

Student Athlete Substance Use Policy

OVERVIEW

Treasure Valley Community College (TVCC) is a Drug, Alcohol and Tobacco free institution and prohibits the unlawful possession, consumption, use, manufacture, or distribution of tobacco, alcohol and drugs on campus, at any college sponsored or partnered activities, or any college owned, leased or rented properties. TVCC's Drug and Alcohol Abuse Prevention Plan (DAAPP) is evidence of TVCC's commitment to a Drug and Alcohol free institution. For the purposes of this policy, drugs refer to substances the Federal, State and Local Government deems illegal. An individual state's action to legalize a federally illegal substance has no effect on TVCC's policy.

The Rodeo Team and Athletic Department have a firm commitment to the health and well-being of student athletes. The athletic department as well as the Rodeo Coach will ensure that student athletes attend education and training programs, work collaboratively in random drug testing, and support strong disciplinary sanctions for violations of this policy which are enforced through the Director of Athletics and/or Rodeo Coach in consultation with the office of Student Conduct.

Collegiate athletics provides opportunities for students to realize their potential and experience personal growth through a program that educates students in their respective sport and as a member of the institution. Participants are official representatives of the college and competitors for the college and are expected to be role models for other students and high behavioral standards are to be exercised.

TVCC considers tobacco, alcohol and drug use (including performance enhancing drugs) by participants to be detrimental to their physical and mental well-being. In addition, the college is an Alcohol and Drug Free institution that receives state and federal funding requiring it to adhere to applicable policies and laws including the Federal Drug Free Schools and Communities Act.

The Athletic Department and Rodeo Team will support and encourage participation in required programs for alcohol, tobacco, and drug education, prevention of alcohol, tobacco and drug use, and support appropriate disciplinary action for its participants. Team rules will not address penalties or procedures for violations of this policy. Disciplinary sanctions for violations of the Student Rights, Freedoms, and Responsibilities will be handled through the office of Student Conduct.

As prescribed in the TVCC DAAPP, the College (through the office of Student Conduct) may notify local police, state police, State Alcohol Control Board investigators, federal investigators, or any applicable law enforcement agency or governing agency to report a violation of the law.

DRUG AND ALCOHOL EDUCATION

The College considers education and training to be a critical component in the prevention of use and abuse of drugs and alcohol among participants. It is the responsibility of the Athletic Director and Rodeo Coach to ensure annual training for coaches on TVCC's DAAPP which includes the effects of drugs/alcohol and applicable college policies, local, state and federal laws pertaining to alcohol and drugs.

Applicable college policies regarding alcohol and drugs will be thoroughly covered at mandatory orientation for all student athletes at the beginning of each sport season. Each student athlete will also receive written copies of this policy and will sign a statement regarding their understanding and adherence to the policy. Every student athlete is required to sign the Acknowledgement of Receipt stating they have received a copy of the Drug and Alcohol policy and fully understand the provisions of the policy as an official representative of the College. At the start of each new academic term, the athletic department will reinforce messages and information provided to student athletes and ensure new student athletes receive the same information as those who began in the fall quarter.

When the College hosts an alcohol awareness program, participants will be required to attend as part of the DAAPP. The drug and alcohol education program will be continuously reviewed by the college Campus Assessment Response and Evaluation (CARE) Team as prescribed in the college DAAPP. The Athletic Director and Rodeo Coach will be responsible for seeking input from coaches about the educational programs for student athletes and methods to address the ever-changing complexities of drug and alcohol use and abuse among student athletes. In addition, they will be responsible for relaying that information and providing recommendations to the CARE Team and/or the Compliance and Training office annually.

TVCC PROHIBITS THE FOLLOWING AMONG PARTICIPANTS

Tobacco

TVCC is a tobacco free campus per College policy GBK/JFCG/KGC. The use of tobacco products is strictly prohibited on campus or at any college owned, leased, rented, or occupied properties including all college practices, games (home and away), scrimmages or officially recognized events. Violations of the tobacco policy will be handled through the Director of Athletics and/or Rodeo Coach, in consultation with the office of Student Conduct.

