Category: Student Services

Division:

Department: Athletics

Policy Title: Athletic Drug Abuse Prevention and Drug Testing Procedures

Policy Statement: The 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 athlete 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.

Procedures:

Whenever the procedure refers to the Athletic Director it is to be understood that indicates the Athletic Director or his designee.

GCCC will not tolerate the use and abuse of alcohol and illegal drugs.

I. Purpose
   A. Education – To provide educational guidance to athletes to ensure awareness of the physical, mental and legal consequences of illegal drug use. Athletes will participate in a drug and alcohol education program during each year.
   B. Prevention – To discourage athletes from drug experimentation and possible drug abuse and dependency by imposing significant sanctions on offenders.
   C. Detection of abuse – To detect student athletes who may be involved in substance use or abuse through testing methods.
   D. Treatment and Rehabilitation – To assist those athletes for whom a possible drug problem exists in obtaining rehabilitation through drug counseling programs available from private sources.
   E. Promote health and safety of student participation – To provide reasonable safeguards assuring that every athlete is able to participate in intercollegiate activities unimpaired by illegal or banned drug.

II. All student-athletes (male and female), including cheerleaders, managers and student athletic trainers, who participate in GCCC athletic programs are subject to testing. 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.

III. DRUGS OF CONSIDERATION
   A. Amphetamines
   B. Barbiturates
   C. Benzodiazepines
   D. Cannabinoids
   E. Cocaine
   F. Ethanol
G. Opiates
H. Phencyclidine

IV. Testing procedures
A. Random testing program.
   i. Up to five students will be selected weekly for testing during months of September through May.
   ii. Athletes will be chosen through a random selection process. Athlete’s identification numbers will be entered into a computer program. Each week, the program will then randomly select up to five (5) students to be tested for drugs

B. Reasonable suspicion
   i. An athlete may be required to submit to testing when there is a reasonable suspicion of drug use based on specific observation by a GCCC employee or coach. The observation may include appearance, behavior, speech or odors such as but not limited to abnormally dilated or constricted pupils, glazed stare, redness of eyes, abrupt mood swings, performance faltering and odors.
   ii. An athlete may be tested for drug use when there is reasonable suspicion of distribution of drugs or possession of drugs.
   iii. When an athlete is suspected of drug use, a Reasonable Suspicion Form must be completed, signed and presented to the Athletic Director. These forms are available in the Athletic office.
   iv. The Athletic Director will review the evidence and, if reasonable suspicion exists, will authorize the testing of an athlete by signing the Reasonable Suspicion Form.

V. Voluntary disclosure of drug use
   Prior to drug testing, an athlete may voluntarily disclose the use of a prohibited substance and avoid sanctions under the college’s first time offender penalty. When voluntary disclosure occurs, the Athletic Director shall be informed by the person receiving disclosure from the athlete. The athlete will then be referred to outside counseling and/or rehabilitation and be tested for banned drugs. If found positive, the student shall be retested within forty (40) days after receipt of the initial positive documentation. Upon the second positive test results, the student shall be declared a second time offender and submit to actions/sanctions indicated in this procedure. This option is available to the student on a one-time basis during his/her academic/athletic career.

VI. Refusal to comply
   A. An athlete refusing to submit to drug testing must sign a Refusal to Comply with Drug Testing Form and will no longer be allowed to participate in any athletic activities at GCCC.

VII. Testing
   A. The Athletic Director will notify the athletes that have been selected to be tested. Notification will occur just before the test is conducted.
   B. Students will be accompanied to the testing site to submit their urine sample.
   C. The method of testing will be at the discretion of the independent qualified laboratory that will conduct the tests.
   D. Tests results will be returned to the Athletic Director.

VIII. Athlete testing results notification.
      The Athletic Director will notify the athlete of their test results.

IX. First positive test results – all positive test results are considered cumulative for the students’ entire stay at GCCC.
A. Procedure
   i. Counseling or assessment at the student’s expense
   ii. Repeat drug testing at student’s expense – after 2 consecutive monthly negative tests, the student will then be tested every other month
   iii. Written notification of consequences of future positive tests
B. Sanctions - Program restrictions will be determined by the Head Coach and the Athletic Director

X. Second test results
A. Sanctions for positive test results
   i. Positive test results occurring in season will result in immediate suspension from practice, performance and competition for seven (7) consecutive days including a minimum of 10% of the contests scheduled or two contests whichever is less.
   ii. Positive test results occurring out of season, the seven-day suspension shall begin six days prior to the regularly scheduled competition (not including exhibition games). The student may resume practice after the mandatory seven-day suspension but shall be withheld from a subsequent performance or competition, if the minimum competition suspension is not met in the seven-day suspension period. Students who test positive after eligibility is complete, will be subject to loss of scholarship.
B. Negative test results – Repeat drug testing at student’s expense, after 2 consecutive monthly negative tests, the student will then be tested every other month.

XI. Third test results
Positive test results will result in the immediate and permanent suspension from participation in GCCC intercollegiate athletics. Current aid will be removed and no further athletic financial aid will be given to the student athlete following the semester in which the permanent suspension occurs.

