

**REGULAR MEETING OF THE
BOARD OF TRUSTEES
BARTON COUNTY COMMUNITY COLLEGE**

**June 17, 2003 – 4:00 p.m.
U-219 (Upper Level of Student Union)**

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Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

OFFICIAL BOARD MEETINGS

Comments: All official Board meetings are open to the public except executive sessions, which are convened in compliance with State law. The Board of Trustees welcomes the attendance and participation of citizens in regular meetings and upon recognition by the Chairman, encourages questions or comments pertaining to items on the agenda. Persons having other matters to be brought before the Board should submit these matters in writing to the President at least 72 hours in advance of the meeting, in order that items may be placed on the agenda. In accordance with time requirements, the Chairman reserves the right to limit comments, both in content and length of presentation.

1. No comments will be heard on matters which are not on the agenda without the consent of the Board.
2. Persons wishing to speak will identify themselves to the Chairman and state whether or not they represent the opinion of a group.
3. Each person may speak no longer than five (5) minutes.
4. Presentations containing information or comments related to College personnel or students may be referred for consideration in executive sessions.
5. The Chairman reserves the right to stop the proceedings and poll the Board to determine if a speaker may continue.

Please Note: Barton County Community College Trustees routinely hold a monthly Board study session for the purpose of setting goals, Board development, and future planning; discussion is informal and no votes are taken. Both the regularly scheduled monthly Board meeting and the monthly study session are subject to the Kansas Open Meetings Act and are open to the public.

Information Only

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

COMMENTS FROM CHAIRMAN AND INTRODUCTION OF GUESTS

The Chairman will address the assembly and the President or his designee will introduce guests, including new employees.

PUBLIC AND/OR EMPLOYEE COMMENT

No requests for public and/or employee comment have been received.

INTRODUCTION OF NEW EMPLOYEES

Dr. Law will ask supervisors to introduce new/replacement employees whose employment has been previously approved by the Board of Trustees.

STAFF REPORT

Dr. Karen Clos will present an update on the Academic Integrity Policy and XF Grade.

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

CONSENT AGENDA

Comments: In accordance with BCCC's Board policy governance, the following items are presented to the Board for approval as a part of the Consent Agenda.

Recommendation: After reviewing the detail for each item, it is recommended that the Board approve the Consent Agenda as presented:

- Minutes of the regular Board meeting, held on May 20, 2003
- Personnel
- Claims and Financial Report through May, 2003 (Exhibit A)

Action: President's Office

**Regular Meeting of the Board of Trustees
Barton County Community College
May 20, 2003**

CALL TO ORDER

The regular meeting of the Board of Trustees of Barton County Community College was called to order at 4:00 p.m., May 20, 2003, in room U-219 of the Student Union.

ATTENDANCE

Trustees Present: Mike Johnson, Stephan J. Mermis, Gene O'Connor, Marvin Sessler, Dan Soeken, and J.B. Webster

Trustees Absent: None

Other Attendees: Wendall Sexton of the Great Bend Tribune; Michael Dawes; Ron Vratil; Jackie Elliott; Cathie Oshiro; Dick Wade; Dr. Karen Clos; Dr. Tim Kimmel; Mark Dean; Ivy Webster, Caicey Schartz; Dr. Veldon L. Law; and Marilyn Beary.

Chairman Mermis led the attendees in the Pledge of Allegiance.

PUBLIC AND EMPLOYEE COMMENT

No requests for public and/or employee comment were received.

INTRODUCTION OF NEW EMPLOYEES

- Elaine Simmons introduced Jennifer Birney, Coordinator of Continuing Education
- Myrna Perkins introduced Marcia (Kim) Wiens, Student Loan Specialist
- Angie Maddy introduced Rachelle Metcalf, Secretary and Data Specialist, EOC

STAFF REPORTS

- Linda Carson presented the assessment plan for the Child Care & Guidance Program.
- Kara Veverka presented a staff report on the Non-Traditional Career Grant.

CONSENT AGENDA

The following items were presented for the Board's approval:

- Minutes of the regular Board meeting, held on April 22, 2003
- Personnel
- Claims and Financial Report through April, 2003 (Exhibit A)

Trustee Soeken moved that the Board approve the consent agenda as presented. The motion was seconded by Trustee Sessler. Following discussion, the motion carried.

ACTION ITEMS

Student Senate Constitution – At its study session on April 2, the Board received a copy of the Student Senate Constitution, as recently revised by that organization. Student Senate representatives were in attendance to provide clarification of the revisions. In accordance with the Student Senate Constitution, the revised constitution was presented for Board approval at its regular meeting.

Trustee Webster moved that the Board approve the revised Student Senate Constitution as presented. The motion was seconded by Trustee Johnson. Following discussion, the motion carried.

Approval of Core Indicators – In accordance with Kansas Board of Regents policy, the Board of Trustees was requested to review and approve the final report of the 2002-2003 Core Indicators and to approve the proposed Core Indicators for 2003-2004.

Trustee Johnson moved that the Board approve the final report of Core Indicators for 2002-2003 and approve the proposed Core Indicators for next year. The motion was seconded by Trustee O'Connor. Following discussion, the motion carried.

Lease Renewal for One-Stop Shop – The Board of Trustees was presented with a request to approve the renewal lease with the Kansas Department of Human Resources for space in the One-Stop Shop, located in the College’s downtown building at 1025 N. Main. The monthly cost to the State of Kansas for the lease is \$2,050 for the space plus \$250 telecommunication and data services and \$250 for custodial services, beginning on September 1, 2003 and ending on August 31, 2005.

Trustee Johnson moved that the Board authorize the President to approve the renewal lease with the Kansas Department of Human Resources as presented. The motion was seconded by Trustee Sessler. Following discussion, the motion carried.

Revised Governance Policy – Annual Board Planning Cycle – As part of the ongoing review of the Board’s Policy Governance, the Trustees reviewed the following policies at its May 7, 2003 study session: (1) Board Committee Principles, (2) Annual Board Planning Cycle, and (3) Board Members’ Code of Conduct. It was recommended that the “Annual Board Planning Cycle” be revised and presented for Board approval to indicate that the College would send the annual report to its stakeholders in July rather than in November, in order to better correspond with the publication of the College’s budget.

Trustee Webster moved that the Board approve the revision to its governance policy, “Annual Board Planning Cycle” as presented. The motion was seconded by Trustee O’Connor. Following discussion, the motion carried.

Schedule of Board Meetings for 2003-2004 – The Board was presented with a schedule of all regular Board meetings and student sessions for the 2003-2004 fiscal year for approval. It was noted that every attempt would be made to avoid alterations to the schedule but that unexpected conflicts may necessitate revisions throughout the year. It was further noted that the schedule did not reflect any special meetings or Board Advances that may be scheduled at a later date.

Trustee Sessler moved that the Board approve the schedule of regular Board meetings and study sessions for 2003-2004 as presented. The motion was seconded by Trustee Webster. Following discussion, the motion carried.

Grant Application Requests – The Board was requested to authorize the President to approve application for the following grants: (1) Nurse Education, Practice, and Retention Grants Program/Career Ladder Program Grants in the funding range of \$200,000 and (2) Adult Education Program Grant in the funding range of \$111,000. Both of these grants were in amounts in excess of the limit for which the President may apply without Board authorization.

Trustee Soeken moved that the Board approve the Nurse Education, Practice, and Retention Grants Program/Career Ladder Program Grants and the Adult Education Program Grant as presented. The motion was seconded by Trustee O’Connor. Following discussion, the motion carried.

KACCT/KBOR REPORT – Trustee Webster and Dr. Law shared with the Board current and upcoming activities with the KACCT/KBOR.

INFORMATION/DISCUSSION ITEMS – The following were presented for the Board’s information and discussion:

- Monitoring Reports
- Upcoming Board Meetings/Activities
- President’s Report of Monthly Activities

NOTICES AND COMMUNICATIONS

- Fire Degree Program Agreement between the University of Kansas and Barton County Community College
- Letters from: (1) Senator Sam Brownback; (2) Dr. Ed Stehno, FHSU; and (3) Victor R. Sick, KSHSAA

EXECUTIVE SESSION – Chairman Mermis advised that the Board would need to call an executive session to discuss non-elected personnel in order to protect the confidentiality of the individual(s) being discussed.

Trustee Webster moved that the Board recess to executive session at 4:53 p.m. for seven minutes to discuss non-elected personnel, in order to protect the confidentiality of the individuals being discussed, to reconvene in room U-219 of the Student Union at 5:00 p.m. The motion was seconded by Trustee Sessler. Following discussion, the motion carried.

Open Session – The recessed session of the Board of Trustees of Barton County Community College reconvened at 5:00 p.m. in room U-219 of the Student Union. Chairman Mermis advised that the Board discussed non-elected personnel and that no action was taken. He further advised that the Board would need to again recess to executive session for an additional five minutes to continue its discussion of non-elected personnel, in order to protect the confidentiality of the individuals being discussed.

Trustee Sessler moved that the Board recess to executive session at 5:00 p.m. for five minutes to discuss non-elected personnel, in order to protect the confidentiality of the individuals being discussed, to reconvene in room U-219 of the Student Union at 5:05 p.m. The motion was seconded by Trustee O'Connor. Following discussion, the motion carried.

Open Session – The recessed session of the Board of Trustees of Barton County Community College reconvened at 5:05 p.m. in room U-219 of the Student Union. Chairman Mermis advised that the Board discussed non-elected personnel and that no action was taken.

ADJOURNMENT – The meeting adjourned at 5:06 p.m.