Alcohol

Participants are prohibited from use, purchase, possession, manufacturing, distribution and/or sale of alcohol. The effects of alcohol are well documented and the college is committed to the education, prevention, intervention, dissemination of information, and referral to local services for participants. The college is dedicated to taking appropriate disciplinary action for alcohol violations conducted through the Director of Athletics and/or Rodeo Coach, in consultation with the office of Student Conduct.

Banned or Illegal Substances

Participants are prohibited from use, purchase, possession, possession with intent to distribute, manufacture, distribution and/or sale of any of the classes of drugs defined as banned substances by TVCC or are designated as illegal by local ordinances, state law or federal law. This includes aiding and abetting

the use, purchase, possession, manufacture, distribution and/or sale of any drugs. TVCC bans the following classes of drugs which include but are not limited to:

- Stimulants
- Anabolic agents
- Alcohol and beta blockers
- Diuretics and other masking agents
- Street/illicit drugs which shall be defined as a drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of part B of Title 21, Chapter 13, Subchapter 1, Part B of the United States Code and as amended.
- Peptide hormones and analogues
- Anti-estrogens and Beta-2 agonists

Any substance that is chemically-pharmacologically related to these classes is also banned. The institution and the student athlete shall be held accountable for all drugs within the banned-drug class regardless of whether they have been specifically identified. There is no complete list of banned substances. Violations of this policy are defined in this document and further disciplinary measures may be taken through the Student Rights, Freedoms, and Responsibilities.

Marijuana

TVCC is an institution that receives federal funding through Title IV and is required to follow federal laws and statutes. In November, 2014, Oregon voters passed Measure 91, a ballot initiative to legalize marijuana to persons 21 years of age and older. The law went into effect on July 1, 2015 and is regulated by the Oregon Health Authority. Marijuana possession remains a federal offense and TVCC policy prohibits the possession, possession with intent to distribute, consumption, use, dispensing, manufacture, and distribution of marijuana, including medical marijuana and prescriptions to use medical marijuana. Violations of this policy are defined in this document and further disciplinary measures may be taken through the Student Rights, Freedoms, and Responsibilities.

Dietary Supplements

The college recognizes that dietary supplements of any kind are poorly regulated by the United States Food and Drug Administration. Therefore, no one can guarantee the purity or safety of the product. IMPURE SUPPLEMENTS CAN CAUSE A POSITIVE DRUG TEST. Students are advised that the use of dietary supplements is highly discouraged and not recommended and use is at the risk of the student athlete. Many dietary supplements are contaminated with banned drugs that are not listed on the label. Any product containing a dietary supplement ingredient is taken at the participant's own risk. Violations of this policy are defined in this document and further disciplinary measures may be taken through the Student Rights, Freedoms, and Responsibilities.

DRUG TESTING PROTOCOL

All student athletes are subject to random drug testing and drug testing by reasonable cause. The drug testing program involves urine collection and laboratory analyses for substances on the list of banned substances. This list consists of substances generally purported to be performance enhancing and/or potentially harmful to the health and safety of the participant. Student Athletes are held responsible for use

of all banned substances at all times including in the off season and during vacations and academic breaks. TVCC drug testing may test for anabolic agents, diuretics and masking agents, peptide hormones, beta-2 agonists and beta blockers, stimulants and street/illicit drugs. The drug testing protocol will be coordinated by the Student Conduct Officer unless there is a conflict of interest as determined by the immediate supervisor. If the Student Conduct Officer is involved with a particular athletic program, it will be considered a conflict of interest and a suitable replacement will be appointed by the immediate supervisor.

Consent to Participate

All student athletes will be required to sign The Acknowledge of Receipt form which consents to having one or more samples of urine or breath collected as a result of random or reasonable suspicion testing. A copy of this consent form will be kept on file in the Athletic Director's office. Refusal to sign the Acknowledgement form will result in suspension from participation or termination of eligibility to participate in intercollegiate athletics or rodeo at TVCC. Each student athlete will be given a copy of the institutional policy during athletic orientation.

