

# Treasure Valley Community College

Code: **JFCHA**  
Adopted: 10/14/09  
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Orig. Code(s): AR 901-10

## Department of Athletics Drug, Alcohol and Tobacco

### Philosophy

The Athletic Department has a firm commitment to the health and well-being of its student athletes. We believe that athletics is an avenue by which an individual can realize his or her potential and experience personal growth. In keeping with this belief, the Athletic Department feels that student athletes should be role models for other students. In so doing, it is expected within this context that behavior of the highest level be demonstrated by the student athletes.

The College believes that the use of controlled substances, “performance enhancing” drugs, and alcohol constitutes a threat to the integrity of intercollegiate athletics, represents a danger to the health and careers of student athletes, and unduly exposes student athletes to exploitation. In addition, the use of controlled drugs is against the law. The Athletic Department has therefore adopted this policy and program for alcohol and drug education, prevention of alcohol and drug use, and appropriate intervention procedures for its students.

The Athletic Department, its coaching staff, physicians, athletic trainer, and members of the college community strongly believe that the use of tobacco, illegal drugs, alcohol and misuse of prescription drugs are detrimental to the physical and mental well being of its student athletes. Therefore, the Athletic Department has implemented a mandatory program of education and counseling/rehabilitation efforts, as well as conducting random and reasonable suspicion alcohol and drug testing, to protect the health and safety of the students associated with TVCC.

### Drug and Alcohol Education

The Athletic Department considers education to be an important part of the effect of drugs and alcohol. Our philosophy and policy will be thoroughly covered at the mandatory orientation for all student- athletes at the beginning of each sport season. Each student will also receive written copies of this policy.

Regular educational programs will be provided to both students and athletic staff during the year. These programs will be offered in the areas of drug and alcohol abuse prevention, drug and alcohol education and drug testing. All Athletic Department personnel, and particularly coaches, will cooperate in making sufficient time available during team meetings for any Athletic Department sponsored programs. The drug and alcohol education program will be continuously reviewed and updated to meet the growing needs of the student athletes and to address the ever-changing complexities of drug and alcohol use associated with athletic competition.

## **Purpose**

The purpose of this policy is to inform and to help student athletes with the dangers associated with drug and alcohol abuse and use. This program is based on the Athletic Department's policy that the use of drugs and alcohol are detrimental to the student athlete's health and safety, against the law, and a violation of team rules and College policy. The goal of the drug and alcohol policy is to prevent improper use of drugs and alcohol and, where detected, to eliminate it, preferably through medical treatment and education rather than discipline. Specific goals of the Athletic Department are:

1. To educate individuals of the dangers associated with drug and alcohol use;
2. To recommend and provide confidential counseling for those individuals with drug and/or alcohol related problems;
3. To provide corrective actions through remedial guidelines for those student athletes where drug and alcohol use presents a hazard to their physical health and well being.

## **Testing for Reasonable Cause**

Any student athlete participating in the intercollegiate athletic program is subject to testing upon request if there is reasonable cause to believe that the student athlete may be using illegal drugs or alcohol.

Circumstances which constitute reasonable cause include, but are not limited to, the following: noticeable odor of alcohol or a drug, current or past involvement with the criminal justice system for drug-related activities, prior treatment for drug or alcohol problems, admission of a current or past drug or alcohol problem, prior positive test for any illegal drugs, or a pattern of aberrant behavior. Any coach, athletic administrator or athletic staff member concerned with a particular student athlete should express this information in writing confidentially to the Athletic Director or appropriate administrator, and the appropriate action will be taken immediately.

## **Random Testing**

All athletes will be subject to random drug and alcohol testing. Random testing will be unscheduled and every athlete will be subject to testing. The random selection method, as well as the percentage of athletes who will be tested, will be determined by a third party administrator (TPA).

## **DRUG/ALCOHOL TESTING PROCEDURES**

### **Specimen Collection Procedure**

Only those collectors instructed in the proper methods of collection will conduct the specimen collections. The person conducting the collection will utilize proper chain of custody documentation provided by the laboratory. They will also ensure that the donor's specimen is provided in a location and manner that protects a donor's privacy, and that the specimen is properly identified, sealed, and protected against tampering. Direct observation of a donor providing a urine specimen will only be conducted when there is evidence that the donor has submitted or attempted to submit an adulterated or false specimen. Specimen collection, storage, and transportation to the laboratory will be conducted in a manner that precludes specimen contamination or adulteration.

