



STUDENT-ATHLETE ALCOHOL AND DRUG TESTING PROCEDURES

PURPOSE

Southeast Community College (SCC) is committed to promoting the health and welfare of our student-athletes, hereafter referred to as athletes. The College recognizes that substance use, abuse, or dependency may interfere with an athlete's health, academic performance, individual athletic performance, and a team's success. Thus, SCC Administration will continue to educate and inform athletes of the effects of substance use, abuse and dependency thereby enabling athletes to make responsible decisions and allowing SCC to maintain the integrity of intercollegiate competition. To this end, the College will provide assistance, referrals, and a fair administrative process for testing, sanctions, and potential appeals concerning drug use, abuse, or dependency by athletes.

NJCAA Policy

The National Junior College Athletic Association (NJCAA), in compliance with the National Collegiate Athletic Association (NCAA) Drug Testing Policy, encourages member institutions to conduct alcohol and drug education programs and drug testing for the purpose of the well-being of each athlete. Accordingly, SCC will conduct drug/alcohol testing per the screening program procedures outlined in this document throughout the academic year. Each athlete must consent to random testing for drugs/alcohol before participating in any athletic competition or event. Failure to complete and sign the consent form, or refusal to submit to random screening, shall result in the athlete's ineligibility to participate in the SCC athletic program.

EDUCATION PROGRAM

A critical component of this program is an ongoing educational effort designed to help athletes avoid involvement in prohibited uses of alcohol and drugs. All athletes are required to participate in prescribed educational sessions related to alcohol and drug use, abuse, or dependency. The program's objective is to educate athletes about the physical, psychological, financial, and legal concerns associated with alcohol and drug use and/or involvement. The program shall consist of, but not be limited to, lectures, online assessments, audio-visual presentations, and printed materials.

Removing the athlete from competition or events is NOT the primary objective of SCC's procedures. Instead, the purpose is to deter the use of alcohol and drugs, counsel, educate, and help those athletes who may test positive. Violation of these procedures will result in the athlete being subject to the sanctions listed in this document. Furthermore,

the athlete may be subject to disciplinary action under the rules and procedures described in the SCC Student Handbook, in the SCC Residence Life Handbook, and under the Student Code of Conduct policy, as well as the SCC Athletic Handbook.

DRUGS DEFINED FOR DRUG SCREENING PURPOSES

Drugs for which athletes will be randomly screened typically include the following (this can vary upon agreement between the contracted testing agency and SCC administration):

- A. Required--Screening will be conducted for barbiturates, cocaine, methamphetamine, methadone, oxycontin, amphetamines, PCP and THC (marijuana).
- B. Optional--SCC reserves the right to test for any other drugs banned by the NCAA, the NJCAA, considered illegal by the Uniform Controlled Substances Act, Nebraska Rev. Statue 28-401, or controlled by the Food and Drug Administration, unless prescribed to the athlete by a licensed medical practitioner authorized to prescribe controlled substances or other prescription drugs.

Athletes are encouraged to consult the list of NCAA banned-drug classes whenever buying over-the-counter nonprescription drugs. [NOTE: Many common cold medicines and medications for allergy treatments contain small amounts of banned substances (e.g. Co-Tylenol, Sudafed, etc.) that might produce a positive result.]

For more information go to www.ncaa.org/drugtesting

DRUG SCREENING PROGRAM

- A. Unannounced Random Screening—All athletes may be subject to unannounced random drug screening throughout the academic year. SCC administration will determine a random method of selection, the percentage of each team screened, date, time, and site for testing.
- B. Reasonable Suspicion Testing—In addition to the Unannounced Random Screening, SCC reserves the right to test an athlete anytime there is a reasonable suspicion that they may be engaged in the use of drugs or alcohol. The term reasonable suspicion means that credible information has been observed by or given to a member of the athletic department or SCC administration, in good faith, from reliable source(s) regarding an athlete's suspected use of alcohol/drugs either on or off-campus.
- C. Follow-up Testing—Any athlete who has had their eligibility to participate in intercollegiate athletics suspended as a result of a drug violation will be required to undergo follow-up testing to exit a positive drug test (minimum of 3 negative tests).

DRUG TESTING PROCEDURES AND STANDARDS

- A. **Notice**—Each athlete at SCC will be given a copy of these procedures and will be required to attend/sign-in/participate in an educational session where the procedures are explained. Upon random selection, there is no minimum notice required by SCC administration to give the student. A student may be asked to report for immediate testing
- B. **Consent**—Each athlete must sign a consent form before the athlete shall be eligible to practice or participate with his/her team. All athletes age 18 or under must also have a parent/legal custodian sign the consent form prior to participation.
- C. **Selection Pool Length**—All athletes, regardless of scholarship or redshirt status, from each sports team will be placed in the random screening pool at the start of athletic training for the fall semester and will remain in the pool.
- D. **Athlete Random Selection**—The rosters from each team will be submitted to the company contracted by SCC to conduct the testing, referred to as the Drug Program Administrator (DPA). The DPA will randomly select the requested percentage of athletes from each roster to be tested. SCC will assign random ID numbers to each athlete. The random ID numbers, not names, will be used for the selection process by the DPA. Athletes drawn for one test will remain in the pool for later tests, so it is possible to be selected for random screening more than once in an academic year.
- E. **Collection Procedures**—The DPA will maintain and follow generally-accepted industry standards for collecting, maintaining, shipping, and accessing all specimens. The DPA will seek to obtain the sample in a manner designed to ensure accurate testing protocols
- F. **Financial Responsibility**—SCC will pay for initial tests and the required confirmation tests as part of random, baseline, or reasonable suspicion testing. Athletes will pay for any requested secondary testing and or counseling/treatment programs.
- G. **Collection Site**—SCC Administration will designate the collection site. The collection site may be on or off college premises.
- H. **Notification of Results**—The DPA will notify SCC Administration of any positive test after the initial screening and after MRO confirmation. SCC Administration, along with the coach, will notify the athlete of the test results.
- I. **Request for a Retest**—A split specimen will be collected for all testing methods. An athlete may request that the split specimen be sent in for further testing at a nationally certified laboratory provided by the DPA and coordinated by a certified Medical Review Officer (MRO). The request for the retest must be submitted in writing within 24 hours to SCC Administration who will make the request of the DPA. **Retests beyond the initial confirmation test will be done at the athlete's expense.**
- J. **Negative tests**—The athlete will receive either verbal or written notice from the DPA, SCC Administration, and/or the athlete's coach when the test result is negative.
- K. **Tampering**—Tampering is the use of any agent or technique which is designed to avoid detection of a drug and/or compromise the integrity of a drug test and is prohibited. This includes providing false fluid samples, contaminating the fluid sample with chemicals or chemical products, the use of diuretics to dilute fluid samples, and the use of masking of any fluid sample.

On-Campus Violations for Drugs/Alcohol

If an athlete is observed to be present at an on-campus location where alcohol is present, local law enforcement will be called. If law enforcement determines, via breath analysis or other legal assessment of blood alcohol level, that the athlete has consumed alcohol, the athlete will be subject to a Level 1 sanction (if the athlete has already received a Level 1 or Level 2 sanction, they will be subject to the next sanction level). If a student is cited for any alcohol-related charge (MIP, MIC, DUI, procurement, or contributing to the delinquency of a minor), the athletic policy will also apply and the student will receive the appropriate offense level. If a student's blood-alcohol level tests 0 for the presence of alcohol and is not cited, the athlete will not be subject to a sanction per these procedures; however, a coach may impose their own sanction for the athlete's presence at a location where alcohol was consumed.

If a student is observed in attendance at an on-campus location where drugs are present or reasonably suspected to have been present in a determined location (either witnessed visually or via odor by SCC staff), reasonable suspicion drug testing will be enforced. Drug testing will be requested via the contracted DPA or an alternate location if the contracted agency is not available. If reasonable suspicion testing or law enforcement determines that the athlete has consumed drugs (by issuing any drug-related citation), the athlete will be subject to a Level 1 sanction (if the athlete has already received a Level 1 or Level 2 sanction, they will be subject to the next sanction level). If the reasonable suspicion testing determines that the athlete is negative for drugs, the athlete will not be subject to a sanction per these procedures; however, a coach may impose their own sanction for the athlete's presence at a location where drugs were consumed.

Student Code of Conduct Sanctions and Residence Life sanctions may be imposed per the Residence Life Handbook to any/all persons involved in a room where drugs/alcohol are present; however, those sanctions are independent of these procedures.

Legal Age to Consume

Even if the athlete is of legal age to consume, alcohol consumption on campus is prohibited by College Policy and the Student Code of Conduct.

Off-Campus Charges for Drugs/Alcohol

If a student is cited with an alcohol-related or drug-related offense during the school year or any remaining competition season outside of the school year, whether on- or off-campus, the athlete will be subject to a Level 1 sanction (or the next appropriate sanction level if they have already received one or more sanctions).

SELF-REFERRAL (SAFE HARBOR PROGRAM)

An athlete eligible for the Safe Harbor Program may self-refer for voluntary evaluation and intervention for alcohol or drug use/abuse/dependency. An athlete is not eligible for the Safe Harbor Program after they have been informed of an impending drug test or after having received a positive finding on a previous drug/alcohol test. Athletes with fewer remaining contests than the minimum suspension will also not be eligible.

SCC will work with the athlete to prepare a Safe Harbor intervention plan, which will include confidential testing. If the athlete tests positive for drugs/alcohol upon entering the Safe Harbor Program, that positive test will not result in any administrative sanction unless the athlete tests positive in a subsequent re-test or the athlete fails to comply with the intervention plan.

An athlete will be allowed to remain in the Safe Harbor program for a period of 30 days. If an athlete tests positive for alcohol/drugs after completing the Safe Harbor program or fails to comply with the Safe Harbor intervention plan, the athlete will be removed from the Safe Harbor Program and an initial Safe Harbor positive test will be treated as a first positive whereas any subsequent positive tests as a second positive, and will be subject to the sanctions outlined in these procedures.

While in compliance with the Safe Harbor Program intervention plan, the athlete will not be included in the list of athletes eligible for random drug testing. SCC Administration, the Certified Trainer, and the Head Coach may be informed of the athlete's participation in the Safe Harbor Program. Any athlete wishing to enroll in the Safe Harbor Program shall complete the "Declaration of Safe Harbor Form" located at the end of this document or posted online at www.sccbobsports.com (Inside Athletics > Required Information & Forms).

SANCTIONS

Sanctions may be imposed upon any athlete found to have violated these procedures. More than one sanction may be imposed for any violation and the sanctions may be enhanced, for example, of a greater severity than would usually apply to a given type of misconduct if the athlete has violated the Student Code of Conduct or these procedures previously. All athletes found in violation of these procedures will be subject to additional drug testing and follow-up educational programming with the frequency and timing of each determined by SCC Administration and the Head Coach. Sanctions will be determined by SCC Administration and the Head Coach and may include one or more of the following:

1. Suspensions--From games or matches (Excluding Scrimmages) [minimums described under "Suspension from Competition and Dismissal"]
2. Community Service--Including community service related to drug education
3. Discretionary Sanctions—Including, but not limited to, educational programming, writing assignments, substance abuse or mental health assessment, counseling, or other treatment. The athlete will be financially responsible for counseling or treatment outside of the scope of SCC staffing.
4. Dismissal & Loss of Scholarship--Dismissal from the intercollegiate athletic program and loss of scholarship which may be full or partial based upon the coach's and SCC Administration's discretion.

Suspension from Competition and Dismissal

The length of the suspension must meet the minimum suspension prescribed in the following tables and will be determined by the SCC Administration and the Head Coach. However, an athlete may be suspended for a longer period of time or may be dismissed from the team as a result of one or more offenses as determined by the SCC Administration and Head Coach. Suspensions that occur during a competitive season will begin immediately. The Head Coach will determine eligibility for practices, conditioning, and/or weight training. Athletes who violate these procedures while out of competition season will be subject to the sanction options listed above. In the case of an athlete returning for a second season, SCC reserves the right to carry over game suspensions to the next competitive season (excluding scrimmages) when testing positive after the season has concluded. All game suspensions listed below will be for the competition season (excluding scrimmages). Coaches may impose additional sanctions for scrimmage situations in addition to the below minimums for the competitive season.

SPORT	1 st Offense (Level 1)	2 nd Offense (Level 2)
Volleyball	2 Matches	6 Matches
Men's & Women's Cross Country	1 Meet	3 Meets
Men's & Women's Soccer	1 Match	3 Matches
Men's & Women's Basketball	2 Games	6 Games
Men's & Women's Wrestling	2 Matches	6 Matches
Men's & Women's Golf	1 Tournament	3 Tournaments
Baseball	3 Games	9 Games
Softball	3 Games	9 Games
Men's & Women's Track	1 Meet	3 Meets
Esports	1 Tournament	3 Tournaments
Shooting Sports	1 Shoot	3 Shoots
Rodeo	1 Rodeo	3 Rodeos

THIRD OFFENSE (Level 3)

Dismissal from the team and loss of scholarship!

FAILING TO REPORT OR REFUSAL TO TEST

An athlete who refuses to report to a drug test request, who refuses to submit to a drug test authorized under these procedures, who fails to provide a valid sample and refuses to continue testing to provide a valid sample, or who fails or refuses to comply with any other provision of these procedures shall be deemed to have submitted a positive test. If it is determined by Administration, coach, and the Athletic Director that a student did not intentionally miss a scheduled test time, the student will report immediately once contacted. If testing cannot be done that same day, the athlete will not be allowed to practice or participate until tested and the coach may impose their own sanctions to the

student for missing the scheduled testing date/time and or practice time, even if the subsequent test is negative.

TAMPERING

If the SCC Administration or DPA determines that an athlete tampered with a drug screening, the athlete shall be deemed to have submitted a positive test and the athlete will be subject to the next applicable offense level, but the game suspension will be 1.5 times the sport total for that level. For example, a volleyball athlete who has no previous positive test would be placed at the first offense level but will be suspended for three games instead of two.

APPEALS

The SCC Student Code of Conduct Appeals process will apply but will be expedited as much as possible. The sanctions imposed as a result of a violation of these procedures may be appealed to the SCC Athletic Director or designee within five (5) business days of the decision. Such appeals will be in writing and will be delivered to the SCC Dean of Students or designee within five (5) business days of the notice of the outcome of the drug test.

Sanctions are to be implemented during the appellate process. Due to the seriousness of the sanctions imposed, the Dean of Students will make every attempt to convene a hearing within 48 hours of a student's request in order to provide a timely conclusion. An athlete may invoke his/her right for seven days to prepare, but game suspensions will continue during the appellate process. If the appeal results in the athlete's favor, the offense level previously applied will be removed from their record. The results of the appellate process will be considered final.

An appeal will be limited to a review of the written record and supporting documents for one or more of the following:

- A. To determine whether the case was handled in conformity with the prescribed procedures. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
- B. To determine whether the sanction(s) imposed were appropriate for the violation in which the athlete was found to have committed.

The SCC Administration/Conduct Committee may affirm, reverse, or modify the decision regarding the sanctions imposed.

FINANCIAL RESPONSIBILITIES

Costs associated with the drug screening/testing program will be covered as follows:

- 1. The initial drug screening fee will be assumed by SCC.
- 2. The cost for a second drug test of the same specimen used for confirmation of the first positive test by the MRO will be assumed by SCC.

3. A challenge by the athlete of a drug test, where any subsequent drug testing of the split sample is required by a second private laboratory will be the responsibility of the athlete.
4. Follow-up testing and/or exit tests required by SCC will be assumed by SCC.
5. Counseling or treatment programs outside of SCC's staffing will be the financial responsibility of the athlete.

RIGHT TO AMEND

The SCC Administration reserves the right to modify and/or amend the Drug Testing Procedures at any time. In return, it will notify all parties associated with such program changes within 24 hours of modification and/or amendment.

SEVERABILITY

If any portion of these procedures are deemed to be contrary to the law of the state of Nebraska or the United States by judicial decision or an act of Congress, then only such portion or provision directly deemed to be unconstitutional shall be stricken, and the remainder of the procedures shall remain in force. [This statement does not preclude SCC from imposing sanctions even when a law was not deemed to have been broken.]



STUDENT-ATHLETE DRUG TESTING PROCEDURES CONSENT TO DRUG TESTING & AUTHORIZATION FOR RELEASE OF RESULTS FORM

READ CAREFULLY BEFORE SIGNING

The athlete shall consent to SCC Drug Testing Procedures prior to participation in athletic practices or competition each academic year. Drug test results will be confidential to the extent provided by law.

Athletes who test positive for banned substances will be subject to sanctions listed in the SCC Student-Athlete Drug Testing Procedures. Any athlete who refuses to be tested will be considered drug positive and will face the appropriate sanctions as listed in the SCC Student-Athlete Drug Testing Procedures.

I understand that this screen and analysis will be conducted by qualified laboratory personnel from an approved laboratory agency selected by SCC Administration. I also understand that a documented chain of specimen custody exists to ensure identification and integrity of my sample throughout the collection and testing process.

By signing this document, I understand that I can be tested for drugs throughout the academic year, per the procedures listed in the procedures, at any time during the academic year or practice/competition season of my participation in SCC athletic activities. Furthermore, I am subject to the sanctions listed in the program including any disciplinary action imposed by SCC.

I understand that SCC has a drug screening program for the purpose of education, prevention, detection, and deterrence of substance usage and abuse. In accepting the privilege to participate in intercollegiate athletics, I agree to random drug screening and drug testing. I have reviewed SCC's Student-Athlete Drug Testing Procedures and the Consent to Drug Testing & Authorization for Release of Test Results Form and authorize the release of my drug test results to the College for its use and distribution as provided by law. I understand the Procedures and this Form and am signing the Form voluntarily with full knowledge of its meaning and consent.

Sport _____ ID#: _____

Printed Name of Athlete _____

Athlete Signature _____ Date _____

Parent/Guardian Signature _____ Date _____
(if 18 or younger)



**STUDENT-ATHLETE DRUG TESTING PROCEDURES
DECLARATION OF SAFE HARBOR FORM**

I hereby declare "Safe Harbor" from the SCC Drug Testing program. I understand that this is the one and only time that I am permitted to declare "safe harbor" and I will:

- 1) Be subjected to drug testing immediately (to establish a baseline).
- 2) Be evaluated by SCC's designated Drug Counselor regardless of test results.
- 3) Follow through and complete all steps of the prescribed counseling/treatment program at my own expense.
- 4) Remain in the Safe Harbor Program until released by the designated Drug Counselor and/or Drug Testing Committee for a period of time not to exceed 30 days.
- 5) Not be eligible for randomized drug testing while in Safe Harbor, but must comply with any additional requests for testing while enrolled in the Safe Harbor program. This shall include monthly drug testing until I have tested "negative" for three (3) consecutive tests.
- 6) Follow other steps described in this program under the Safe Harbor section.

Printed Name: _____ ID #: _____

Athlete Signature _____ Date _____

For Committee Use Only

Eligible for Safe Harbor? Yes _____ No _____

Reviewed Safe Harbor Program with Student: Yes _____ No _____

Administration Signature _____ Date _____

Title: _____