Testing for Reasonable Cause

Any student athlete in the intercollegiate programs are subject to testing if there is reasonable cause to believe that the participant may be using a banned substance. Circumstances which constitute reasonable cause include, but are not limited to, a prior violation of TVCC banned substance policy, a documented report of a student athlete using a banned substance, a noticeable odor of drugs, current or past involvement with the criminal justice system for drug-related activities, prior treatment for drug or alcohol abuse, a prior positive test for any banned substance, or uncharacteristic behavior that appears to be drug related. Any coach, athletic department employee or assistant coach concerned with a student athlete should express this information in writing confidentially to the Athletic Director, Rodeo Coach or the Office of Student Conduct and appropriate action will be taken immediately.

Random Testing

All student athletes who have signed the institutional drug-testing consent form and are listed on the institutional roster are subject to unannounced random testing. Random testing will be unscheduled and every student athlete will be subject to testing. The percentage of student athletes who will be tested, will be determined by the TVCC Student Conduct officer and/or the VP of Student Services. The random selection will be conducted by a third party and names will be pulled using a randomizer program.

The Athletic Director, Rodeo Coach or his/her designee will provide an official institutional roster to the office of Student Conduct upon request. Urinalysis and/or on-site saliva testing procedures may be used for unannounced random testing.

Specimen Collection Procedure

The Student Conduct Officer will be responsible for selecting a licensed and reputable company to serve as the administrator for specimen collection. Only those individuals instructed in the proper methods of collection will conduct the specimen collections. The student athletes will be asked to provide confidential information regarding their current or past medications. The Athletic Director or Rodeo Coach will be responsible for verifying that the selected students have completed the consent form. Upon entering the

collection station, the student athlete will be identified by the Student Conduct Officer, Rodeo Coach and/or the Athletic Director or his/her designee. The student will be asked to rinse and dry their hands and be presented with a collection container which will be used in the process. A collector will monitor the furnishing of the specimen (by observation) in order to ensure the integrity of the specimen. 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 (unless conducted onsite) will be conducted in a manner that precludes specimen contamination or adulteration.

If the specimen is incomplete, the student athlete must remain in the collection station unless otherwise directed by the certified collector and approved by the Student Conduct Officer. During this period, the student athlete is responsible for keeping the collection container closed and controlled unless otherwise directed by the certified collector. If the specimen is incomplete and the student athlete must leave the collection station for a reason approved by the certified collector, the specimen may be discarded at the discretion of the certified collector.

The student athlete, collector, and Student Conduct Officer will certify that the procedures were followed as described in the protocol. Any deviation from the procedures must be described and recorded at that time. If deviations are alleged, the student athlete will be required to provide another specimen. After the collection has been completed, the specimens will be forwarded for testing. All specimens are the property of the college. In cases of suspected manipulation, a student athlete's sample may be tested for all banned substances.

Submission of an Adulterated or Diluted Specimen

If the collector determines that the student athlete has submitted a suspect, adulterated or diluted specimen, that specimen will be discarded and a second specimen will be requested. The second specimen will then be tested. If the request for a second specimen is refused, the collector will inform the Student Conduct Officer of the student athlete's refusal to submit an acceptable specimen. Such refusal will result in disciplinary action consistent with the terms of this policy. The submissions of specimen not belonging to the student athlete; adulterated; or diluted specimen, could result in dismissal from the team and/or program.

Drug/Alcohol Testing and Confirmation

All urine specimens will be tested for the presence of banned substances. The College reserves the right to test a student athlete for the presence of prescription medication when it has reason to believe the student athlete may be abusing such medication or it has not been prescribed by a licensed physician. Any urine specimen that screens positive for the presence of banned substances will be confirmed by a licensed agency selected by the Student Conduct Officer. 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 student athlete who tests above .02 blood alcohol content (BAC) tests positive for the use of alcohol.

Refusal

Student athletes are required to participate in the drug testing process as prescribed in this policy. Refusal to take a banned substance test (when requested) will be considered equivalent to testing positive. The student athlete will be considered as refusing to test if he/she clearly refuses to take a test when requested, fails to provide an adequate breath, saliva, or urine sample without a valid explanation, or engages in conduct that clearly obstructs the testing process.

Notification of Test Results

All drug and alcohol test results received from the licensed company will be provided to the Student Conduct Officer. The Student Conduct Officer will work with the Athletic Director or Rodeo Coach who will notify the appropriate head coach. The Athletic Director or Rodeo Coach will be notified of both the student athlete's name and the drug(s) for which the student athlete tested positive. Any student athlete who tests positive will be given the opportunity to discuss that result with the licensed company representative.

The licensed representative will follow up on all information deemed necessary to resolve the student athlete's positive drug test. If the licensed representative determines that the student athlete's positive test result was due to his/her authorized use of prescription medication, the licensed representative will immediately report that result to the Student Conduct Officer and the Athletic Director or Rodeo Coach and no further action will be taken. However, if a student athlete cannot provide a reasonable explanation for his/her positive test results, then the Director of Athletics and/or Rodeo Coach in consultation with the Student Conduct Officer will take disciplinary action consistent with the terms of this policy.

Confidentiality

Maintaining confidentiality and protection of the rights of the student athlete is a critical factor in banned substance testing. Under no circumstances, will any TVCC personnel or any individual associated with the drug testing program be permitted to disclose publicly or make public reference to any information acquired in their capacity. Additionally, no TVCC personnel or any individual associated with the drug testing program be permitted to discuss identified student athletes, individual teams, or college officials in the process.

Effect of Testing Positive

Any student athlete who tests positive for the presence of a banned substance or alcohol will be subject to discipline through the Director of Athletics and/or Rodeo Coach, in consultation with the office of Student Conduct. All positive tests will be coordinated through the Office of Student Conduct and will follow procedures established in the Student Rights, Freedoms, and Responsibilities. Appeals for disciplinary action will be coordinated through the procedures established in the Student Rights, Freedoms, and Responsibilities. Self-reporting will be taken into consideration and may positively impact the disciplinary sanctions.

The disciplinary action for testing positive for banned substances are listed below and are coordinated through the Director of Athletics and/or the Rodeo Coach, in consultation with the office of Student

Conduct. The student athlete, who tests positive, will be suspended from the program, while the test results are being confirmed by the lab.

The head coach reserves the right to impose stricter sanctions up to and including dismissal from the program at his/her discretion.

VIOLATION OF POLICY

Violations of this policy include:

- The use, possession, possession with intent to distribute, consumption, dispensing, manufacture, and distribution of banned substances or alcohol as reported to and confirmed by the Athletic Director, Rodeo Coach and/or the Office of Student Conduct.
- Hosting, attending or allowing a party (on or off campus) where alcohol or banned substances are present and/or consumed.
- Citations issued relating to alcohol use including, but not limited to, minor in possession, driving under the influence, contributing to the delinquency of a minor, public intoxication, violation of an open container law.
- The consumption of alcohol by students of a legal age at any college sponsored practice, event, activity, game (home or away), scrimmages, or recognized college event.

Violation(s) of the policy will be handled through the Athletic Director and/or Rodeo Coach, in consultation with the office of Student Conduct.

DISCIPLINARY SANCTIONS

All student athletes will be held accountable to adhere to this policy and subject to the disciplinary sanctions, from the start of the academic year of their first year of participation, and including all breaks (winter break, spring break, and summer break) and continuing as long as the student athlete is a part of the program. If a student athlete is found in violation of the policy the following disciplinary sanctions will be levied:

First Offense (Drugs, Alcohol, or Tobacco)

The first offense by a student athlete will result in the following:

Pre-season: (before any official allowable practice has begun)

1. The student athlete will be referred to drug and alcohol counseling/education program or service (at the student athlete's expense), and shall demonstrate completion of said education prior to continued participation.
2. The student athlete will serve a suspension, equal to **15% of the total upcoming schedule**.
3. No participation in scrimmages.
4. The student athlete must complete 20 hours of community service, to be completed on campus, or by an approved organization, as determined by the office of Student Conduct and/or the athletic department or rodeo coach.
5. If the offense is drug related, the student athlete must submit to a drug test (at the student athlete's expense), and test negative, prior to competing in an official contest. There may be a waiting period, up to 30 days, before the student athlete will submit to a drug test. In the interim, as long as the student athlete has complied with the other sanctions, the student athlete may be allowed to participate in a contest.

During season: (period between first official practice and conclusion of playoff season)

1. The student athlete will be referred to drug and alcohol counseling/education program or service (at the student athlete's expense), and shall demonstrate completion of said education prior to continued participation.
2. The student athlete will serve a suspension equal to **15% of the remaining schedule, or a one game minimum, whichever is higher**.
3. The student athlete must complete 20 hours of community service, to be completed on campus or by an approved organization, as determined by the office of Student Conduct and/or the athletic department or rodeo coach.
4. If the offense is drug related, the student athlete must submit to a drug test (at the student athlete's expense), and test negative, prior to competing in an official contest. There may be a waiting period, up to 30 days, before the student athlete will submit to a drug test. In the interim, as long as the student athlete has complied with the other sanctions, the student athlete may be allowed to participate in a contest.

Post-season: (period after the conclusion of playoff season and for the remainder of current academic year)

1. The student athlete will be referred to drug and alcohol counseling/education program or service (at the student athlete's expense), and shall demonstrate completion of said education prior to continued participation.
2. No participation in scrimmages.
3. The student athlete must complete 20 hours of community service, to be completed on campus, as determined by the office of Student Conduct and/or the athletic department. 4.
4. If a returning student athlete, the student athlete will serve a suspension equal to 15% of the upcoming schedule. If the offense is drug related, the student athlete must submit to a drug test (at the student athlete's expense), and test negative, prior to participation the following season.

As a part of the disciplinary sanction (in all cases - pre-season, during season, or post-season), transcripts will be held until all sanctions have been completed.

Second Offense (Drugs, Alcohol, and Tobacco)

If a student athlete commits a second violation, defined as during the student athlete's tenure at TVCC, the Director of Athletics and/or Rodeo Coach, in consultation with the Student Conduct Officer, will provide written notification of the immediate dismissal from the athletic program and a prorated loss of institutional funding, from the date of violation, including tuition waivers or any additional money granted through the athletic department or rodeo department, for the remainder of the academic year.

Dual Participants

If a student athlete participates in more than one sports program (including rodeo), and the student athlete has committed a first offense, the student athlete will be allowed to participate in both programs, as long as sanctions have been completed prior to any participation in contests of the second program. Furthermore, a second offense, in any program, will prohibit the student athlete from participating in any other programs at TVCC.

While Traveling on TVCC-Sponsored Events

Those student athletes who violate this policy, while traveling on TVCC-sponsored events, could be subject to dismissal from the program, even on first offense.

Additional Sanctions

All infractions of this policy will be referred to the office of Student Conduct. The Student Conduct Officer may levy additional sanctions, including dismissal from the student athlete's program, and other sanctions as defined in the Student Rights, Freedoms, and Responsibilities:

https://www.webtools.tvcc.cc/AR_documents/Student%20Services/Student_RFR_Policy.pdf

Drug-Related Convictions and Title IV, HEA Program Funds

Many student athletes receive tuition waivers for their participation in collegiate athletics and are responsible for federal financial regulations including termination of their waiver if convicted of a misdemeanor or felony drug charge. For more information please access the information at:

<https://www.whitehouse.gov/sites/default/files/ondcp/recovery/fafsa.pdf>

END OF POLICY

Legal Reference(s):

[ORS 341.290\(2\)](#)

[ORS 431A.175](#)

[ORS 433.835](#)

• ACKNOWLEDGEMENT OF RECEIPT •

I hereby acknowledge that I have received a copy of the Student Athlete Substance Use 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 or Rodeo Program.

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 NWAC, and the applicable terms of the NCAA Bylaws.

I further authorize you to make a confidential release to the Athletics Director and my Head Coach, my parents or Legal Guardian(s), Director of Human Resources, the Student Conduct Officer, and the VP 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.

Printed Name of Student Athlete

Signature of Student Athlete

Parent/Guardian Signature (if under 18 years of age)

Date