

**WESTERN NEBRASKA COMMUNITY COLLEGE
POLICIES AND PROCEDURES**

SECTION: Student Services 500.0000.17
SUBSECTION:

Drugs and Alcohol (Athletes)
Policy Number: 500.4050.07

POLICY

All student-athletes at Western Nebraska Community College are required to adhere to this drug policy. The purpose of this policy is to protect the health and welfare of the student-athletes and to promote a drug free athletic environment. This will be accomplished through education programs, drug testing, and appropriate treatment and response.

The primary reason for the Drug Policy at WNCC is the well-being of the student-athlete. The intention of this program is not to punish but to educate and treat individuals with drug problems. This will reduce health threats to student-athletes and promote the fairness of competition in compliance with NJCAA policies regarding drug abuse.

Western Nebraska Community College will provide educational programs every semester to alert student athletes of the health risks and dangers associated with drug use/abuse. Student-athletes are required to participate in at least one program every semester.

Drug Screening

- 1) ***Administrators of the Drug Screening Program:*** The certified drug program administrator will perform all drug testing with qualified personnel.
- 2) ***Notification and Consent:*** All student-athletes will be notified of when and where drug tests will be performed, although tests will be performed randomly. All student-athletes must read and sign a drug testing consent form every year in order to be eligible for NJCAA Division I athletics. Any student not willing to read and sign a consent form will be considered ineligible for participation in WNCC Athletics.
- 3) ***Confidentiality of Test Results:*** All information and records associated with the WNCC drug testing policy, including test results, will remain confidential and, unless otherwise required by law, will be released only to the following persons:
 - a. Athletic Director or his/her designee.
 - b. Chief Student Services Officer or his/her designee.
- 4) ***Drugs for Which the Screening Will Be Conducted:*** Substances that may be randomly tested for include: alcohol, amphetamines, cannabinoids, cocaine, opiates, synthetic opiates and PCP, and other substances, such as but not limited to steroids, barbiturates, and benzodiazepines, without advance notice.
- 5) ***Frequency of Screening:*** Includes Tests by WNCC, NJCAA, and Other Organizations. For testing administered by or on behalf of WNCC, Athletic Director, or his/her designee, will notify students and head coaches of scheduled drug testing dates and times. Student-athletes are subject to the following types of testing:
 - a. New student-athlete testing
 - b. Random testing
 - c. Reasonable suspicion testing
 - d. Post-accident testing
 - e. Return to play testing
 - f. Follow-up testing

Testing may occur throughout the calendar year, including during the summer. The Athletic Director, or his/her designee, may also test students based upon just cause or reasonable suspicion so that drug testing may produce evidence of drug use.

- 6) ***Specimen Collection:*** For Tests Conducted on Behalf of WNCC--Western Pathology Consultants or other certified drug program administrator under contract with the college will supervise the collection, screening, and

analysis of a urine or saliva sample from the student-athlete; this may be an observed collection.

Each urine and/or saliva sample will be analyzed for the presence of banned substances and is the property of WNCC. Any time a student receives a positive result, the student will be subject to the consequences outlined below. The student will be responsible for obtaining necessary signatures on a routing form provided by the Athletic Director or his/her designee to demonstrate that required meetings have occurred.

Designated Counseling Programs

WNCC encourages students to seek assistance for problem drug and alcohol use. All student athletes testing positive will be required to attend counseling and drug assessment at the direction of the Athletic Director or his/her designee.

