonable suspicion”, the student shall be immediately escorted to the testing site by the activity sponsor, a Coach, the Athletic Director, Head Athletic Trainer, College Counselor, College Nurse, and/or Dean of Student Services.

C. Testing Techniques – The testing agency shall screen each urine sample with the enzyme multiplied immunoassay technique and then perform gas chromatography/mass spectrometry for confirmation. The screen and confirmation

shall be based on levels to be determined by the College in consultation with the testing agency.

D. Results – Test results for activity students shall be returned to the Dean of Student Services and subsequently reported to the activity sponsor, College Counselor, and College Nurse. Test results for student athletes shall be returned to the Athletic Director and subsequently reported to the Coach, Head Athletic Trainer, College Counselor, and/or Dean of Student Services. Documentation indicating 6+ confirmation for drug use shall be dated by the College Nurse or Head Athletic Trainer, so subsequent re-tests can proceed after forty (40) days.

E. Positive Test – A positive test will be defined as one that indicates concentration levels consistent with those established by the NCAA. The positive concentration level for THC (marijuana) is 15 nanograms/ml.

F. Confidentiality – Test results shall be known only by the student, activity sponsor or Coach, Athletic Director (when applicable), Head Athletic Trainer (when applicable), College Nurse, College Counselor, and Dean of Student Services; and, if necessary due to an appeals process, the College's Appeals Committee.

VII. BARTON ACTIONS/SANCTIONS

The following actions/sanctions represent the sanctions established by Barton.

A. <u>Positive Drug Test</u>

If a student tests positive on a drug test administered by Barton, he/she shall be subject to the actions/sanctions specified in this policy.

FIRST-TIME OFFENDER

1. The activity student's sponsor, College Counselor, College Nurse, and Dean of Student Services are informed.
2. The student athlete's Coach, Athletic Director, Head Athletic Trainer, College Counselor, and Dean of Student Services are informed.
3. The student is encouraged to notify his/her parent(s), legal guardian(s) and/or spouse.
4. If the positive test occurs during the season, the student is suspended immediately from practice, performance, and competition for seven (7) consecutive days including a minimum of 10% of the contests and/or performances scheduled, or two contests/performances (not including exhibition contests) whichever is less. If the positive test occurs outside of the performance or competitive season, the seven-day suspension shall begin six days prior to the first regularly scheduled performance or competition (not including exhibition contests). The student may resume practice after the mandatory seven-day suspension but shall be withheld from a subsequent performance or competition, if the minimum performance or competition suspension is not met in the seven-day suspension period.

5. Student enters a prescribed counseling and rehabilitation program at their own expense.
6. After forty (40) days, the student re-tests and, should the student return as a scholarship student the following academic year, he or she may be subject to testing during the subsequent year(s). (Note: Testing continues during the summer months, if the student is enrolled in summer school). If documentation demonstrates a decrease in the drug(s) metabolite, the student shall continue as a first time offender and continue counseling until released by the counselor. If documentation demonstrates an increase in the drug(s) metabolite, the student shall be declared a second-time offender and submit to actions/sanctions indicated in this program.
7. The activity student may appeal to the Dean of Student Services. The student athlete may appeal to the Athletic Director. The student may appeal to the College's Appeals Committee, should they desire. The Appeals Committee has the authority to make the final decision. Any appeal must be submitted, in writing to the designated person or committee, within 5 days of receipt of positive result letter.

   An appeal shall be considered for one or more of the following purposes:

   a) To determine whether the drug testing process was conducted fairly and in conformity with prescribed procedures and/or
   b) To consider new information sufficient to potentially alter the results

   Sanctions imposed by this policy are to remain in effect during the appeals procedure unless otherwise directed by the President of the College.

8. Failure to comply will result in immediate and permanent suspension from the activity or team and the loss of financial aid. The student may appeal to the College's Appeals Committee, should they desire. The Appeals Committee has the authority to make the final decision.

SECOND-TIME OFFENDER

1. The activity student's sponsor, College Counselor, College Nurse, and Dean of Student Services are informed.
2. The student athlete's Coach, Athletic Director, Head Athletic Trainer, College Counselor, and Dean of Student Services are informed.
3. The student is encouraged to notify his/her parent(s), legal guardian(s) and/or spouse.
4. Immediate and permanent suspension from participation in the activity or athletics program.
5. Cancellation of financial aid provided by Barton County Community College.
6. The student may appeal the above conditions to the College's Appeals Committee, should they desire. The Appeals Committee has the authority to make the final decision.

B. <u>Zero-Tolerance</u>

If a student's test result does not reach an established level to count as a positive test but does indicate a smaller concentration level of the banned substance [e.g. 1 to 14 nanograms/ml of THC (marijuana)], the student will be subject to the following actions:

1. The activity student's sponsor, College Counselor, College Nurse, and Dean of Student Services are informed.
2. The student athlete's Coach, Athletic Director, Head Athletic Trainer, College Counselor, and Dean of Student Services are informed.
3. The student will be offered counseling by the College Counselor.
4. The student will be subject to monthly retests at their own expense.

VIII. GENERAL POLICIES

A. The conditions of this substance abuse policy and drug-testing program begin when the student reports to the College academic/activity/athletic program and continues for the remainder of his/her academic/activity/athletic career.

B. If a student fails to report for drug testing after notification, he/she shall be considered an offender.

C. If a student reports to the testing site and subsequently leaves the site without permission from the drug-testing administrator, he/she shall be considered an offender.