Stephan J. Mermis, Chairman

Mike Johnson, Secretary

Recorded by Marilyn Beary

PERSONNEL

Resignations/Terminations

Lori Beaman – Secretary, Student Support Services and TRIO Grants & Upward Bound
Tamara Corbett – Secretary, Emergency Services (part-time)
Mark Hinton – Instructor (Military Programs)
Janet Keller – Support Specialist
Dat-Kwong Lock – Instructor (Physics/Physical Sciences/Planetarium)
Kara Veverka – Non-Traditional Grant Facilitator
Ryan Wolf – Head Men’s Basketball Coach

New Employees/New Positions

John Truitt – Military Training Program Coordinator

Replacement Employees

Paul Clemens – Instructor (Chemistry)
Mary Hester – Director of Learning Resources
Darnell Holopirek – Executive Director of Institutional Advancement
Linda Oswald – Security Officer
Kalin Wells – Admissions and Records Receptionist
Jana Williams – Assistant Softball Coach

Title/Position Changes

Steven Carney – from Mail Clerk (part-time, part benefits) to Mail Clerk (full-time)
Carol Davis – from Interim Director of Learning Resources to Assistant Librarian
Linda McCaffery – Instructor (History)
Caicey Schartz – from Executive Secretary, President’s Office to Administrative Assistant, Learning and Instruction
Terrance Stieben – from Mail Clerk (part-time, part benefits) to Mail Clerk (part-time, no benefits)

Contract Information

Supplemental Contracts:

Randy Allen	Developmental Psychology
Randy Allen	General Psychology-ITV
Randy Allen	ITV Course Development
Dana Allison	Peer Consulting-Tom Raup
Dorothy Arvizu	Introduction to Sociology
Dorothy Arvizu	Cross Cultural Awareness
Dorothy Arvizu	Cross Cultural Awareness
Janet Balk	Western Civilization to 1500
Geraldine Ball	American History 1877-Present
Charles Bartlett	Intermediate Algebra
David Barnes II	Intermediate Algebra
David Barnes II	Intermediate Algebra
Jimmy Bias	Introduction to Computers

George Bowman	Laser Sighting & Engagement Systems
George Bowman	Weapons Storage Facility Operations
George Bowman	Weapons Storage Facility Operations
George Bowman	Instructor Training Course
Shanna Calvasina	English Composition II
Shanna Calvasina	English Composition II
Linda Carson	Children's Literature
Gilberto Chabarria	Elementary Spanish I
Gilberto Chabarria	Public Speaking
Gilberto Chabarria	Public Speaking
Richard Clark	Process Management
Richard Clark	Human Relations in Business
Richard Clark	International Relations
Cheyla Clawson	Jazz Dance I
Karen Clos	English Composition II
Michael Cox	Supervisory Development
Michael Cox	American History 1977-Present
Michael Cox	Military History-Second World War
LaKisha Cusack	Small Business Management
Steve Dudek	Painting I, II, & Seminar, Individual Art Pro.
Steve Dudek	Photo I & II, Individual Art Projects
Darylee Flynn	Intermediate Reading
Karen Frick	General Psychology
Karen Frick	Introduction to Counseling
Karen Frick	Social Psychology
Kelly Gall	Introduction to Computers
Kelly Gall	Microcomputer Applications I
Kelly Gall	Beginning Keyboarding
Nancy Gaskins	Accounting-Business Operations
Nancy Gaskins	Principles Macroeconomics
Nancy Gaskins	Personal Finance
Brenda Glendenning	Medical Surgical Nursing II
Ken Henderson	Introduction to Exercise Science
Ed Johnson	Introduction to Sociology
Ed Johnson	Introduction to Sociology
Marlene Kabriel	Language Lab
Lee Keil	Auto Body Repair I & II
Joel Keith	Beginning Guitar
Gene Kingslien	Personal and Community Health
Ron Kirmer	Carb & Problem Analysis
George Kneuper	Industrial Processes
Myron Kryschtal	Government of the United States
James Lakey	Introduction to Philosophy
Lynette Lee	Organizational Supply Mgmt. Operations

Shanna Legleiter	Word Processing, Adv Word Processing, Ten Key Mastery
Shanna Legleiter	Beginning Keyboarding, Keyboarding II, Transcribing Machines
D.K. Lock	Fundamentals of General Chemistry
Matthew Luthi	Lifetime Fitness & Wellness
Matthew Luthi	First Aid Emergency Care
Joel Lundstrom	Introduction to Sociology
Jennifer Miller	English Study Skills/Math Learning Strateg.
Marie Miller	Public Speaking
Winsome Morgan-Bartley	Business Communications
Ruth Moritz	English Composition I
Ruth Moritz	English Composition II
Ruth Moritz	Introduction to Literature
Roma Lee Murphy	Medical Surgical Nursing II
Dan Myers	Supervisory Development
William Nash	Renewable Energy Sources
Melissa Nech	American History 1877-Present
Jacqueline Oborny	Elementary Spanish I
Robert Patterson	English Composition I
Robert Patterson	Introduction to Philosophy
Robert Patterson	Fundamentals of Grammar
Robert Patterson	Introduction to Philosophy
Rick Peters	Art Appreciation
Doug Polston	Microcomputer Applications I
Bill Robinson	Prep Math
Bill Robinson	College Algebra
Bill Robinson	Basic Algebra
Bill Robinson	Intermediate Algebra
Rita Schmidt	Professional Vocation Relation
Kristina Schulte	Advanced Methods of Classroom Mgmt.
Kayla Springer	Conversational Spanish
Mark Shipman	Accounting II/Business Law I
Mark Shipman	Introduction to Computers
John Simmons	Anatomy & Physiology
John Simmons	Principles of Biology
John Simmons	Anatomy & Physiology Lab
Susan Simmons	Data Base Management Systems
Angela Sullivan	College Algebra
Paulette Watson	English Composition I
Michael Weltsch	Military History-American Revolution
Patty Wells	Basic Math Skills/Prep Math
Melinda Whitney	Emergency 1 st Aid-Tactical Operations
Melinda Whitney	Emergency 1 st Aid-Tactical Operations
Owen Williamson	Intermediate English
Owen Williamson	English Composition I

Randy Willis	Interpersonal Communications
Randy Willis	Public Speaking
Randy Willis	Public Speaking
Mandy Wiltse	General Accounting-ITV
Mandy Wiltse	ITV Course Development

Community Education

Jerry Felkel	Basic Electrical for GB Packing (7/8/03 – 9/4/03)
Rhonda Riedel	AD/SSD – Module I, II & III- Junction City (7/11/03 – 8/2/03)
Janice Perkins	AD/SSD – Module IV – Junction City (8/8/03 – 8/9/03)

Degree Program – Ellsworth

Anita Hoffhines	Spreadsheet Applications (6/24/03 – 7/22/03)
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Outreach Program – Ellsworth

Linda Carson	Children’s Nutrition/Child Nutrition Practicum (7/1/03 – 9/2/03)
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ACTION ITEMS

2003-2004 KACCT Dues
Memorandum of Understanding
Microsoft Licensing
eCompanion Contract
Junction City Lease Renewal

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

2003-2004 KACCT DUES

Detail: The Administration respectfully requests the Board's consideration for approval of payment of the 2003-2004 dues to the Kansas Association of Community College Trustees in the amount of \$14,754.68 (46,894.5 @ .24 per credit hour). By comparison, the 2002-2003 dues totaled \$13,779.80 (42,832.5 @ .24 per credit hour).

Recommendation: It is recommended that the Board approve payment of the 2003-2004 dues to the Kansas Association of Community College Trustees in the amount of \$14,754.68.

Action: President's Office

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

MEMORANDUM OF UNDERSTANDING

Detail: As shared with the Board during its June study session, renovations are anticipated in the Fine Arts Building that will require coordination and oversight among College personnel, the Board of Trustees, and the Foundation Board of Directors. In order to proceed with the renovation process in a smooth and timely manner, a Memorandum of Understanding is hereby presented for the Board's consideration.

Recommendation: It is recommended that the Board of Trustees authorize the Chairman to execute the Memorandum of Understanding on behalf of the Board and the College.

Action: President's Office

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this _____ day of _____, 2003, by and between Barton County Community College, hereinafter referred to as College, and Barton County Community College Foundation, hereinafter referred to as Foundation.

The parties hereto agree that the Foundation shall be entitled to undertake certain improvements to the College Chapel located in the Fine Arts Building to include the installation of five antique stained glass church windows in the Chapel.

All improvements to be made shall be subject to the approval of the College administration. The College specifically agrees that the Foundation shall be entitled to enter into any agreements necessary for said improvements, subject to the approval of the College administration, including the renaming of the Chapel in the name of the principal donor to the remodeling project.

The College agrees to provide such personnel and facilities as may be necessary to complete the improvement project.

Dated: _____

Barton County Community College by:

Dated: _____

Barton County Community College Foundation by:

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

MICROSOFT LICENSING

Detail: Microsoft has changed its licensing method for desktop and lab personal computer software. In the past, as the College purchased a computer, the license cost was included for that machine. That cost was good only for that machine. Now, Microsoft is charging colleges an annual cost, based on the number of full and part-time staff and faculty. The number of computers does not matter. Additionally, we can purchase the software license from approved Microsoft vendors. Bids were received on the following:

	Per Unit	Units	Total
Office Products, Inc.			
Desktop	\$49.55	359	\$17,788.45
Visual Studio	\$1.90	359	\$ 682.10
Publisher	\$1.90	359	\$ 682.10
MTC			
Desktop	\$47.10	359	\$16,908.90
Visual Studio	\$1.95	359	\$ 700.05
Publisher	\$1.95	359	\$ 700.05
CDW			
Desktop	\$49.00	359	\$17,591.00
Visual Studio	\$2.10	359	\$ 753.90
Publisher	\$2.10	359	\$ 753.90

The above bids cost approximately \$20.00 per computer on an annual basis. The cost is approximately the same as the previous method based upon a five-year use which is the virtually the life of our desk top and lap top computers.

Recommendation: Because the local bid is very close to the low bid, it is recommended that the College secure the licenses from Office Products, Inc. for an annual total cost of \$19,152.65.

Action: Dean of Business Services

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

eCOMPANION CONTRACT

Detail: eCompanion is an eCollege product designed to supplement classroom instruction. Barton has been using eCompanion for the past several years, in two primary ways: First, eCompanion has played a vital role in bringing more students to the MLT Program. Second, Ft. Riley has recently started using eCompanion as a means to increase enrollments through its hybrid program.

The eCompanion contract is up for renewal. In the negotiations for the renewal, eCollege has offered Barton a package in which the College guarantees a certain number of enrollments for a reduced price. However, the terms of the agreement are only available if Barton signs a multi-year (2.5 year) contract. The following information is germane:

1. Term of the eCollege proposal: 2.5 years.
2. Cost for the basic contract:
From 23 May 03 through 16 Dec 03: 500 licenses @ \$15 ea. Or \$7,500 annually.
From 17 Dec 03 through 16 Dec 04: 1000 licenses @ \$12.50 ea. Or \$12,500 annually.
From 17 Dec 05 through 16 Dec 05: 1000 licenses @ \$12.50 ea. Or \$12,500 annually.

NOTE: a license is for 1 student for the entire term of the contract. Therefore, we could have 500 students sign up for an eCompanion course for #1 above, and 1,000 students for #2 & #3 without any additional cost for the term of the contract. If we pass the 500 or 1,000 figure, then we would pay the current single enrollment rate for every additional enrollment. Basic cost for eCompanion without this package is \$40 per enrollment, so every student who signs up for an eCompanion class would cost \$40.

eCompanion also has a course evaluation software that would allow the College to do all course survey's on-line. This software is so refined that it would let us write our own surveys and collect the data in a variety of formats.

Cost for the evaluation software package (not included in basic cost, above):

From May 03 through Dec 03: \$1,750.

From Dec 03 through Dec 04: \$3,500.

From Dec 04 through Dec 05: \$3,500.