## **Submission of an Adulterated or Diluted Specimen**

If the collector determines that an athlete has submitted an adulterated or diluted specimen, that specimen will be discarded and a second specimen will be requested. It will be the second specimen that will then be tested. If the request for a second specimen is refused, the collector will inform the Athletic Director of the athlete's refusal to submit an acceptable specimen. Such refusal will result in the athlete being disciplined in the terms of this policy.

## **Drug/Alcohol Testing and Confirmation**

All urine specimens will be tested for the presence of illegal drugs. The College reserves the right to test an athlete for the presence of prescription medication when it has reason to believe the athlete may be abusing such medication. Any urine specimen that screens positive for the presence of illegal drugs will be confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method at a certified testing laboratory. Regarding alcohol testing, any such testing will take place by the use of a certified breath testing device. Per the terms of this policy, any athlete who tests above .02 blood alcohol content (BAC) tests positive for the use of alcohol.

## **Refusal**

An athlete may not refuse to take a drug or alcohol test when requested to do so consistent with the terms of this policy. Such a refusal will be considered equivalent to their testing positive. An athlete will be considered as refusing to test if they: expressly refuse to take a test when so requested; fails to provide an adequate breath, saliva, or urine sample without a valid explanation; or, engage in conduct that clearly obstructs the testing process.

## **Notification of Test Results**

All drug and alcohol test results received from the laboratory will be forwarded through the TPA to the Athletic Department. In forwarding test results, the TPA will only report results to those officials authorized to receive them. The Athletic Department will be notified of both the athlete's name and the drug(s) for which they were tested.

Any athlete who tests positive will be given the opportunity to discuss that result with the TPA, prior to the Athletic Department taking disciplinary action. In talking with any such individual, the TPA will follow up on all information deemed necessary to resolve the athlete's positive drug test.

If the TPA determines that the athlete's positive test result was due to his/her authorized use of prescription medication, they will immediately report that result to the Athletic Department and no further action will be taken. However, if an athlete cannot provide a reasonable explanation for his/her positive test results, then the Athletic Department will then take disciplinary action consistent with the terms of this policy.

## **Effect of Testing Positive**

Any athlete who tests positive for the presence of illegal drugs or alcohol will be will subject to discipline, up to dismissal from the team and loss of their athletic grant in aid. The misuse/abuse of prescription drugs may result in discipline, but will be handled on a case by case basis.

## **Confidentiality**

Maintaining confidentiality and protection of the rights of the student-athlete is a critical factor in drug testing. Under no circumstances, will any athletic department personnel or any individual associated with the drug testing program be permitted to disclose publicly or allude publicly to any information acquired in their capacity, whether or not it relates to identified student-athletes, individual teams, the athletic department or appropriate administrator.

## **Prohibited Substances**

Individuals are prohibited from use, purchase, possession, manufacture, distribution and/or sale or the attempted use purchase, possession, manufacture, distribution and/or sale or aiding and abetting the use, purchase, possession, manufacture, distribution and/or sale of any drugs deemed illegal according to Oregon State law.

Any violation of this article may result in appropriate discipline including possible dismissal from the team and may result in the loss of any financial scholarship or aid according to College guidelines and discipline policies. The student may be referred to the Dean of Student Services under disciplinary policies.

## **Alcohol**

The College is increasingly concerned about alcohol use and abuse by students and student athletes. In fact, most disciplinary incidents with student-athletes involve the use of alcohol and/or other controlled substances. Alcohol or controlled substances severely affects your judgment and when your judgment is impaired, you may do something inappropriate or harmful. Therefore, the Athletic Department has an absolute prohibition against the use of alcohol.

Violations of the alcohol policy include:

1. The prohibited use of alcohol or drugs as reported to and confirmed by the Athletic Department;
2. Allowing (hosting) a party at the student's place of residence where alcohol or drugs are consumed;
3. Other examples of violations are, but not limited to:
  - a. Citations issued relating to alcohol use;
  - b. Incidents involving DUIs;
  - c. Participation in the sport while under the influence, etc.

If any of these violations occur:

1. The student athlete may be dismissed from the team and his/her grant-in-aid will be terminated according to College guidelines; and/or
2. The student athlete may be required to attend counseling and/or alcohol education classes coordinated by the Athletic Department or College; and/or

3. Suspension of two or more athletic competitions (regular season contests), immediately following the date of offense/violation; and/or
4. Referral to the Dean of Student Services for review and enforcement or additional disciplinary action by the College.