XII. Independent Verification of Positive Test Results
A. Upon notification of a positive test result, the athlete may, at his/her discretion, request independent verification of the result
B. The athlete has the option of confirmation of any positive test results by a more specific method within one week of receiving positive results.
C. The athlete shall be solely responsible for any costs associated with the independent verification process.
D. The athlete is required to make the independent testing results available to the Athletic Director

XIII. Appeal
A. It is important to find a prompt and equitable resolution concerning disputed findings of positive test results. An appeal must be filed no later than ten (10) days after the student receives written notification of the positive test result. The procedure for appealing a finding of Prohibited Substances use by an athlete will include the GCCC Athletic Department Drug Sanctions Committee (LEVEL I), Vice President for Instruction and Student Services (LEVEL II) and the President (LEVEL III).
B. During the appeal process, the student is subject to the sanctions as stated above.
C. The athlete shall be afforded the following rights during the appeals/hearing process:
   i. Right to written notice of hearing dates and committee decisions
   ii. Right to discontinue the appeals process at any time.
iii. Right to reasonable access to his or her own personal file relating to this matter. Reasonable access provides the athlete with an opportunity to review his or her own personal file in the presence of a designated member of the Athletic Departments’ personnel or other authorized designee of the College. The athlete shall be entitled to photocopy relevant items which are directly related to his/her appeal.

iv. Right to appeal decisions of the fact finder at each level, as described more fully herein.

v. Right to appeal alone or with the assistance of legal counsel. The athlete must give three days advanced written notice to the college detailing the name, address, and telephone number of the athlete’s intended counsel of record. The college reserves the right to postpone the hearing for three days if such notice is not given to have its legal representative present. Note: LEVEL I of the appeals process will be considered an informal meeting and therefore, not a hearing covered by these rights.

If the athlete wishes to appeal the findings at LEVEL I to LEVEL II and/or III, it is the sole responsibility of the student to provide written notice of his or her intention in that regard to the administrator at the next highest LEVEL within the time frame(s) provided by this policy.

D. All proceedings under this policy shall be conducted in a manner that is fundamentally fair. Strict rules of evidence and procedure are not required so long as the proceedings are conducted in such a manner as to allow both sides the opportunity to fairly and fully explore the circumstances.

LEVEL I

The meeting between the athlete and the GCCC Athletic Department represents LEVEL I of the appeal and shall be considered an informal meeting. The athlete and the committee shall discuss in private the prohibited substance testing and/or other infraction in question.

At the meeting the athlete will have the right to be informed of the results of the positive drug test and will be provided with any documentation relating to the drug test. The athlete will be given an opportunity to make statements or provide information in his or her defense.

The athlete shall be informed in writing of the committee's decision/ruled within two school days after the meeting occurs.

If the outcome of the meeting between the athlete and the committee is not to the athlete’s satisfaction, the athlete has five school days to request a conference with the College Vice President for Instruction and Student Services, who shall schedule-and hold a conference to consider evidence that the student may present which would provide grounds for reversal of the LEVEL I decision.

LEVEL II
A conference between the athlete, the LEVEL 1 committee, and the College Vice President for Instruction and Student Services represents LEVEL II of the appeal.

Within ten days of the receipt of the written materials, the College Vice President for Instruction and Student Services will schedule the date, time and location for the hearing. The athlete will receive written notification from the College Vice President for Instruction and Student Services that the issue will be reviewed within the given time frame. The hearing will provide an opportunity for the athlete and any Athletic Department personnel deemed appropriate for inclusion by the College Vice President for Instruction and Student Services in the sole exercise of his/her discretion to be heard and for there to be review of the materials submitted by the committee and the student athlete.

Prior to or at the conference, the athlete and the committee shall submit a written statement and copies of any independent testing results verification documentation to the Vice President for Instruction and Student Services for review. The Vice President for Instruction and Student Services will hear and evaluate the athlete’s complaint about the decision issued at LEVEL I. The Vice President for Instruction and Student Services will also hear and evaluate any information presented by the committee.

No new written/documentary evidence may be submitted at the hearing.

If witnesses other than members of the Level I committee, the athletic director, the coach of the athlete, or the athlete are to be presented, a list of witnesses must be provided to the College or to the athlete at least two days prior to the hearing. The College reserves the right to postpone the hearing for three days if no list has been provided.

The athlete shall be informed in writing of the College Vice President’s decision/ruling. If the College Vice President for Instruction and Student Services instructs the Athletic Department to reinstate the athlete, the athlete must be immediately reinstated.

The athlete shall further be informed in writing that he or she has the right to appeal within five school days of the LEVEL II decision to the College President. If a hearing before the President is not requested by the athlete within five school days of written notification the athlete shall forfeit the right of any additional appeal. If the appeal proceeds, the College President shall be informed of the outcome at Level II and the athlete’s desire to appeal and shall provide appropriate supporting documentation.

LEVEL III

The review of the athlete by the College President shall be considered LEVEL III of the appeal process. No new written evidence may be considered by the Board.

The College President will only review whether the process and policy were followed. The President will not hear evidence.
The decision of the College President is final and may not be appealed. Within ten school days of the review, the College President shall issue its decision in writing to the athlete, College Vice President for Instruction and Student Services and Athletic Director.

If the athlete is to be reinstated in the Athletic Program, the Athletic Department shall immediately reinstate the athlete.

XIV. Confidentiality
   A. The analysis results will be returned to the Athletic Director.
   B. The office of the Athletic Director will be utilized as the repository for all confidential information/documents related to testing and test results, as well as disciplinary action, if any, related to implementation of this policy.

XV. 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.

Contacts: Athletic Director, Vice President of Instruction and Student Services

Approved Date: 7/1/2016

Policy History: 4/1/16, 7/1/16

Keywords: Drug Testing, Athlete drug testing

Related Form: Student Athlete Consent and Authorization Form