There are two ways to weigh the benefits of the eCompanion software: academic and financial.

Academic Benefits: eCompanion could be used to facilitate supplemental instruction and classroom administration. Instructors could put course material into it. They could also use its gradebook, e-mail, syllabus, calendar, and other administrative functions to improve instruction.

In Ft. Riley's hybrid program, eCompanion has led to increased enrollments because students can now do half their course work on line. This frees up classroom space that allows the College to offer other classes.

If we accept option 1 (500 licenses @ \$15 ea. Or \$7,500 annually for the period of May 03 through Dec 03), we would need 20 students ($\$7,500/\384 per student for a 3 hour class = 19.53 students) to pay for all 500 licenses. If you add the \$1,750 into this figure for the evaluation software then we would need 25 students to pay for the 500 licenses.

If we accept options 2 & 3 (1000 licenses @ \$12.50 ea. Or \$12,500 annually for 2004 & 2005), we would need 33 students ($\$12,500/\384 per student for a 3 hour class = 32.55 students) to pay for all 1,000 licenses. If you add the \$3,500 into this figure for the evaluation software, we would need 42 students to pay for the 1,000 licenses.

If we do not take any of the options, the cost of supporting the program would be \$40/enrollment or \$20,000 for the first option and \$40,000 for the second and third options (assuming we continue to offer MLT and hybrid classes and those enrollments remain constant).

Recommendation: It is recommended that the Board accept the 2.5 year eCompanion contract offered by eCollege without the course evaluation software and evaluate the potential of the course evaluation software between now and December 2003 to determine its applicability to the College.

Action: Executive Assistant to the President for Planning,
Organizational Development and Military Operations

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

JUNCTION CITY LEASE RENEWAL

Detail: It is time to renew the lease for the facilities used by the College in Junction City, Kansas. The space is used for a variety of programs; credit and non-credit. The programs and uses include the space the College utilizes for Community Education, EMT, MICT, Hazardous Material Education, and related areas.

The cost for the three-year lease renewal will be \$2,225 monthly. This is an increase of \$100 per month, as the former lease rate per month was \$2,125. Because of the instruction we continue to provide in the Junction City/Ft. Riley area, we believe it is imperative to maintain our presence through a “store front” location. Administratively, we have viewed the increase in cost as being reasonable.

Recommendation: It is recommended that the Board authorize the President to accept the new rate and execute the three-year lease renewal for the Junction City facility at a cost of \$2,225 per month, beginning July 1, 2003.

Action: Dean of Business Services

KACCT/KBOR REPORT

J.B. Webster and Dr. Law will update the Board concerning Kansas Association of Community College Trustees and Kansas Board of Regents activities.

INFORMATION/DISCUSSION ITEMS

Monitoring Reports

Upcoming Board Meetings/Activities

President's Report of Monthly Activities

Administrative Policies/Procedures

 Drug-Free Schools and Communities Act

 Athletic Department Mission and Values Statements

 Student Athlete Code of Conduct Policy

 Student Athlete Code of Conduct Sanctions Policy

 Acknowledgment of Student Athlete Code of Conduct and
 Sanctions Policies

 Substance Abuse Policy and Drug-Testing Program

 Student Athlete Consent and Authorization Agreement

 Student Consent and Authorization Agreement

Monitoring Reports June 2003

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: GENERAL EXECUTIVE CONSTRAINTS

The President shall act at all times in an exemplary manner consistent with the responsibilities and expectations vested in that office. The President shall act in a manner consistent with Board policies and consistent with those practices, activities, decisions, and organizational circumstances, which are legal, prudent, and ethical.

Accordingly, the President may not:

General Executive Constraint #5

Permit conflict of interest in awarding purchases or other contracts or hiring of employees.

Response: To my knowledge, no conflict of interest regarding purchases, contracts, or hiring has occurred. I believe institutionally, we continue to demonstrate that our purchasing processes provide fairness, preference to local business whenever possible, and encourage competition so the taxpayers receive the most for their money. Additionally, we continue to use personnel screening and selection processes that encourage qualified and quality applicants and fairness in appointments. As it relates to this last item, we maintain processes that allow us to expeditiously make appointments when it is thought to be in the best interest of the College.

General Executive Constraint #9

Allow assets to be unprotected, inadequately maintained, or unnecessarily risked.

Response: To my knowledge, all assets are protected and with no or minimal risk. The only possible exception, of which the Board is already aware and which continues, is the situation created by the state's budget crisis. That exception is -- in meeting our projected 2002-2003 budget's expenditure plan, we have had to make the difficult decision to recommend no increases in the budget in salaries as well as delay significant capital expenditures. These two areas are significant assets and while not assets in the traditional sense, are none-the-less assets that need to be maintained. It is my impression that we are beginning to lose quality employees because of our inability to adequately compensate employees. Further, I am concerned that as we look to next year's budget, we will be proposing the use of a portion of our reserve, which is not yet at the Board's goal.

We will monitor the reactions to the budget shortfall and bring to the Board's attention anything that might place these assets in further jeopardy.

POLICY TITLE: FINANCIAL CONDITIONS

The President shall administer the Board approved budget without material deviation from Board priorities in ENDS policies, and shall protect the College from financial risk.

Accordingly, the President may not:

Financial Condition #3

Make any purchase: (a) without prudent protection against conflict of interest; (b) over \$10,000 without Board approval; (c) over \$10,000 without seeking at least three competitive quotes or sealed bids, submitted on prepared specifications. No purchase shall be made except on the basis of quality, cost, and service. Consideration shall be given to local vendors who can provide like quality products and services, and who meet bid specifications.

Response: Following review of this constraint with the Dean of Business Services, I feel confident that the College is in compliance with the policy. We remain sensitive and judicious in balancing the need to support the local economy with making wise purchases as we stretch limited tax dollars.

Financial Condition #6

Fail to maintain adequate reserves which allows the College cash reserve to drop below 8% of its annual budget, working toward a goal of 16%.

Response: The Board has been apprised that progress toward this goal was made over the course of the past year. The cash reserve is above the 8% floor and we believe that this past year's budget has, for the second or third year in a row, helped us realize growth in the reserves. Our reserves are now in the neighborhood of 12% and as indicated, will play a significant role in helping us face the fallout of the state's revenue crisis as we build the budget for the 2003-2004 fiscal year.

Financial Condition #8

Fail to provide a monthly report of the College's current financial condition.

Response: Each month, as part of the Board's agenda, "Claims" and "Financial Reports" are presented for the Board's review and action. The reports accurately reflect the fiscal condition of the institution. Further information regarding the Foundation's fiscal condition is provided to the Trustees from the Foundation Office each month. The clarifying questions asked by the Board are appreciated, as they help us to more fully discharge our accountability to the public.

POLICY TITLE: BUDGETING/FORECASTING

Budgeting for any fiscal year shall follow Board ENDS priorities, control College financial risk, and accurately reflect projections of income and expenses. The President shall propose a budget after first seeking broad input from all College constituencies. Budgets will become effective upon approval by the Board.

Budgeting/Forecasting Constraint #1

Accordingly, the President shall not: Propose an unbalanced budget. Supporting information shall include: a reasonable projection of revenues and expenses, separation of capital and operational items, and planning assumptions.

Response: We are in the process of finalizing a budget for the approaching fiscal year. The budget will be balanced, but as the Board knows, it will be a difficult year with many competing choices. To address this year's budget challenges, tuition has been raised by nearly 13%, we anticipate cutting or avoiding the expenditure of in excess of \$500,000, and we will request that the Board consider a small tax levy increase. It is our assessment that these efforts will help the College make it through this approaching fiscal year.

However, we all need to remember that next year's budget will in all likelihood be equally as difficult as the past two. An added challenge is that a large portion of what we may not spend and/or will have cut will not necessarily improve the budget picture beyond this coming year, as they are expenditures that must be made in the near future.

Throughout this entire year, the College has worked on the development of a process and templates to help us prepare for 2004-2005 budget decisions. The process helps us examine fiscal efficiencies, as well as revenues and expenses. This approach includes utilizing templates which will permit the comparisons of fiscal data and efficiencies within Athletics and Instruction. A means of assessing Institutional Support efficiencies continues to be developed.

As the Board knows, we are at the "bone" in regards to budget cuts. Further cuts will mean loss of programs and services. The work completed during this past year will help the Board, should these kinds of difficult decisions have to be made.

We have diligently monitored the expense side of the budget, and it is my impression that the fiscal concerns that the College faces are not due to expenses which are unwarranted. Our challenge may well remain as a revenue challenge, as I believe that our expenses are in "check." For the most part and from my vantage point, the College's budget problems are due to a flat or declining valuation.

Budgeting/Forecasting Constraint #2

Accordingly, the President shall not: Propose a budget which does not take into account Board ENDS priorities.

Response: The budget will take into consideration the Board's ENDS and will provide reasonable support to the accomplishment of the approved strategic objectives.

Budgeting/Forecasting Constraint #3

Accordingly, the President shall not: Propose a budget which excludes adequate support for Board operations (fiscal audit, legal expenses, Board development and training, and Board membership fees), and non-compensation needs such as plant and facilities maintenance, instructional equipment, new program and course development, staff development, institutional research, etc.

Response: Each of the above elements will be included in the budget. However, because revenue is lean, in reviewing the budget, there is reason to closely monitor the amount of funding the College is able to devote to the above cost centers. Obviously, these are areas that many times are deferred and in some cases, we will have deferred some requested items for a number of years in a row. The Board can expect that this year's cuts will include the deferment of capital expenses.

Budgeting/Forecasting Constraint #4

Accordingly, the President shall not: Propose an operating budget, which allows the College cash reserve to drop below 8% of its annual budget, working toward a goal of 16%.

Response: A budget which maintains the cash reserve above the 8% floor will be developed. However, if this is the budget that is adopted, certain cuts will have to be made in order to maintain the 8% reserve minimum. As the College works toward budget and program cuts for next year which will be of a more permanent nature, the administration will look for ways to keep the Board informed as undoubtedly some of the decisions will have significant implications within the College and community.

Budgeting/Forecasting Constraint #5

Accordingly, the President shall not: Propose a budget, which does not include a recommendation for staff and faculty salary increases.

Response: A salary increase recommendation will ultimately be provided as part of the budget assumptions. This will be a difficult recommendation, given the faculty and staff's general salary relationship to peer institutions. Sadly, I expect some of the College's turnover is because of our inability to remain competitive with our salaries. It is important to also recognize that many staff have assumed additional duties with no salary increases; further, there have been staff positions cut or not replaced so there are many doing all they can to help find ways to maintain or increase revenues so that the College is able to maintain the services and programs that have made it a comprehensive community college. Our employees undoubtedly deserve increases, but in all likelihood, providing increases will present risks.

UPCOMING BOARD MEETINGS/ACTIVITIES

- Fri., June 27** **Special Board Meeting** – 7:30 a.m. – Room U-219 (upper level of Student Union)
- Wed., July 2** **Board Study Session** – 12:00 noon – Room U-219 (upper level of Student Union)
- Fri., July 4** **Offices Closed** in observance of Independence Day
- Tues., July 15** **Regular Board Meeting** – 4:00 p.m. – U-219 (upper level of Student Union)

For your future planning: We have scheduled an all-day Board Advance at Camp Aldrich, beginning at 8:00 a.m. on Thursday, October 2, 2003. This will replace the Board study session which had originally been scheduled for October 1.

President's Monthly Activities
May 1 - 31, 2003

- May 1 Conducted weekly meeting with Foundation staff
Facilitated a review of the College's Student Discipline policies and procedures
- May 2 Attended Western KS Professional Workforce Development Conference in Dodge City
- May 4 Attended Clara Barton Hospital Open House
- May 7 Attended PIC meeting
Facilitated Board Study Session
Attended Foundation Board meeting
- May 8 Facilitated weekly meeting with Foundation staff
Interviewed candidate for the Institutional Advancement position
Facilitated luncheon with medical community leaders
Attended Prairie Enterprise Project Board meeting
- May 9, 12, & 13 Vacation Days
- May 14 Attended PIC meeting
Met with retiring faculty member Greta Foster
- May 15 Attended Honor's Brunch
Attended farewell reception for Bill Robinson
Attended Nurses Pinning
Met with Kozue Sugano's parents from Japan
Participated in Commencement Activities
- May 16 Participated in Fort Riley Golf Tournament
- May 19 Pre-recorded Hilltopics program on the value of the College
Attended Aldrich Trust Committee meeting regarding College insurance and liability
- May 20 Facilitated Board of Trustees meeting
- May 21 Attended PIC meeting
Facilitated President's Staff meeting
- May 22 Met with Mark Dean, Wayne Brungardt, & Glenn Opie regarding Morrison Windows project/progress
Attended Cougar Booster Board meeting

- May 23 With Ron Vratil and Mark Dean planned approach to securing liability insurance coverage for the College
- May 26 Memorial Day – Offices Closed
- May 27 Called on Venture Corporation for AEF campaign donation
Attended Foundation Administrative Committee luncheon meeting
- May 28 Met with Bob Peter regarding employee classification
Facilitated President’s Staff meeting
Attended Connie Wagner’s moving reception
- May 29 Gave Presentation to Board of Realtors regarding value of the College
Attended Lee Burress’s retirement reception
- May 30 Facilitated luncheon meeting for representatives of the county’s minority community

Drug-Free Schools and Communities Act

Policy: Substance Abuse - Students

The College supports and endorses the Drug-Free Schools and Communities Act amendments of 1989 (Public Law 101-226). Pursuant to this Act, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or abuse of alcohol (as defined in these Acts) by a student on College property or as part of any College activity is prohibited.

Under Public Law 100-226, the College will distribute to all students, in the Student Handbook, a statement of compliance in accordance with the applicable provisions of the law. The College will conduct a biennial review of this procedure as required by the Drug-Free Schools and Communities Act of 1989.

A student who violates this policy shall be subject to appropriate disciplinary action including suspension, demotion, non-renewal and/or termination as provided in the Student Code of Conduct Policy.

- This policy/procedure reviewed and approved by College legal counsel – 05-01-03
- Reviewed, approved, and adopted by Barton's President, Veldon L. Law, following review and discussion with the College's Board of Trustees – 05-07-03

BARTON COUNTY COMMUNITY COLLEGE ATHLETIC DEPARTMENT MISSION AND VALUES STATEMENTS

To support and direct the department's decisions and interactions with its various stakeholders and its student athletes, the department will be administered by and student athletes will be guided by the following Mission Statement and its supporting Values Statements.

Mission Statement

Coaches, support staff, administrators, and student athletes are committed to treating each other with dignity and respect so that all students are provided an opportunity to achieve excellence in their academic, athletic, and personal pursuits.

Values Statements

The following values are established to guide student athletes, coaches, administrators, and staff members as they demonstrate the department's commitment to its mission:

DIGNITY AND RESPECT

We value and will treat each individual student, teammate, coach, and staff member with dignity and respect.

HONESTY

We value and will demonstrate honesty by following and abiding by the College's rules and regulations, as well as those of the Conference, Region, and NJCAA.

INTEGRITY

We value doing the right thing, the right way, for the right reasons, and doing so with honesty in all our actions.

FAIR PLAY

We value fair play on the court, on the track, on the field, and in the classroom. As student athletes, coaches, and administrators, we work to avoid placing ourselves in a position where our honor and integrity can be questioned by unfair, dubious, or questionable practices.

SUCCESS

We value achievement and winning in academics, athletics, and personal development, but not at the expense of personal and institutional honor and reputation.

SET POSITIVE EXAMPLE AND IMAGE

We value having and maintaining a positive image for our department on our campus, within the community, the county, the conference, and the nation. We recognize that what we do as student athletes, coaches, and administrators sends a powerful message about our department and institution to many that look to us as role models and for leadership. Accordingly, our actions will demonstrate our commitment to setting a positive and socially acceptable example for young people to emulate and which will attract others to our programs and institution.

ENVIRONMENT

We value and will maintain an environment for all student athletes, coaches, administrators, and staff that is free from any form of harassment or intimidation.

DIVERSITY

We value and will demonstrate respect for the diversity and quality of all student athletes, coaches, staff, and administrators.

PERSONAL DEVELOPMENT

We value and will demonstrate such through making the most of the opportunity to personally develop our skills, our knowledge, and our ability to work in partnership.

COMMUNICATION and TEAMWORK

We value each member of our athletic family and will demonstrate our understanding of their importance to our individual success through team-work, respect for confidentiality, and honest communication with each other.

EMPOWERMENT

We value the right and responsibility of individuals to make decisions but expect those decisions to be within parameters established by the College, the conference, the Region, and NJCAA.

ACCOUNTABILITY

We value accountability and will demonstrate such through taking responsibility for our own decisions and actions and taking the initiative to resolve difficulties created by our decisions.

Acknowledgment: Barton County Community College gratefully acknowledges the permission of Kansas University to utilize its established Athletic Department Mission and Values Statements in the development of Barton's Athletic Department Mission and Values Statements.

- Reviewed, approved, and adopted by Barton's President, Veldon L. Law, following review and discussion with the College's Board of Trustees – 6/17/03.

BARTON COUNTY COMMUNITY COLLEGE **ATHLETIC DEPARTMENT** **STUDENT ATHLETE CODE OF CONDUCT POLICY**

The Athletic Department expects that all student athletes will abide by **all** Barton County Community College rules and regulations, the College's Student Code of Conduct (found in the Student Handbook as "The Disciplinary process: Barton Student Code of Conduct"), as well as the rules and regulations of the Jayhawk Conference and the National Junior College Athletic Association (NJCAA).

In addition to the above, the Athletic Department has established firm and expected behavioral guidelines to guide student athlete behavior. Compliance with these behavioral guidelines is expected, without exception, and behavior that deviates from these guidelines will result in discipline administered by the department. This discipline may be beyond what the coach or the College may administer.

ALCOHOL: Student athletes are responsible for following all federal, state, College, and Athletic Department laws and guidelines pertaining to alcohol and drug use. The College's minimum expectations are outlined in the Student Handbook under the section "Alcoholic Beverages." Each coach may set higher standards in a separate team policy. To that end, our student athletes are prohibited from:

- Possessing alcohol in College housing.
- Driving under the influence of alcohol.
- Purchasing alcohol while under the age (21 years) required by the Kansas State law.
- Drinking alcoholic beverages when officially representing the College.
- Drinking alcohol at events sponsored by the College or the Athletic Department, whether on or off campus.
- Provision of alcohol to prospective student athletes taking official visits to the College.

CAMPUS HOUSING AND CAFETERIA: All student athletes are required to abide by the regulations and policies of campus housing and cafeteria. Loud and unruly behavior unbecoming of a Barton student athlete is not acceptable. It is illegal to have alcohol or illicit drugs anywhere on campus, including the cafeteria and housing, and against College policy to have firearms anywhere on campus. Student athletes are expected to abide by the College's Housing Regulations.

COMPLIANCE: Student athletes must participate in all mandatory educational programs, and student athletes are required to assist the Athletic Department by providing information regarding certification of eligibility and NJCAA compliance issues whenever requested by Athletic Department officials and administrators. Beyond athletic compliance, student athletes are expected to truthfully and to voluntarily assist the College and the Department in any investigation in which they have knowledge.

DISCRIMINATION AND RETALIATION: Barton County Community College Athletic Department will not tolerate discrimination or retaliation on the basis of race, sex, color, national origin, religion, ancestry, sexual orientation, disability, or as specified by law, age or veteran status. Such discrimination violates professional ethics, federal and state law, Board of Regents, and College regulations. It subverts the mission of the College and threatens the careers of students, faculty, and staff.

GAMBLING: Student athletes are prohibited from gambling. Student athletes may not place any bet of any sort on any college or professional sports event. Student athletes may not give information to anyone who does place bets on college or professional sports. This means:

- No wagers on any professional or college sports event, even those that don't involve your college.
- No sports "pools," even those run by your friends.
- No Internet gambling on sports events.
- No sports wagering using "800" numbers.
- No exchange of information about your team with anyone who gambles. No information about injuries, new plays, team morale, discipline problems, or anything else related to athletics at Barton County Community College.

HAZING AND INITIATIONS: Barton County Community College Athletic Department will not tolerate student athletes who engage in hazing of other persons for the purpose of initiation or admission into, affiliation with, or continuation of membership in any organization directly or indirectly related to the College. "Hazing" includes, but is not limited to, any action, activity, or situation which recklessly, negligently, or intentionally endangers the mental or physical well being, exposes a person to extreme embarrassment or ridicule, or involves personal servitude or substantially interferes with the academic requirements or responsibilities of a student. It is presumed that hazing is a forced activity regardless of the apparent willingness of an individual to participate in the activity.

LEWD BEHAVIOR: Barton County Community College Athletic Department will not tolerate any student athlete intentionally exposing the private or intimate parts of his or her body in any manner, or during the course of any other act the department determines to be lewd and to have occurred in a public place.

ILLEGAL DRUGS: Barton County Community College has a substance-abuse policy which is supported by the Athletic Department and through which a drug-testing program is administered and in which all student athletes are required to participate. The Athletic Department will not tolerate the use and/or abuse of illegal and/or banned drugs. The College's policy and program document outlines the purpose of the program; the banned drugs; testing methodology; and sanctions. The policy and program document will be provided annually to each student athlete.

Any student athlete who is arrested, charged, or convicted of using or possessing illegal drugs will be subject to the sanctions of the Athletic Department's Student Athlete Code of Conduct Sanctions Policy as well as Barton County Community College's Substance Abuse Policy and Drug-Testing Program.

PHYSICAL ASSAULT/ABUSE: Barton County Community College Athletic Department will not tolerate any physical assault/abuse, such as fights started by or involving student athletes. These acts degrade our Athletic Department, campus community, and society in general. While the College cannot control all factors in society that lead to physical assault/abuse, the College and the Department will strive to create an environment that is free of violence.

POSSESSION AND USE OF FAKE IDs: Knowingly furnishing false information in the form of a false or fake ID card violates College policies as well as state and local laws. The College and the Athletic Department requires student athletes to provide their name and ID to those in authority, upon request.

PROPERTY THEFT OR DAMAGE: Barton County Community College Athletic Department will not tolerate theft, vandalism, or damage to the property of the College or to the property of any of its members or visitors. Further, Barton County Community College Athletic Department will not tolerate those who know of property offenses and fail to disclose them to the proper authorities.

SEXUAL HARASSMENT: Sexual harassment involving staff, coaches or student athletes will not be tolerated. Sexual harassment violates professional ethics, federal and state law, Board of Regents and College regulations. It subverts the mission of the College and threatens the careers of students, faculty, and staff. Barton County Community College Athletic Department defines sexual harassment as:

- Unwelcome sexual advances,
- Requests for sexual favors, or
- Verbal or physical conduct of a sexual nature, when:
 1. Submission to such conduct is made either explicitly or implicitly a term of condition of employment, education, or participation;
 2. Submission to or rejection of such conduct is used as the basis for employment, academic, or participation decision;
 3. Such conduct unreasonably interferes with the individual's work, academic, or athletic performance or creates an intimidating, hostile, or offensive working, academic or athletic environment.

SEXUAL OFFENSES: Barton County Community College Athletic Department will not tolerate sexual offenses, such as rape, including acquaintance/date rape, or any form of nonconsensual sexual activity. These acts degrade the victims, our campus community, and society in general. While the College cannot control all the factors in society that lead to sexual offenses, the College and Department will strive to create an environment that is free from acts of violence.

SPORTSMANSHIP: As representatives of the department and of the Barton County Community College, all student athletes are expected to display good citizenship with fellow students and competitors, present a positive public demeanor at all times on and off campus, show respect for all members of the College community and act as role models for young people and other student athletes. Student athletes are prohibited from engaging in:

- Profane and/or vulgar language;
- Disrespectful attitudes toward opponents;
- Taunting opponents, including “celebrations” with the intent to demean opponents;
- Inciting crowd hostility toward opponents; and
- Fighting with or making hostile physical contact with opponents, fans, or officials.

TOBACCO: It is the intent of the College and the Athletic Department to provide a safe, healthy environment for all of the College’s coaches, administrators, staff, students, and visitors by placing limitations on smoking and chewing tobacco. The Athletic Department has an interest in fostering awareness of health and safety. Accordingly, it supports the College’s policy that restricts smoking and the chewing of tobacco to provide a tobacco-free environment.

Smoking and chewing tobacco are not permitted in College facilities including all athletic, and athletic related facilities. At the College’s baseball and softball fields smoking and chewing tobacco are not permitted in any enclosed area or in the general seating area. The use of tobacco products is prohibited by all game personnel (e.g. student-athletes, coaches, trainers, managers, and game officials) in all sports during practice and competition.

Acknowledgment: Barton County Community College gratefully acknowledges the permission of Kansas University to utilize its established policies and procedures for substance abuse in the development of the Student Athlete Code of Conduct.

- This policy/procedure reviewed and approved by College legal counsel – 6/3/03.
- This policy/procedure reviewed, approved, and adopted by Barton’s President, \ Veldon L.aw, following review and discussion with the College’s Board of Trustees – 6/17/03.

BARTON COUNTY COMMUNITY COLLEGE
ATHLETIC DEPARTMENT
STUDENT ATHLETE CODE OF CONDUCT
SANCTIONS POLICY

Barton County Community College Athletic Department requires all student athletes to conduct themselves in a manner that creates a positive image within the Department, throughout the College, and in the community. Student athletes are expected to uphold these standards of conduct and be positive role models. The Athletic Department recognizes that a clear statement of policy, procedures, and possible sanctions is a necessary component in resolving inappropriate behavior issues when they arise. Accordingly, this policy is intended to assist the prompt and objective review and resolution of instances of illegal or inappropriate behavior by student athletes. Student athletes also are responsible for adhering to federal and state laws, local ordinances, College and Athletic Department regulations, and may be subject to disciplinary action by civil and criminal courts and/or College and Athletic Department disciplinary procedures for violations of those laws, ordinances, and regulations.

FELONY INDICTMENTS, CHARGES, OR ARRESTS

Upon the indictment, charge, or arrest of any student athlete for an alleged felony offense, a committee consisting of the Athletic Director, head coach of the sport of the student athlete, and another College employee designated by the Athletic Director at the Director's sole discretion, will take one or both of the following steps:

1. Immediate suspension from the team, upon receipt of notice of a charge, indictment, or arrest pending completion of an internal investigation or until the conclusion of any external process, or
2. The Athletic Director may require an internal investigation to determine whether it is more likely than not that the student engaged in inappropriate behavior, and if appropriate, to provide recommendations to the committee. Procedures for investigations are outlined in another section below.
 - a. Upon completion of the Athletic Department's investigation, the same committee, consisting of the Athletic Director, head coach, and the appointed College employee will review the findings and recommendations, whether immediate suspension action has taken place previously (as part of this incident) or not.
 - b. If it is determined there is insufficient evidence to support the charge of inappropriate behavior, or that immediate suspension was inappropriate, the committee may so direct.
 - c. If, on the other hand, sufficient evidence does support the charge of inappropriate behavior, and further action is appropriate, the committee may continue any previously imposed suspension, or impose a suspension from the team pending the outcome of the external investigation into the felony charges.

Student athletes will have five (5) days after receipt of written notification of any disciplinary action to be taken in which to notify the College President, in writing, of their request to appeal the decision of the committee. The student shall have five (5) days after receipt of the notice to respond in writing to the charges. If it is necessary to mail notice to the student, he/she shall have seven (7) days after the date of mailing to respond in writing to the charges.

Appeals of the results of the Athletic Department's investigation and Athletic Department's committee's decision may be made by the accused to an Appeals Committee within five (5) days of the date of the decision. Such appeals shall be in writing and shall be delivered to the President of the College. Any disciplinary action imposed shall remain in effect during the appeals procedure, unless otherwise directed by the President of the College. Appeals shall follow the procedures outlined in the Student Code of Conduct that can be found on the College's web site or in the Student Handbook. These documents outline the process and the time-lines for hearing and making decisions regarding appeals impacting all student matters, including sanctions made by the Athletic Department committee.

FELONY CONVICTIONS

Upon conviction of a felony offense, whether through plea agreement, jury verdict, or trial by judge alone, a student athlete ordinarily will be expelled permanently from the team by the Athletic Director, regardless of any prior disciplinary action or appeal. This expulsion will not be delayed pending sentencing or appeals. Student athletes will have five (5) days after receipt of written notification of any disciplinary action to be taken in which to notify the College President, in writing, of their request to appeal the decision of the committee. The student shall have five (5) days after receipt of the notice to respond in writing to the charges. If it is necessary to mail notice to the student, he/she shall have seven (7) days after the date of mailing to respond in writing to the charges.

Ordinarily, any remaining grant-in-aid to a student athlete expelled from a team for a felony conviction(s) will be cancelled. For purposes of this decision, the Athletic Director serves as the College's regular disciplinary authority for determination of whether a student athlete's athletics grant-in-aid will be reduced or cancelled. Any appeal of the cancellation or termination of an athletics grant-in-aid will be handled pursuant to the College's financial aid appeals process. In these matters, the College's financial aid appeals committee will be the final authority on the matter of the appeal.

Appeals of the results of the Athletic Department's investigation and Athletic Department's committee's decision may be made by the accused to an Appeals Committee within five (5) days of the date of the decision. Such appeals shall be in writing and shall be delivered to the President of the College. Any disciplinary action imposed shall remain in effect during the appeals procedure, unless otherwise directed by the President of the College. Appeals shall follow the procedures outlined in the Student Code of Conduct that can be found on the College's web site or in the Student Handbook. These documents outline the process and the time-lines for hearing and making decisions regarding appeals impacting all student matters, including sanctions made by the Athletic Department committee.

MISDEMEANOR CHARGES OR ARRESTS

Students charged or arrested for misdemeanor offenses may be subject to disciplinary action. The decision to invoke disciplinary action, if any, will be made by a committee consisting of the Athletic Director, the head coach of the sport of the student athlete, and another College employee as designated by the Athletic Director at the Director's sole discretion.

Student athletes will have five (5) days after receipt of written notification of any disciplinary action to be taken in which to notify the College President, in writing, of their request to appeal the decision of the committee. The student shall have five (5) days after receipt of the notice to respond in writing to the charges. If it is necessary to mail notice to the student, he/she shall have seven (7) days after the date of mailing to respond in writing to the charges.

Appeals of the results of the Athletic Department's investigation and Athletic Department's committee's decision may be made by the accused to an Appeals Committee within five (5) days of the date of the decision. Such appeals shall be in writing and shall be delivered to the President of the College. Any disciplinary action imposed shall remain in effect during the appeals procedure, unless otherwise directed by the President of the College. Appeals shall follow the procedures outlined in the Student Code of Conduct that can be found on the College's web site or in the Student Handbook. These documents outline the process and the time-lines for hearing and making decisions regarding appeals impacting all student matters, including sanctions made by the Athletic Department committee.

MISDEMEANOR CONVICTIONS

Ordinarily, upon conviction by a judge or a jury of a misdemeanor offense, student athletes will be suspended for a minimum of seven consecutive days, including a minimum of ten percent of contests, or two contests, during that period of time, whichever is less. If the misdemeanor conviction occurs outside the competitive season, the seven-day suspension shall begin six days prior to the first regularly scheduled competition, not including exhibition contests. The student athlete may resume practice after the mandatory suspension, but shall be withheld from competition if the minimum competition suspension of ten percent of the contests or two contests, whichever is less, is not met during the suspension. The suspension will begin upon conviction and will not be delayed pending sentencing or appeals. Student athletes will have five (5) days after receipt of written notification of any disciplinary action to be taken in which to notify the College President, in writing, of their request to appeal the decision of the committee. The student shall have five (5) days after receipt of the notice to respond in writing to the charges. If it is necessary to mail notice to the student, he/she shall have seven (7) days after the date of mailing to respond in writing to the charges.

A committee consisting of the Athletic Director, head coach of the sport of the student athlete, and a College employee as designated by the Athletic Director at the Director's sole discretion, may determine to take additional disciplinary action in its discretion. In some cases in which the student athlete's conduct is sufficiently egregious, expulsion

from the team and reduction or cancellation of a grant-in-aid, may be appropriate. The Athletic Director serves as Barton County Community College's regular disciplinary authority for determination of whether a student-athlete's athletic grant-in-aid will be reduced or cancelled. Any appeal of the cancellation or termination of an athletics grant-in-aid will be handled pursuant to the College's financial aid appeals process. In these matters, the College's financial aid appeals committee will be the final authority on the matter of the appeal.

Appeals of the results of the Athletic Department's investigation and Athletic Department's committee's decision may be made by the accused to an Appeals Committee within five (5) days of the date of the decision. Such appeals shall be in writing and shall be delivered to the President of the College. Any disciplinary action imposed shall remain in effect during the appeals procedure, unless otherwise directed by the President of the College. Appeals shall follow the procedures outlined in the Student Code of Conduct that can be found on the College's web site or in the Student Handbook. These documents outline the process and the time-lines for hearing and making decisions regarding appeals impacting all student matters, including sanctions made by the Athletic Department committee.

OTHER VIOLATIONS

It is acknowledged that situations occasionally may arise in which a student athlete has engaged in an action or repeated actions at the College or in the community that, while not resulting in a charged violation of state or federal laws, is nevertheless sufficiently serious to make disciplinary action by the Athletic Department appropriate. Accordingly, when such an occasion occurs, the Athletic Director, the head coach of the sport of the student athlete, and a College employee designated by the Athletic Director, at the Director's sole discretion, will determine what, if any, disciplinary action may be appropriate. In some instances, it may be appropriate to immediately suspend the student athlete from the team, following the procedures described above for felony arrests, pending an investigation ordered by the Athletic Director.

Furthermore, this policy recognizes that, in some cases, the fact that a student athlete is not convicted of a felony offense or a misdemeanor offense does not mean the student athlete did not engage in inappropriate behavior. It may be necessary for the Athletic Director, in his/her discretion, to order an investigation prior to the committee meeting to evaluate the student athlete's case. In those cases in which a committee consisting of the Athletic Director, the head coach of the student-athlete's team, and a College employee as designated by the Athletic Director at the Director's sole discretion, determines that, based on the preponderance of evidence, the student-athlete did engage in inappropriate behavior and that disciplinary action is appropriate, sanctions up to and including expulsion from the team and reduction or cancellation of an athletics grant-in-aid may be taken. The Athletic Director serves as Barton County Community College's regular disciplinary authority for determination of whether a student-athlete's athletics grant-in-aid will be reduced or cancelled. Appeals of termination or cancellation of an athletics grant-in-aid will be handled pursuant to the College's financial aid appeals process. With regard to any disciplinary action taken, the student athlete will have the same procedural appeal rights as those for appeals of action taken following a felony conviction.

TEAM RULE INFRACTIONS

Any Code of Conduct violation that is not addressed by the preceding paragraphs will ordinarily be of a less serious nature and will be handled by the head coach as a team rule violation. The head coach has the authority to impose appropriate disciplinary penalties and is expected to do so. Sanctions imposed by the Athletic Department are not meant to substitute for the individual coach's right and responsibility to provide discipline to their team members. Coaches may individually make decisions and impose sanctions of an appropriate nature up to and including dismissals from the team. In these instances, the coach's decision is final and not subject to appeal and appeal procedures.

REPEAT VIOLATIONS

Repeat or continued violations of a nature described in the paragraphs above are cumulative, meaning that subsequent violations of this Code of Conduct may result in more substantial penalties. This policy recognizes that repeat violations may reflect adversely on the student athlete's sport, the Athletic Department, and the College.

In the event the Athletic Director determines that multiple violations of the Student Athlete Code of Conduct warrant further action, the Athletic Director may convene a committee consisting of the Athletic Director, the head coach of the student athlete's team, and a College employee as designated by the Athletic Director, at the Director's sole discretion. If the committee determines that additional sanctions, separate from any sanction for any individual offense, are appropriate, the student athlete will then be given notice of that sanction. Sanctions may range up to a student athlete's dismissal from his or her team and/or reduction or cancellation of an athletics grant-in-aid. The Athletic Director serves as Barton County Community College's regular disciplinary authority for determination of whether a student athlete's athletics grant-in-aid will be reduced or cancelled. Student athletes will have five (5) days after receipt of written notification of any disciplinary action to be taken in which to notify the College President, in writing, of their request to appeal the decision of the committee. The student shall have five (5) days after receipt of the notice to respond in writing to the charges. If it is necessary to mail notice to the student, he/she shall have seven (7) days after the date of mailing to respond in writing to the charges. Appeals from termination or cancellation of an athletics grant-in-aid will be pursuant to the College's financial aid appeals process. In these matters, the College's financial aid appeals committee will be the final authority on the matter of the appeal.

Appeals of the results of the Athletic Department's investigation and Athletic Department's committee's decision may be made by the accused to an Appeals Committee within five (5) days of the date of the decision. Such appeals shall be in writing and shall be delivered to the President of the College. Any disciplinary action imposed shall remain in effect during the appeals procedure, unless otherwise directed by the President of the College. Appeals shall follow the procedures outlined in the Student Code of Conduct that can be found on the College's web site or in the Student Handbook. These documents outline the process and the time-lines for hearing and making decisions regarding appeals impacting all student matters, including sanctions made by the Athletic Department committee.

PROCEDURES FOR INVESTIGATION

Investigations of student athlete conduct may be ordered by the Athletic Director upon receipt of information that gives rise to a reasonable suspicion that the Student Athlete Code of Conduct Policy has been violated. The Athletic Director will report the commencement of any investigation to the President. All investigations will be conducted confidentially to the extent possible.

Appointment of investigating officials will be at the discretion of the Athletic Director. Ordinarily, the investigator will be an employee of Barton County Community College, or affiliated with the College in some manner.

Investigations will typically be informal. Tape recording of interviews and verbatim transcripts of interviews will not be required, though may be developed. Investigators should interview those witnesses knowledgeable of the incident under investigation and obtain their statements. Those interviewed should be informed of the College's practice to hold their statements in confidence, unless court ordered to be released. The Athletic Director, in his/her discretion, may direct the investigator to obtain written statements. If a witness or party involved in the incident refuses to give a written statement, the investigator should record the substance of the witness statements about the incident.

In the event a concurrent investigation by law enforcement officials is occurring, investigators will avoid taking any action that may interfere with or impede the external investigation. Information relating to investigation will not be released to third parties unless directed by the President.

The College President may authorize an investigator to seek legal advice from the College's attorney. Advice given will be subject to the attorney-client privilege and ordinarily will not be releasable to third parties absent a court order or the consent of the President.

Investigators will determine whether it is more likely than not the student athlete in question violated the Student Athlete Code of Conduct Policy. In the discretion of the Athletic Director, the investigator's report may be rendered orally or in writing to the committee considering the violation. If requested by the Athletic Director, investigators will also provide a recommendation on whether disciplinary action is appropriate, and, if so, what the action should be. Any such recommendations will be advisory only and may be accepted or rejected at the discretion of the committee.

Acknowledgment: Barton County Community College gratefully acknowledges the permission of Kansas University to utilize its established policies and procedures for substance abuse in the development of the Student Athlete Code of Conduct Sanctions policies.

- This policy/procedure reviewed and approved by College legal counsel – 6/3/03.
- This policy/procedure reviewed, approved, and adopted by Barton's President, Veldon L. Law, following review and discussion with the College's Board of Trustees – 6/17/03.

ACKNOWLEDGMENT OF STUDENT ATHLETE CODE OF CONDUCT AND SANCTIONS POLICIES

I have read and I understand the foregoing Barton County Community College Student Athlete Code of Conduct Policy Statement and Sanctions Policy. I understand that I may ask questions and seek clarification from my coaches and the College's Athletic Director.

I understand that agreement and compliance with the Student Athlete Code of Conduct Policy is required for my participation in athletics at the Barton County Community College. If I violate the Student Athlete Code of Conduct, I acknowledge that a violation on my part may result in disciplinary action against me, including, but not limited to, reduction or termination of my athletic scholarship award and suspension or dismissal from participation in athletics at the Barton County Community College.

My signature below, in addition to acknowledging receipt, reading, and understanding the requirements of the Student Athlete Code of Conduct Policy, also constitutes my consent for officials at Barton County Community College, while acting within the scope of their employment, to communicate with my parents or legal guardians concerning matters of my health, academic status, code of conduct violations, athletic participation, and scholarship status. Further, I authorize any team physician, psychologist, or other health care professional to release to Barton County Community College all records requested by College officials acting within the scope of their employment. I also hereby authorize any public school or college faculty member, educator, coach, or institutional official where I have previously been enrolled to release academic records and information related to my academic progress, my behavior while a student at my former institution(s) as well as the results of any diagnostic test of an educational and/or psychological nature. Finally, I acknowledge and authorize by my signature that the College and the Athletic Department may, at its discretion, perform a criminal background check. I also acknowledge that the College and the Athletic Department may utilize the information gained from any information gathered about me to determine whether or not to award grant-in-aid and/or scholarship support for my participation in the College's athletic program.

I also understand that I am responsible for adhering to federal and state laws, local ordinances and College, housing, and Student Conduct regulations, and may be subject to disciplinary action by civil or criminal courts and/or College disciplinary procedures for violations I may commit.

Student Athlete Signature

Date

BARTON COUNTY COMMUNITY COLLEGE

Substance Abuse Policy and Drug-Testing Program

Barton County Community 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 and potentially his/her teammates and/classmates during performance, competition and practice; and
- D. Compromises the integrity and spirit of intercollegiate athletics competition and extra-curricular activity performance.

Thus, Barton has made it a policy that the use and abuse of illegal and/or banned drugs will not be tolerated for students. For those students who receive a performance award from the Institution, the College will conduct a “zero-tolerance program” including testing and sanctions. While there is no intent to intrude upon the private life of the student, the College is interested in the well being of its students who perform and represent the Institution. Barton recognizes the addictive results of illicit drug use and, as provided in this policy, will encourage treatment and rehabilitation for any student involved in the drug-testing program.

I. PURPOSE

- A. Education – To educate Barton County Community College students about the problems associated with drug use and abuse.
- B. Detection of Abuse – To detect students who may be involved in substance use or abuse through testing methods.
- C. Treatment and Rehabilitation – To assist in the treatment and rehabilitation of a students who tests positive for drug use as part of this program, so that the student may safely and fully participate in academics, athletics, and extra-curricular activities and to reduce personal, family, and social disruption.
- D. Discourage and Deter Drug Use – To discourage and deter the use of drugs by imposing significant sanctions on offenders.

- E. Promote Health and Safety of Student Participation – To provide reasonable safeguards assuring that every student is able to participate in athletics competition and extra-curricular activity performances unimpaired by illegal or banned drugs.

II. SUBSTANCE ABUSE EDUCATION AND PREVENTION PROGRAM

- A. Objective – To provide educational guidance to the student regarding the physical, mental, and legal consequences of illegal drug use.
- B. Program – Students will be required to participate in an annual workshop with their coach, activity sponsor, Dean of Student Development and/or drug prevention coordinator which will provide information regarding drug abuse and will aid in the educational process of the student about the consequences of illegal drug use. Additional educational presentations may be held and required throughout the year. These programs will be announced to students as they are scheduled, and attendance of students who receive a performance award shall be mandatory.

III. DRUG-TESTING PROGRAM

The head coach, with the assistance of Athletic Director (or designee), and/or the head athletic trainer shall inform the student athletes about the drug-testing program. The activity sponsor, with the assistance of the Dean of Student Development, and/or the College Nurse shall inform students involved in extra-curricular activities of the drug-testing program. Information concerning the program and a consent form associated with the program shall be provided to every student receiving a performance award. The consent form must be signed and submitted by the student as a condition of participation and receipt of aid. Student athlete is defined as any student who is certified eligible (signed letter of intent) to participate in varsity athletics, is "red-shirted" or otherwise associated with the team and/or involved in workouts/practices, and a student athlete who has completed eligibility and is receiving financial aid from or through Barton County Community College. A student participating in extra-curricular activities is defined as any student who represents the Institution by performing in an activity in the name of the College and is receiving financial aid from or through Barton County Community College for participation in that activity.

The student shall be subjected to testing as described in the policy. Failure to sign the consent form prior to practice, performance and/or competition shall result in the student's ineligibility for practice, performance, or competition until the student signs the form. Additionally, students who receive financial aid (specifically a performance award) from or through Barton County Community College must sign the consent form as a condition of receipt of such aid. The program shall be conducted by a medical laboratory agency as selected by the College and supervised by College personnel as appointed.

- A. Mandatory Drug Testing Program – All performance award students shall be subject to unannounced, random tests during the course of the academic year. The College will determine a prescribed percentage of each team and activity group that shall be subject to testing. The College shall provide the medical laboratory agency with athletic team rosters and performance award rosters for students in extra-curricular activities; students will be randomly selected for testing by the agency consistent with the team and activity group percentages as prescribed by the College. The College will determine the number of random tests that occur each year.
- B. Testing Program Based on Reasonable Suspicion – Information obtained by the College indicating “reasonable suspicion” of drug use by a student receiving a performance award shall prompt the College to require the student to submit to drug-testing. Specimen collection shall be conducted in accordance with the College’s and testing agency’s agreed upon processes. Reasonable suspicion shall not mean a mere “hunch” or “intuition,” but shall instead be based upon a specific event or occurrence which has led to the belief that a student has used drugs banned by this policy and program. Any of the following criteria shall be sufficient on its own to constitute “reasonable suspicion”:
1. Direct observation of drug use by a reliable informant;
 2. Direct observation by those associated with the athletic department or activity (coaches, athletic trainers, team physician, Athletic Director, Housing Director, Director of Campus Security, activity sponsor, College Nurse, Dean of Student Development) of physical and mental deficiency, medically indicated symptomology of drug use, aberrant conduct, or unexplained absenteeism;
 3. Observation of, or evidence obtained by, College personnel leading to the common sense conclusion that use has, is, or could be occurring.
 4. Common sense conclusions about observed or reliably described human behavior upon which practical people ordinarily rely (e.g., significant changes in behavioral patterns, athletic, activity, or academic performance; with regards to anabolic steroids, significant weight gain and unusually aggressive behavior);
 5. Police or court determination (current or past) that the student has used or possessed prohibited drugs;
 6. A demonstrated history of use of prohibited drugs, either prior legal convictions or prior positive tests for prohibited drugs through the College’s or any other reliable testing program. Prior positive tests include any positive result including the results that fall into the “zero-tolerance” category. These are tests that fall below the established

7. laboratory criteria for a positive test (e.g. > 15 nanograms/ml for marijuana), but indicate a lower concentration level of the banned substance.

C. Voluntary Disclosure Drug Testing Program – A student may disclose use of a prohibited substance and avoid the College’s first-time offender penalty by participating in the voluntary disclosure program. Disclosure of student athlete drug use may be made to the Coach, Athletic Director, Head Athletic Trainer, College Counselor, College Nurse, and/or Dean of Student Development. Disclosure of a activity student drug use may be made to the activity sponsor, College Counselor, College Nurse, and/or Dean of Student Development. When voluntary disclosure occurs, the head coach or activity sponsor shall be informed of disclosure by any of the other College personnel receiving disclosure from the student. The College employee informed of the disclosure shall be obligated to inform the other College employees listed above and refer the student for testing and referral to counseling and/or rehabilitation. Test results for student-athletes shall be reported to the Coach, Athletic Director, Head Athletic Trainer, College Counselor, and/or Dean of Student Development. Test results for activity students shall be reported to the activity sponsor, College Counselor, College Nurse, and/or Dean of Student Development. If found positive for banned drug(s), the student shall be retested forty (40) days after receipt of the initial positive documentation. If documentation demonstrates a decrease in the drug(s) metabolite, the student shall continue counseling until released by the counselor. If documentation demonstrates an increase in the drug(s) metabolite, the student shall be declared a first-time offender and submit to actions/sanctions indicated in this program. This option is available to the student on a one-time basis during his/her academic/athletic/activity career.

IV. BANNED DRUGS

Drugs banned by Barton include the following as well as all drugs banned by the NCAA (Appendix I):

- A. Amphetamines
- B. Cocaine
- C. Tetrahydrocannabinol – THC (marijuana)
- D. Anabolic Steroids

V. CONSENT FORM: All student athletes and activity students shall read and complete the form entitled, *Consent and Authorization Agreement* (Copy attached). This form must be completed before a student is allowed to practice, perform, or compete.

VI. METHODOLOGY

- A. Collection and Coding
1. In order to enforce this drug policy, it shall be necessary to acquire a urine specimen from the student.
 2. Urine voiding shall be monitored by a member of the testing agency selected by the College or a designated allied health professional.
 3. Chain of custody in specimen collection, preparation, and handling shall be followed as prescribed by the testing agency to ensure accurate and confidential results. *A document that explains the chain of specimen custody will be provided to each student prior to testing* (Appendix II). Further, prior to testing, each student will be given an opportunity to provide information concerning any medication being taken or other circumstances that might attribute to a positive test.
- B. Notification
1. Students requested to provide a urine sample shall not expect to be given notification prior to testing.
 2. If a student is selected for testing based on “reasonable suspicion”, the student shall be immediately escorted to the testing site by a Coach, the activity sponsor, the Athletic Director, Head Athletic Trainer, College Counselor, College Nurse, and/or Dean of Student Development.
- C. Testing Techniques – The testing agency shall screen each urine sample with the enzyme multiplied immunoassay technique and then perform gas chromatography/mass spectrometry for confirmation. The screen and confirmation shall be based on levels to be determined by the College in consultation with the testing agency.
- D. Results – Test results for student athletes shall be returned to the Athletic Director and subsequently reported to the Coach, Head Athletic Trainer, College Counselor, and/or Dean of Student Development. Test results for activity students shall be returned to the Dean of Student Development and subsequently reported to the activity sponsor, College Counselor, and College Nurse. Documentation indicating 6+ confirmation for drug use shall be dated by the College Nurse or Head Athletic Trainer, so subsequent re-tests can proceed after forty (40) days.
- E. Positive Test – A positive test will be defined as one that indicates concentration levels consistent with those established by the NCAA. The positive concentration level for THC (marijuana) is 15 nanograms/ml.

- F. Confidentiality – Test results shall be known only by the student, activity sponsor or Coach, Athletic Director (when applicable), Head Athletic Trainer (when applicable), College Nurse, College Counselor, and Dean of Student Development; and, if necessary due to an appeals process, the College’s Appeals Committee.

VII. BARTON ACTIONS/SANCTIONS

The following actions/sanctions represent the sanctions established by Barton.

A. Positive Drug Test

If a student tests positive on a drug test administered by Barton, he/she shall be subject to the actions/sanctions specified in this policy.

FIRST-TIME OFFENDER

1. The student athlete’s Coach, Athletic Director, Head Athletic Trainer, College Counselor, and Dean of Student Development are informed.
2. The activity student’s sponsor, College Counselor, College Nurse, and Dean of Student Development are informed.
3. The student is encouraged to notify his/her parent(s), legal guardian(s) and/or spouse.
4. If the positive test occurs during the season, the student is suspended immediately from practice, performance, and competition for seven (7) consecutive days including a minimum of 10% of the contests and/or performances scheduled, or two contests/performances (not including exhibition contests) whichever is less. If the positive test occurs outside of the competitive or performance season, the seven-day suspension shall begin six days prior to the first regularly scheduled competition or performance (not including exhibition contests). The student may resume practice after the mandatory seven-day suspension but shall be withheld from a subsequent competition or performance, if the minimum competition or performance suspension is not met in the seven-day suspension period.
5. Student enters a prescribed counseling and rehabilitation program at their own expense.
6. After forty (40) days, the student re-tests monthly for one (1) calendar year. (Note: Testing continues during the summer months, if the student is enrolled in summer school).
7. The student athlete may appeal to the Athletic Director. The activity student may appeal to the Dean of Student Development. The student may appeal to the College’s Appeals Committee, should they desire. The Appeals Committee has the authority to make the final decision.

8. Failure to comply will result in immediate and permanent suspension from the team or activity and the loss of financial aid. The student may appeal to the College's Appeals Committee, should they desire. The Appeals Committee has the authority to make the final decision.

SECOND-TIME OFFENDER

1. The student athlete's Coach, Athletic Director, Head Athletic Trainer, College Counselor, and Dean of Student Development are informed.
2. The activity student's sponsor, College Counselor, College Nurse, and Dean of Student Development are informed.
3. The student is encouraged to notify his/her parent(s), legal guardian(s) and/or spouse.
4. Immediate and permanent suspension from participation in the athletics program or activity.
5. Cancellation of financial aid provided by Barton County Community College.
6. The student may appeal the above conditions to the College's Appeals Committee, should they desire. The Appeals Committee has the authority to make the final decision.

B. Zero-Tolerance

If a student's test result does not reach an established level to count as a positive test but does indicate a smaller concentration level of the banned substance [e.g. 1 to 14 nanograms/ml of THC (marijuana)], the student will be subject to the following actions:

1. The student athlete's Coach, Athletic Director, Head Athletic Trainer, College Counselor, and Dean of Student Development are informed.
2. The activity student's sponsor, College Counselor, College Nurse, and Dean of Student Development are informed.
3. The student will be offered counseling by the College Counselor.
4. The student will be subject to monthly retests at their own expense.

VIII. GENERAL POLICIES

- A. The conditions of this substance abuse policy and drug-testing program begin when the student reports to the College academic/athletic/activity program and continues for the remainder of his/her academic/athletic/activity career.
- B. If a student fails to report for drug testing after notification, he/she shall be considered an offender.
- C. If a student reports to the testing site and subsequently leaves the site without permission from the drug-testing administrator, he/she shall be considered an offender.

- D. A student who is required to receive counseling will receive written notification and an appointment time via hand-delivery from the College Counselor. Following the initial counseling session, the College Counselor may refer the student to a community drug counseling service or continue counseling the student. If the student is referred to a community drug counseling service, the student will be financially responsible for services provided.

The first counseling session must occur no later than two (2) weeks after notification of the positive test. Failure to report for counseling will result in the student being suspended from practice, performance, and competition for one week and until the counseling session is met. Further, after a student misses two counseling sessions, he/she will be charged with a positive test result penalty for any subsequent missed counseling session, in addition to being charged for the cost of the missed session.

- E. Conviction of a student for the sale, purchase, transfer, or possession of drugs shall result in automatic and immediate dismissal from his/her team or activity and the loss of all related financial aid.
- F. Offenders shall be subjected to re-tests to determine continued abuse or non-use. An increase in drug(s) metabolite from the most recent test will indicate drug usage and, therefore, a subsequent offense. A decrease in drug(s) metabolite from the most recent test will not be considered a positive test.
- G. The application of all of these general policies may be appealed to the College's Appeals Committee who has final authority.
- H. This program and its administration/operation is subject to change or to be modified at any time. However, any change or modification will be implemented only by action of the Athletic Director and/or Dean of Student Development and will not be applied retroactively, if it would adversely affect a student's rights.

APPENDIX 1
NCAA BANNED DRUGS

(a) Stimulants:

amiphenazole	dimethylamphetamine	pentetrazol
amphetamine	doxapram	phendimetrazine
bemigirde	ethamivan	phenmetrazine
benzphetamine	ethylamphetamine	phentermine
bromantan	fencamfamine	picrotoxine
caffeine (1)	meclofenoxate	pipradol
cholpentermine	methamphetamine	prolintane
cocaine	methylphenidate	strychnine
cropropamide	nikethamide	and related compounds
crothetamide	pemoline	
diethylpropion		
*ephedrine		

(b) Anabolic agents:

Anabolic steroids:

androstenedione		
boldenone	methandienone	oxymesterone
clostebol	methenolone	oxymetholone
dehydrochlormethyl-testosterone	methyltestosterone	stanozolol
dehydroepiandrosterone	nandrolone	testosterone (2)
(DHEA)	norandrostenedione	and related compounds
dihydrotestosterone	norethandrolone	
dromostanolone	oxandrolone	
fluoxymesterone		
mesterolone		
other anabolic agents:		
clenbuterol		

(c) Diuretics:

acetazolamide	flumethiazide	polythiazide
bendroflumethiazide	furosemide	quinethazone
benzthiazide	hydrochlorothiazide	spironolactone
bumetanide	hydroflumethiazide	triamterene
chlorothiazide	methylclothiazide	trichlormethiazide
chlorthalidone	metolazone	and related compounds
ethacrynic acid		

(d) Street Drugs:

heroin	THC (3) (tetrahydrocannabinol)	
marijuana (3)		

(e) Peptide hormones and analogues:

chorionic gonadotrophin (HCG – human chorionic gonadotrophin)	corticotrophin (ACTH)	Growth hormone (HGH, - somatotrophin)
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All the releasing factors of the above mentioned substances also are banned.

Erythropoietin (EPO)

(f) Definition of positive depends on the following:

- (1) for caffeine – if the concentration in the urine exceeds 15 micrograms/ml.
- (2) for testosterone – if the administration of testosterone or the use of any other manipulation has the result of increasing the ratio of the total concentration of testosterone to that of epitestosterone in the urine to greater than 6:1, unless there is evidence that this ratio is due to a physiological or pathological condition.
- (3) for marijuana and THC – if the concentration in the urine of THC metabolite exceeds 15 nanograms/ml.

*Ephedrine (ephedra) is contained in many supplement products.

APPENDIX II

CHAIN OF CUSTODY IN SPECIMEN COLLECTION, PREPARATION AND HANDLING

Preserving the integrity of the specimen is of vital importance in screening for drugs of abuse. Strict adherence to reasonable steps in this process is required so that:

- The student knows that his/her specimen is properly identified and sealed.
- The laboratory tests the correct specimen and issues a report on the correct subject, eliminating the possibility of reporting in error.

The process of quality control in any multi-step system will begin with the very first step and be systematically followed through to the last. By observing the regimen outlined below, a chain of custody shall be established.

1. Complete the test requisition form by providing the following:

Subject's Code Number
Date and Time of Collection
Test Number on the Form

2. Have the student observe and confirm his/her code number, sex and date on the test requisition form and document any medication being taken.
3. The student is to remove all outer garments. The student takes a specimen cup. The student and a member of the testing agency are to go to the lavatory. The student is instructed to void into the specimen cup while agency personnel observes.
4. In the presence of the testing agency personnel, the student selects a collection kit and pours the specimen into his/her specimen bottles.
5. In the presence of the agency personnel, the student tightens the cap to the bottles and seals them with the security tape which has the student's code number written on it in ink.
6. The student places the specimen bottles into the specimen envelope and seals each envelope with tape. [Note: No person touches the collection kits or specimen cups other than the student-athlete until after the collection process is completed and containers sealed.]
7. The envelope is placed into the shipping container.
8. The number of specimens being shipped is counted.

9. The shipping container is secured and the testing agency's address label is attached.
10. The courier for pick-up is notified and the testing agency is advised of the shipment.

Acknowledgment: Barton County Community College gratefully acknowledges the permission of Kansas University to utilize its established policies and procedures for substance abuse in the development of the substance abuse policy and drug testing program.

- This policy/procedure reviewed and approved by College legal counsel – 06-03-03
- Reviewed, approved, and adopted by Barton's President, Veldon L. Law, following review and discussion with the College's Board of Trustees – 06-17-03

**SUBSTANCE ABUSE POLICY AND DRUG-TESTING PROGRAM
STUDENT ATHLETE CONSENT AND AUTHORIZATION AGREEMENT**

By execution of this agreement, I agree to participate in the drug-testing program, conducted by the Barton County Community College, as a condition of my participation in the varsity athletics program at Barton County Community College. I have reviewed and understand the drug-testing program and substance abuse policy including possible sanctions for violations. I agree that during the time I am a student-athlete at Barton County Community College, I shall abide by and be bound by the principles, conditions, and sanctions of the drug-testing program. I further agree that non-compliance with these policies shall be a breach of this agreement and understand noncompliance could result in my loss of financial aid and/or removal from participation on the team.

In accordance with my agreement to participate in this drug-testing program, I specifically agree to have my urine collected and tested for the presence of controlled substances.

I understand that upon receipt of a positive drug test result administered by Barton County Community College, I will be subject to the guidelines and sanctions of the substance abuse policy and drug-testing program.

I hereby release Barton County Community College, the College's athletic department, and all employees and agents of these institutions from any liability whatsoever arising from the request by Barton County Community College to furnish this urine sample for analysis and any decisions made concerning my athletic involvement based upon the results of the analysis.

I further authorize the release of all information relating to the screening and testing of my urine sample in accordance with drug testing programs administered by Barton County Community College, to the head coach of the sport or sports in which I participate; the College's Athletic Director, Head Athletic Trainer, College Counselor, and Dean of Student Development; rehabilitation personnel; and my parent(s), legal guardian(s), and spouse. In the event I appeal any sanction of this program to the College's Appeals Committee, I understand that the same information shall be released to this Committee and the College's attorney. My signature indicates that Barton County Community College, the athletic department, and all employees and agents are hereby released from legal responsibility or liability for the release of such information and records to these individuals.

Print Name of Student-Athlete

Sport

Signature of Student-Athlete

Date

Witness (Athletic Director or Designee)

Date

**SUBSTANCE ABUSE POLICY AND DRUG TESTING PROGRAM
STUDENT CONSENT AND AUTHORIZATION AGREEMENT**

By execution of this agreement, I agree to participate in the drug-testing program, conducted by the Barton County Community College, as a condition of my performance award to participate in an activity at Barton County Community College. I have reviewed and understand the drug-testing program and substance abuse policy including possible sanctions for violations. I agree that during the time I am a student at Barton County Community College, I shall abide by and be bound by the principles, conditions, and sanctions of the drug-testing program. I further agree that non-compliance with these policies shall be a breach of this agreement and understand noncompliance could result in my loss of financial aid and/or removal from participation in the activity.

In accordance with my agreement to participate in this drug-testing program, I specifically agree to have my urine collected and tested for the presence of controlled substances.

I understand that upon receipt of a positive drug test result administered by Barton County Community College, I will be subject to the guidelines and sanctions of the substance abuse policy and drug-testing program.

I hereby release Barton County Community College, the College's Student Development Department, and all employees and agents of these institutions from any liability whatsoever arising from the request by Barton County Community College to furnish this urine sample for analysis and any decisions made concerning my activity involvement based upon the results of the analysis.

I further authorize the release of all information relating to the screening and testing of my urine sample in accordance with drug testing programs administered by Barton County Community College, to the activity sponsor of the activity in which I participate; the College Nurse, the College Counselor, and the Dean of Student Development; rehabilitation personnel; and my parent(s), legal guardian(s), and spouse. In the event I appeal any sanction of this program to the College's Appeals Committee, I understand that the same information shall be released to this Committee and the College's attorney. My signature indicates that Barton County Community College, the Student Development Department, and all employees and agents are hereby released from legal responsibility or liability for the release of such information and records to these individuals.

Print Name of Student	Activity
Signature of Student	Date
Witness (Dean of Student Development or Designee) Date	

NOTICES AND COMMUNICATIONS (Exhibit B)

Track and Field Article from the News Sentinel

Meeting of the Board of Trustees
Barton County Community College

June 17, 2003

EXECUTIVE SESSION

Detail: An executive session may be required.

Recommendation: In compliance with the Kansas Open Meetings Act, it is recommended that the Board move to recess to executive session, should it be deemed necessary, to discuss non-elected personnel in order to protect the confidentiality of the individual(s) to be discussed.

Action: Board Chair