### **Discipline and Appeal Process**

Disciplinary action under the policy is viewed as a last but sometimes necessary resort. Any student athlete who violated the policy is subject to the corrective action and remedial guidelines of the policy. Any student athlete disciplined under the policy has the right to appeal and a hearing before the Dean of Student Services under the appropriate College disciplinary policy.

Student athletes are reminded that many of the drugs and most of the behavior concentrated in the drug policy are illegal. Association with drug-related activity in a manner detrimental to the best interests of the Athletic Department is strictly forbidden. Moreover, involvement in the criminal justice system for a drug-related offense will be taken into account in disciplinary action imposed by the College. Such involvement may also serve as an independent basis for discipline, outside of this policy.

### **Tobacco**

The use of tobacco products is strictly prohibited in all sports during practice and competition for all student-athletes, coaches and game personnel. A student athlete who uses tobacco products during practice or competition will be disqualified for the remainder of that practice or competition.

### **Rules**

1. Any student athlete whose ability to practice or to compete has been impaired as a result of the consumption of alcohol or drugs in the opinion of his or her coach is in violation of the Department of Athletics, Drug, Alcohol and Tobacco policy and TVCC college policy.
2. Any student athlete possessing banned drugs (possession includes on or off campus) is considered a violation. Any drug prescribed by a physician and kept on file with in the office of the Athletic Department for personal health is exempt.
3. The Athletic Department Standards of Conduct reflect responsibilities relating to civil and criminal law and therefore make a distinction between the student athlete “of age” and “under age”.

Even “of age” athletes are expected, as role models, to reflect needs and responsibilities of the Athletic Department and TVCC college policy.

4. The student athlete may appeal decisions regarding disciplinary action, in writing, at any time during the process, according to the college disciplinary policies.
5. A copy of the Athletic Department’s Tobacco, Drug, and Alcohol policy will be distributed and discussed with student athletes at the beginning of each sport season by the Athletic Director, Sports Medicine Staff, and Head Coach.

6. Absolutely no use of illegal drugs or controlled substances at any time on or off campus during the season or out of season.
7. No alcoholic beverages can be consumed by student athletes at practices, games, or during travel when representing the College.
8. Each TVCC student athlete signs a consent form verifying receipt of information and agreeing to participate under the terms and conditions of this policy. This signed consent form is a precondition for participation on TVCC athletic teams and financial scholarships or grants.

AS LONG AS YOU ARE A STUDENT-ATHLETE AT TREASURE VALLEY COMMUNITY COLLEGE, YOU ARE REPRESENTING THE COLLEGE. THEREFORE, THESE RULES APPLY DURING BREAKS AND VACATION PERIODS AS WELL.

• ACKNOWLEDGEMENT OF RECEIPT •

TVCC Department of Athletics  
TVCC Student-Athlete Handbook  
JFCGA - Department of Athletics, Drug, Alcohol and Tobacco

I hereby acknowledge that I have received a copy of the *TVCC Student-Athlete Handbook*, and the Athletic Department Tobacco, Drug, and Alcohol Policy (JFCHA). I further acknowledge that I have attended the orientation in which the policy was discussed. I fully understand its provisions as a student and athlete of TVCC and the Department of Athletics.

I hereby consent to have one or more samples of my urine or breath collected as a result of random or reasonable suspicion testing during the academic year in accordance with the said policy, and tested for the presence of certain drugs or substances in accordance with the provisions of this policy, the NWAACC, and the applicable terms of the NCAA Bylaws.

I further authorize you to make a confidential release to the Athletic Director and my Head Coach, my parents or Legal Guardian(s), Director of Human Resources, and Dean of Student Services of test results relating to the screening or testing of my urine and/or breath sample(s) in accordance with the provisions of this program. To the extent set forth in this document, I waive any privilege I may have in connection with such information.

Treasure Valley Community College Board of Education, employees, and agents are hereby released from legal responsibility or liability for the release of such information and records as authorized by this form.

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Student Name (Print full name)

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Student (Signature)

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Parent/Guardian Signature if under 18 years of age

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Date

END OF POLICY

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**Legal Reference(s):**

[ORS 192.710](#)  
[ORS 341.290\(2\)](#)  
[ORS 433.835 - 433.990](#)

[OAR 581-021-0110](#)