Sanctions and Appeals

- 1) **First Positive Test:** If a student-athlete receives a positive test result for any banned substance or if a missed test is treated as a first positive, the following consequences will occur:
 - a. The student-athlete will be declared ineligible for one (1) week of practice and/or competition to commence on the day after report of test results.
 - b. The student-athlete will be subject to repeated unannounced drug testing to be conducted at any time under the direction of the Athletic Director or his/her designee.
 - c. Athletic Director or his/her designee will meet with the student to discuss the test results, to discuss the potential consequences of drug use on health and performance, and to provide information about on-campus and off-campus resources for drug counseling.
- 2) **Second Positive Test:** If a student receives a second positive test result for any banned substance (the substance does not need to be the same substance that resulted in any earlier positive test), or if a missed test is treated as a second positive, the following consequences will occur:
 - a. The student-athlete will be declared ineligible for the remainder of the regular season and post-season competition.
 - b. The student-athlete shall also remain ineligible until he/she retests negative.
 - c. Athletic Director or his/her designee will meet with the student to discuss the test results, to discuss the potential consequences of drug use on health and performance, and to provide information about on-campus and off-campus resources for drug counseling.
 - d. The student-athlete will be subjected to repeated, unannounced drug testing to be conducted at any time under supervision of the Athletic Director or his/her designee.
- 3) **Third Positive Test:** If a student-athlete receives a third positive test for any banned substance (the substance does not need to be the same substance that resulted in any earlier positive test), or if a missed test is treated as a third positive, the following consequences will occur:
 - a. The student-athlete will be permanently suspended from the team.
- 4) **Missing a Test:** If a student-athlete fails to report for a drug test after being notified of the test, he or she will be required to provide a specimen to a designated facility at a time designated by WNCC and the student-athlete will be required to pay for the test. Except in extraordinary circumstance, the rescheduled time will be within twenty-four (24) hours of the scheduled test. The missed test will be considered a positive test until proven otherwise. The student-athlete will not be permitted to play, practice, and attend team meetings, use WNCC facilities, or attend non-public WNCC activities until a missed test has been retaken as required by this policy. Failure to provide a specimen at the rescheduled test will be treated as (and subject to the consequences of) a positive test.

If the student-athlete is tested at the rescheduled test and the test is negative, it will not be considered a positive test. The student-athlete will be required to pay for the full cost of the rescheduled sample collection. The student-athlete is responsible for getting to the rescheduled test at the designated place and time. The head coach will be notified by the Athletic Director or his/her designee of the missed test, the consequences for missing the test, and the student-athlete's obligation to seek the rescheduled test.

Student-athletes are required to complete their academic responsibilities (e.g., classroom or field experiences) and may be allowed to reschedule a drug test due to a documented academic conflict. The rescheduled test must occur within twenty-four (24) hours of the scheduled test. To be allowed to reschedule within twenty-four (24) hours, the student-athlete must inform the Athletic Director or his/her designee of an academic conflict at the time of the notification of the testing procedure. Student-athletes will be required to document each academic conflict to avoid an unexcused absence. WNCC staff has the discretion to decide whether the absence will be excused and to verify the academic conflict prior to the student-athlete missing the test.

- 5) ***Access to Information about Test Results:*** The Athletic Director and the Chief Student Services Officer, or his/her designees, will be informed of test results and missed tests that are treated as positive tests. Other college employees may be informed of test results to the extent necessary for the implementation of this policy.
- 6) ***Appeals Process:*** A student-athlete may appeal the finding of a positive result, violation of this policy, or the sanction imposed for either a positive test or violation of this policy. To appeal, the student athlete must provide written evidence of material procedural error, evidence that refutes the positive finding or violation, or evidence that the sanction is unreasonable. The student-athlete must submit the written appeal to the Chief Student Services Officer within seven (7) days after the student is notified of the decision to be appealed. If the student does not appeal within seven (7) days, the result, finding, or sanction cannot later be reviewed. The decision of the Athletic Director to suspend a student-athlete from play or practice on medical grounds is not a sanction (and cannot be appealed) under this policy. The Chief Student Services Officer will review the appeal and evidence de novo on the record, and will make a written decision to the student and Athletic Director within ten (10) school days. This decision will be final.

DEFINITIONS

N/A

APPLICABILITY

N/A

Adoption Date: 2007

Revision Date (and Board of Governors' Minutes Item Number):

Prior Policy/Procedure Number:

Schedule for Review:

Divisions/Department Responsible for Review and Update:

Sponsoring Division/Department:

Rescinded Date:

Cross Reference:

Procedure(s) for Policy:

Related Policies/References: