

CONNORS STATE COLLEGE
SUBSTANCE ABUSE POLICY & PROCEDURES
Adopted 10/28/2015
Revised 2-3-21

Policy Statement

The illegal use, abuse, possession, manufacture, distribution of, or being under the influence of controlled or illegal drugs is prohibited while a member of any Connors State College (CSC), athletic team, scholarship/waiver program or participating in CSC athletics whether on or off Connors State College premises. Additionally, Student-Athletes are not permitted to use any Impermissible Substances as identified by the National Collegiate Athletic Association (NCAA).

Scope

Student-Athletes must understand that initial and continued enrollment and participation in Connors State College Intercollegiate Athletics or scholarship/waiver program is contingent upon a willingness to comply with this policy.

Purpose

Illegal use or abuse of drugs, the use of performance-enhancing drugs, the use of tobacco, and the misuse/abuse of prescription drugs are associated with numerous health, safety, and social problems. They may also create an unfair competitive advantage and damage the reputation of the College.

This policy, including the prohibitions and provisions therein, will be used to promote and safeguard the Student-Athlete from the consequences of drug abuse. The purpose of this policy is to:

- Provide a safe, productive, and healthy environment that is consistent with providing the highest quality athletic performance
- Provide the opportunity for counseling of those Student-Athletes with substance abuse problems
- Encourage prevention by conducting screenings to detect and deter substance abuse

Definitions

Controlled or Illegal Drug – Includes narcotics, hallucinogens, depressants, stimulants, look-alike drugs, or other substances that can affect or hamper the senses, emotions, reflexes, judgment, or other physical or mental activities. Included are controlled medications or substances **not** prescribed for current personal treatment by a licensed health practitioner in a medical setting to address a specific physical, emotional, or mental condition.

Legally Prescribed Medication – Includes drugs prescribed by a licensed practitioner and over-the-counter drugs which have been legally obtained and are being used in the appropriate amount solely by the individual and for the purpose for which the medication was prescribed or manufactured.

NCAA Banned Drug Classes--The NCAA list of banned-drug classes is subject to change by the NCAA Executive Committee. The term "related compounds" comprises substances that are included in the class by their pharmacological action and/or chemical structure. No substance belonging to the prohibited class may be used, regardless of whether it is specifically listed as an example.

Positive Drug Test – Defined as testing positive for a specific drug at a specific ng/ml level (see cutoff levels). A drug test will be performed on urine, blood, or hair if necessary.

Student-Athlete – A person on an active roster and/or a person receiving athletic grant-in-aid or scholarship/waiver at the institution.

Consent CSC

Upon entering any scholarship or waiver program at CSC, each Student-Athlete will be required to sign a consent form. The consent form indicates the understanding of the CSC Substance Abuse Program, drug testing policies and is also an agreement to be screened for illegal substances. Participation in any athletic team or scholarship/waiver programs at CSC will be contingent upon adherence to the drug testing program and the signing of the drug testing consent forms.

Prescribed Medications

CSC Athletics Athletic Training Staff must have a record of a Student-Athlete being prescribed medication by a team physician. If another physician prescribed the Student-Athlete medication, the individual must ensure that the prescribing physician supplies prescription information in a medically accepted manner. Medications being taken must be on file with the Athletic Training

Department. Additionally, the individual should list any medications being taken on the medication notification form given to them at the time of testing.

Safe Harbor Program

Through the Safe Harbor Program, a Student-Athlete may refer himself or herself once for voluntary evaluation and counseling. **A Student-Athlete is not eligible for Safe Harbor after he or she has been informed of an impending test or after having received notification of a positive institutional test or NCAA drug test.**

The institution will work with the Student-Athlete to prepare a Safe Harbor treatment plan which may include confidential Impermissible Substance testing. If the Student-Athlete tests positive for Impermissible Substances upon entering the Safe Harbor Program, that positive Test will not result in any administrative sanction unless the Student-Athlete tests positive in a subsequent retest or the Student-Athlete fails to comply with the prescribed treatment plan. (The Dean of Students or designee may suspend the Student-Athlete from play or practice if medically justified.) A Student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period of time, not to exceed thirty (30) days, as determined by the treatment plan.

If Student-athlete tests positive for any Impermissible Substances after entering the Safe Harbor Program or fails to comply with the Safe Harbor treatment plan, the Student-athlete will be removed from the Safe Harbor program, and the initial Safe Harbor positive Test will be treated as a first positive and a subsequent positive as a second positive – all subject to the sanctions as set forth herein.

While in compliance with the Safe Harbor Program treatment plan, the Student-athlete will not be included in the list of Student-athletes eligible for random Impermissible Substance testing by the institution.

The Dean of Students, the Athletic Trainer, and the Student-athlete's Head Coach/Activity Sponsor/Activity supervisor/sponsor or their designee will be informed of the Students Athletes' participation in the Safe Harbor Program. The Assistant Coach(es) may be notified at the discretion of the Head Coach/Activity Sponsor or designee. Other College employees may be informed only to the extent necessary for the implementation of this policy.

Screening Process

Student-athletes and/or scholarship/waiver students are subject to drug testing within the parameters set forth by this policy. The screening will be done by a certified laboratory. Individuals will be subject to undergo drug testing for the following:

- Reasonable suspicion/for cause
- Periodic monitoring or aftercare
- Random selection

Testing based on random selection notification

- Each month from August to May, the screening company will randomly select a number of Student-athletes comprising approximately 10% of each program's population for screening. Numbers will be rounded up. Student-athletes will have an equal chance at being chosen, regardless of whether they have been previously tested. In addition, entire teams or randomly selected Student-athletes on specific teams may be selected for screening.
- The selection list will be delivered to the Athletic Trainer, at least two days before testing. The Athletic Trainer will notify the respective Head Coach/Activity Sponsor, no later than noon of the day before testing.
- Notification to the selected Student-athletes will be the responsibility of the Head Coach/Activity Sponsor/Activity Sponsor, not to exceed twenty-four hours. The information will include the location, date, and time of the test.
- If the selected Student-athlete fails to cooperate with the administration of the test, it will be considered a positive test.

Testing in response to individualized reasonable suspicion

If there is reasonable suspicion that a Student-athlete is using or has used Impermissible Substances, the Student-athlete may be subject to testing at any time. This may occur whether a team is in season or out of season. Reasonable suspicion may be based on information presented to the Dean of Students or designee, including, but not limited to, the following:

- Observed possession or use of substances that reasonably appear to be those listed as a banned or Impermissible Substance.

- An arrest and/or conviction for a criminal offense related to the possession, use of, or trafficking substances listed as banned or Impermissible Substances.
- Observed activity or appearance which varies from the normal routine of a Student-athlete. This includes but is not limited to, changes in physical appearance, conduct, behavior, or unusual/unexplained patterns of absence from class, training, or competition, which would be reasonably associated with the use of banned or Impermissible Substances.
- Charged with a violation of the College or other published College policy based on the possession, use, or affiliation with alcohol and/or banned substances.

Consequences of Failure to Participate in or Cooperate with Testing

Student-athletes who fail to arrive at the collection station at the designated time without justification, fail to provide a urine sample according to the protocol, leave the collection station before providing a specimen according to the protocol, attempt to alter the integrity or validity of the urine specimen and/or collection process, or otherwise are uncooperative with the administration of the test, will be treated as having failed the drug test.

Procedures of Impermissible Substances Urinalysis/Swab Testing

The Student-athlete will be notified by his Athletic Trainer or designee as to the location, date, and time of the scheduled test. Upon arrival at the testing location, the Student-athlete must provide a valid picture identification card, or in certain circumstances, a member of the Department of Intercollegiate Athletics staff, who is present, may identify the Student-athlete. The Student-athlete will be given a medication notification form to list any medications taken within the last thirty days. The Student-athlete will provide a urine sample and/or a swab test according to the collection protocol of the testing center. Such protocol will usually include without limitation:

- Direct observation by a same-sex representative of the testing center.
- All screenings which reflect a positive result will be forwarded to a laboratory for a second screening to determine accuracy.
- The lab will analyze the sample for selected Impermissible Substances.
- If a positive result involves a substance for which there might be a prescribed medical necessity, the Athletic Trainer or designee will contact the Dean of Students. The Athletic Trainer or designee will discuss the test result with the Dean of Students. If the Athletic Trainer or designee determines that the test result is consistent with a medical need, no further action or reporting will occur. If the Athletic Trainer or designee determines that the test result is inconsistent with the Student-athlete's prescribed medical need for the use of the substance, the Athletic Trainer or designee will forward the result to the Dean of Students or designee.
- If a positive result involves a substance for which no known medical need exists (e.g., ecstasy, marijuana) the Athletic Trainer or designee will forward the result directly to the Dean of Students or designee.

Consequences of Impermissible Substance Use

1) First positive test result

- a) Notification of the positive test result will be given to the Dean of Students or designee by the Athletic Trainer. The Dean of Students or designee will then notify the Head Coach/Activity Sponsor/Activity Sponsor and the Student-athlete. The Head Coach/Activity Sponsor will notify the student-athlete's parents or guardians.
- b) A Student-athlete who yields a positive test will meet with the Dean of Students, the Athletic Trainer, and Head Coach/Activity Sponsor to discuss the violation and the consequences. The Student-athlete will be given a copy of the testing procedures and will be informed of the consequences of any future positive results. The Athletic Trainer will refer the Student-athlete for mandatory participation in designated counseling. Once referred, the Student-athlete has two business days to set-up an appointment for counseling. The Student-athlete will proceed with a minimum of three counseling sessions as designated by the personnel involved in counseling. The Athletic Trainer will be notified of any missed appointments and/or completion of counseling. The Student-athlete will have to get prior approval to be excused from counseling or show proof of emergency to excuse a missed appointment. If the Student-athlete fails to comply with the terms of scheduled counseling, the Student-athlete will advance to the second positive test stage.
- c) The Student-athlete will undergo a second test either at the conclusion of the required counseling sessions and/or intervention program or at such times or intervals as the Substance Abuse Counselor determines. While in the counseling program the positive tests will not count towards the limit of positives if the ng/ml limit continues to drop during counseling sessions. The first test above the initial positive test will be counted as a second positive. Any positive test result thereafter will be considered as a second positive test result.

- d) In the case of circumstances involving evidence of prior usage and/or related criminal activities, the Dean of Students may automatically advance the Student-athlete to the second positive test stage.

2) Second positive test result

- a) Notification of a positive test result will be given to the Dean of Students by the Athletic Trainer. The Dean of Students or designee will then notify the Head Coach/Activity Sponsor and the Student-athlete. The Head Coach/Activity Sponsor will notify the student-athlete's parents or guardians.
- b) A Student-athlete who yields a second positive test will meet with the Dean of Students, Athletic Trainer, and the Head Coach/Activity Sponsor to discuss the violation and the consequences.
- c) The Student-athlete who yields a second positive result will be placed back in counseling and/or rehabilitation. If the Student-athlete fails to comply with the terms of scheduled counseling, he or she will be deemed a third positive.
- d) Upon receipt of a second positive test, **the Student-athlete will immediately be suspended from all intercollegiate competition. Participation in other activities: practices, team activities, events, and the like are at the discretion of the Head Coach/Activity Sponsor, Substance Abuse Counselor, and Dean of Students or designee. The student-athletes suspension will begin immediately upon the Student-athlete's notification of the receipt of a positive test result and continue up to the day following the period of competitions equal to a minimum of ten percent (10%) of the maximum allowable regular season intercollegiate competitions allowed by the NJCAA. Should the regular season end before the completion of the suspension, the Student-athlete suspension will carry over to the post-season competition, if any, and if necessary, to the next season. For all other programs, the student will be suspended an equitable amount of time as determined by the coach or sponsor and the Dean of Students.**
- e) The Student-athlete will undergo another Impermissible Substance test at the conclusion of the counseling and/or rehabilitation program or at any other time during counseling determined by the Substance Abuse Counselor.

3) Third positive test result

- a) Notification of a positive test result will be given to the Dean of Students by the Athletic Trainer. The Dean of Students or designee will then notify the Head Coach/Activity Sponsor and the Student-athlete. The Head Coach/Activity Sponsor will notify the student-athlete's parents or guardians.
- b) Upon receipt of a third positive test, **the Athletic Department will permanently cancel the eligibility of the student-athletes participation in the institution's athletic program.**
- c) The Student-athlete will not be eligible for the renewal of any athletic grant-in-aid at the end of the semester.
- d) The Head Coach/Activity Sponsor will notify the parents of the Student-athlete's test result and such cancellation of eligibility and/or athletic grant-in-aid.

Extraordinary Circumstances

In extraordinary circumstances, as determined at the sole discretion of the Dean of Students or designee, **any positive test may result in one or more of the following additional actions:**

- Temporary, indefinite, or permanent suspension from further participation in all athletic programs.
- Cancellation of all or part of any grant-in-aid provided to the Student-athlete by the College Athletics.
- Extended counseling and rehabilitation to provide and implement an appropriate plan of intervention for the Student-athlete.
- Referral of the matter to Student Conduct for appropriate action.

Appeals

A Student-athlete who tests positive is entitled to an appeal based on the following:

- a. The sanctions imposed are inappropriate relative to this policy.
- b. The testing process was not in substantial conformity with prescribed procedures as set forth herein or by the Testing Center.

To be considered, an appeal must be filed in writing to the Athletic Director by the end of the second business day following the day the Student-athlete receives the notification of the positive test result. All appeals must contain a detailed description of the basis of the appeal and provide reasons supporting such. As a general rule, but ultimately at the sole discretion of the Dean of Students or designee, the Student-athlete's suspension, and/or sanction will not be set aside while an appeal is pending.

Confidentiality

Every effort will be made to maintain confidentiality within the program. While all related information and records will be protected from public access to the fullest extent allowed by law, it is understood that the law requires disclosure of such records in a health or safety emergency, and/or in response to a lawfully issued subpoena.