D. A student who is required to receive counseling will receive written notification and an appointment time via hand-delivery from the College Counselor. Following the initial counseling session, the College Counselor may refer the student to a community drug counseling service or continue counseling the student. If the student is referred to a community drug counseling service, the student will be financially responsible for services provided.

   The first counseling session must occur no later than two (2) weeks after notification of the positive test. Failure to report for counseling will result in the student being suspended from practice, performance, and competition for one week and until the counseling session is met. Further, after a student misses two counseling sessions, he/she will be charged with a positive test result penalty for any subsequent missed counseling session, in addition to being charged for the cost of the missed session.

E. Conviction of a student for the sale, purchase, transfer, or possession of drugs shall result in automatic and immediate dismissal from his/her activity or team and the loss of all related financial aid.

F. Offenders shall be subjected to re-tests to determine continued abuse or non-use. An increase in drug(s) metabolite from the most recent test will indicate drug usage and, therefore, a subsequent offense. A decrease in drug(s) metabolite from the most recent test will not be considered a positive test.

G. The application of all of these general policies may be appealed to the College's Appeals Committee who has final authority.

H. This program and its administration/operation is subject to change or to be modified at any time. However, any change or modification will be implemented only by action of the Dean of Student Services and/or Athletic Director and will not be applied retroactively if it would adversely affect a student's rights.

APPENDIX 1
NCAA BANNED DRUGS

(a) Stimulants:

Amiphenazole	*ephedrine	pentetrazol
Amphetamine	dimethylamphetamine	phendimetrazine
Bemigirde	Doxapram	phenmetrazine
Benzphetamine	Ethamivan	phentermine
Bromantan	Ethylamphetamine	picrotoxine
caffeine (1)	Fencamfamine	pipradol
Cholphentermine	Meclofenoxate	prolintane
Cocaine	Methamphetamine	strychnine
Cropropamide	Methylphenidate	and related compounds
Crothetamide	Nikethamide	
Diethylpropion	Pemoline	

(b) Anabolic agents:
Anabolic steroids:

Androstenedione	Fluoxymesterone	norandrostenedione
Boldenone	Mesterolone	norethandrolone
Clostebol	other anabolic agents:	oxandrolone
dehydrochlormethyl-testosterone	Clenbuterol	oxymesterone
Dehydroepiandrosterone	Methandienone	oxymetholone
(DHEA)	Methenolone	stanozolol
Dihydrotestosterone	Methyltestosterone	testosterone (2)
Dromostanolone	Nandrolone	and related compounds

(c) Diuretics:

Acetazolamide	Flumethiazide	polythiazide
Bendroflumethiazide	Furosemide	quinethazone
Benzthiazide	Hydrochlorothiazide	spironolactone
Bumetanide	Hydroflumethiazide	triamterene
Chlorothiazide	Methyclothiazide	trichlormethiazide
Chlorthalidone	Metolazone	and related compounds
ethacrynic acid		

(d) Street Drugs:

Heroin	marijuana (3)	THC (3) (tetrahydrocannabinol)

(e) Peptide hormones and analogues:

chorionic gonadotrophin	corticotrophin (ACTH)	Growth hormone
(HCG – human chorionic gonadotrophin)		(HGH, - somatotrophin)

All the releasing factors of the above mentioned substances also are banned.

Erythropoietin (EPO)

(f) Definition of positive depends on the following:

(1) for caffeine – if the concentration in the urine exceeds 15 micrograms/ml.

(2) for testosterone – if the administration of testosterone or the use of any other manipulation has the result of increasing the ratio of the total concentration of testosterone to that of epitestosterone in the urine to greater than 6:1, unless there is evidence that this ratio is due to a physiological or pathological condition.

(3) for marijuana and THC – if the concentration in the urine of THC metabolite exceeds 15 nanograms/ml.

*Ephedrine (ephedra) is contained in many supplement products

APPENDIX II

CHAIN OF CUSTODY IN SPECIMEN COLLECTION, PREPARATION AND HANDLING

Preserving the integrity of the specimen is of vital importance in screening for drugs of abuse. Strict adherence to reasonable steps in this process is required so that:

- The student knows that his/her specimen is properly identified and sealed.

- The laboratory tests the correct specimen and issues a report on the correct subject, eliminating the possibility of reporting in error.

The process of quality control in any multi-step system will begin with the very first step and be systematically followed through to the last. By observing the regimen outlined below, a chain of custody shall be established.

1. Complete the test requisition form by providing the following:

    - Subject's Code Number
    - Date and Time of Collection
    - Test Number on the Form

2. Have the student observe and confirm his/her code number, sex and date on the test requisition form and document any medication being taken.

3. The student is to remove all outer garments. The student takes a specimen cup. The student and a member of the testing agency are to go to the lavatory. The student is instructed to void into the specimen cup while agency personnel observes.

4. In the presence of the testing agency personnel, the student selects a collection kit and pours the specimen into his/her specimen bottles.

5. In the presence of the agency personnel, the student tightens the cap to the bottles and seals them with the security tape which has the student's code number written on it in ink.

6. The student places the specimen bottles into the specimen envelope and seals each envelope with tape. [Note: No person touches the collection kits or specimen cups other than the student-athlete until after the collection process is completed and containers sealed.]

7. The envelope is placed into the shipping container.

8. The number of specimens being shipped is counted.

9. The shipping container is secured and the testing agency's address label is attached.

10. The courier for pick-up is notified and the testing agency is advised of the shipment.

Acknowledgment: Barton County Community College gratefully acknowledges the permission of Kansas University to utilize its established policies and procedures for substance abuse in the development of the substance abuse policy and drug testing program.

(Based on policy 1611; revised and approved by President on 5/18/09)