

# **AUBURN UNIVERSITY ATHLETICS DEPARTMENT**

## **DRUG/ALCOHOL EDUCATION & TESTING PROGRAM**

### **PREFACE:**

The members of the NCAA adopted drug-testing in 1986. This legislation initially established a drug-testing program for NCAA championships and post-season certified events, established disciplinary action for student-athletes who tested “positive” in accordance with the testing methods authorized by the NCAA Executive Committee, and established disciplinary action for staff members who had knowledge of the use of banned substances by student-athletes. Subsequently, the NCAA authorized year-round testing for student-athletes in Divisions I and II. The Auburn Drug Education/Testing Program is separate and distinct from the NCAA program (including without limitation, any sanction phases). Although a positive test result in the NCAA program will count as a positive under the Auburn program, any positive under the Auburn program will not count as a positive under the NCAA. Auburn University may amend the Drug Education/Testing Program at any time as may be deemed necessary.

### **A. PURPOSE:**

The Auburn University Athletics Department Drug Education/Testing Program has been developed to assist our student-athletes in bringing about a drug-free lifestyle. The specific objectives of this program include:

1. To prevent any drug abuse (or misuse) by Auburn University student-athletes and to educate them concerning the associated problems of drug abuse.

2. To identify any Auburn University student-athletes that may be abusing drugs and identify the drug.
3. To establish any necessary treatment, counseling, and education for any Auburn University student-athlete identified as a drug abuser.
4. To safeguard the health and safety of the student-athlete.

**B. EDUCATION AND CONSENT:**

As part of this program, the Athletics Department will provide educational programs, information and activities to prevent drug abuse and promote a healthy lifestyle. All student-athletes are subject to drug testing from the day they arrive on campus. Student-athletes are required to attend one drug education program per year and are encouraged to attend additional meetings.

A vital part of the program is drug screening of all Auburn University student-athletes. On an annual basis a presentation is made to the athletic squads explaining the purposes and procedures of the drug screening program. Each academic year, all student-athletes will be asked to sign an Auburn University consent form wherein the student-athlete agrees to be randomly tested for the use of drugs prohibited by the NCAA banned drug list hereinafter set forth at the request of the University's Athletics Department. Said consent must be signed annually prior to the student's participation in intercollegiate competition.

**C. TESTING:**

1. Student-athletes with eligibility remaining, or those continuing on scholarships or currently receiving compensation from the Auburn University Athletic Department, will be subject to testing for those banned substances listed hereafter.<sup>1</sup>
2. Random testing of student-athletes will be conducted throughout the year (in season, out of season and summer school), with the selection of student-athletes made by the computer from squad lists. Notification of such random selection, and the time and place for conducting the test, shall be given to the student-athlete by the Athletics Director, Head Coach or Director of Sports Medicine. Please Note: No prior notice is required for actual testing.
3. Student-athletes may also be tested if there exists a “reasonable suspicion” that the individual is using banned drugs. The determination of reasonable suspicion shall be made by a Coach, the Athletics Director, the team physician or the Director of Sports Medicine (“Athletics Department Personnel”). Such individuals have the responsibility to make a determination if there is reasonable suspicion that the student-athlete is using banned drugs, and they shall document any observation concerning the

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<sup>1</sup> Graduate assistant coaches, graduate assistant trainers or graduate assistants assigned to a team, student managers, student coaches, and student trainers who may or may not be receiving compensation from the Auburn University Athletic Department will also be subject to random testing or reasonable suspicion testing in accordance with the procedures set out in this program. **The first positive drug test for an individual in this category will result in loss of position.**

appearance, behavior, physical changes, attitude changes, or absences from class, meetings or practices. There may be a variety of observations that may lead to a determination of reasonable suspicion, including information gathered from other sources. Observations leading to a determination of reasonable suspicion include, but are not limited to:

- \* Mood swings
- \* Loss of interest in school, sports and practice
- \* increased number of tardiness and absences from practice
- \* increased aggressiveness
- \* Severe facial and body acne
- \* Weight loss or weight gain
- \* Erratic behavior
- \* Disorientation and confusion
- \* impaired short-term memory
- \* Any other actions, behavior or observations that the Athletics Department personnel believe create a reasonable suspicion of drug use.

The determination of reasonable suspicion, when reasonably possible, should be made by two members of the Athletics Department. Thereafter, the student-athlete shall be requested to promptly submit a urine sample for testing.

4. When multiple, positive tests have been reported on a team, the Coach may request team testing on a regular basis.

5. A positive drug test obtained as a result of testing by the NCAA will count as a positive in the Auburn University drug testing program. The penalties for lost playing time in the AU program will run concurrently with the NCAA penalties for loss of playing time.
6. Student-athletes being tested shall submit a urine specimen at such time and place as directed by the Athletics Director, Head Coach, or Director of Sports Medicine. If the test results are positive, the student-athletes may be retested in accordance with the provisions of paragraph F. below. The primary method of testing is urine drug testing; however blood, serum, or hair may be used.
7. A qualified laboratory has been selected to provide collection, chain of custody procedures and analysis of the urine or other specimen. All positive tests indicating the presence of a banned substance and/or metabolite of such a substance must be confirmed by gas chromatography/mass spectrometry by the laboratory.
8. The laboratory shall report its findings to the Athletics Director and the Director of Sports Medicine. Upon receipt of a positive test, the Director of Sports Medicine is required to report that positive test to the Athletic Director and Faculty Athletics Representative to insure appropriate institutional control of drug testing procedures. Only the Athletics Director, Faculty Athletics Representative, Head Coach, Director of Sports Medicine, Team Physicians, and the student-athlete's parents or guardian will be made aware of the results of the drug test. All questions about the results of the drug test must be addressed to the Athletics Director and the Athletics Director

will be the sole respondent. The Director of Sports Medicine will notify the student-athlete within 72 hours (if possible) after receipt of positive test results.

**D. SPECIMEN COLLECTION PROCEDURES:**

1. The student-athlete may have a witness accompany him/her to the collection station to certify identification of the student-athlete and to observe the ensuing procedures.
2. Upon entering the collection site, the student-athlete will be provided with a collection kit containing two new specimen bottles from a sealed plastic bag.
3. The student-athlete will then raise shirt to nipple line and lower pants to knee level and turn 360 degrees to affirm that there are no concealed containers on his/her person.
4. Agent will observe the collection of the specimen in a professional manner and without comment unless questioned. If an insufficient amount of specimen is provided at this time, the student-athlete may leave and return later (within the hour), at which time the process begins again.
5. Upon completion of specimen production, the agent will pour a required amount of the contents into bottle "B" and the rest in bottle "A." Both bottles (A & B) will be capped, sealed, initialed and dated by the agent while under observation of the student-athlete.
6. The student-athlete will immediately go to the identification station directly adjacent to a collection site with the specimen. At this time, the student-athlete will provide positive picture I.D. to the identification agent.

7. The student-athlete will be assigned a personal code number from the collection form. This number will be placed on the top and side of both bottles (A & B). This procedure will be observed by the student-athlete and a witness (if present).
8. The student-athlete (and witness, if present) will initial the collection form that has been completed by the agent, certifying that the procedures were followed as described herein. Any deviation from the procedures must be described on the collection form at that time. If deviations are alleged, the student-athlete will be required to provide another specimen. After initialing the collection form (or a second collection form if deviations are cited), the student-athlete's participation in the drug collection process is now complete.
9. The agent will place the white form and bottles "A & B" into the twin pocket plastic bag, remove seal tape and seal bag securely, and place bag into the collection box.
10. The specimen box will be closed and sealed upon collection of all specimen bottles obtained during the collection site visit. The sealed box will be delivered to the designated laboratory via the chain of custody process. Note: No specimen collection should be completed if the seals on either of the bottles should be found broken by the identification agent or by the laboratory upon their arrival at the laboratory.
11. The student-athlete code list will be given only to the Director of Sports Medicine or his appointed representative at the conclusion of the drug testing collection.
12. A student-athlete who fails to appear for drug testing during his/her career at the University will be assessed a penalty as if a 1<sup>st</sup> positive test had occurred. This 1<sup>st</sup>

positive test result is a Penalty Level I offense; second and third failures to appear will result in Penalty Level II and III offenses, respectively. The coach will be notified and the student-athlete in question will not be allowed to practice or participate in any way until an adequate specimen is collected.

13. Student-athletes will be assessed a penalty as if a first positive test had occurred for any adulteration, manipulation and/or alteration of a sample. The 1<sup>st</sup> positive in this category is a Penalty Level II offense and an additional offense of this nature is Penalty Level III.

14. Student-athletes can be excused from drug testing only under the most extreme circumstances (e.g., sickness, family emergency). The student-athlete is responsible for providing written verification for such absences. Approval of a verifiable absence is the responsibility of the Athletics Director.

**E. NCAA BANNED-DRUG CLASSES** (for which Auburn University may test): Auburn University student athletes are prohibited from the use of any drug substance banned by the NCAA. The complete list of drugs and related substances banned by the NCAA is updated periodically and is available at <http://www.ncaa.org>. (Click on Education Programs and then click on Drug Testing Program). The list is also available from the Auburn University Athletics Department Sports Medicine Staff. Drug categories banned include stimulants, anabolic steroids, diuretics, street drugs, peptide hormones and analogues, releasing factors (erythropoietin and sermorelin), and related compounds. Additionally there are other drugs specifically banned in individual sports such as rifle.

The term “related substances” as used herein comprises substances that are included in the class by their pharmacological action and/or chemical structure. No substance belonging to the prohibited class may be used, regardless of whether it is specifically listed as an example. NCAA rules prohibit the use of tobacco products by all student-athletes and game personnel (e.g., coaches, trainers, managers and game officials) in all sports during practice and competition.

Auburn University may provide only nonmuscle-building nutritional supplements to a student-athlete at any time for the purpose of providing additional calories and electrolytes, provided the supplements do not contain any NCAA banned substances. At the fall certification meetings, student-athletes are required to list all nutritional supplements they are currently consuming. (See attached Student-Athlete Nutritional Supplement Disclosure and Review Form.)

**F. PENALTIES FOR POSITIVE TESTS:**

**Each intercollegiate athletics team may have policies, as determined by the head coach in that sport, stricter than the Athletics Department policy. In no case can a team policy be less severe than the Departmental policy.**

**FIRST POSITIVE:**

1. Student-athlete’s parents or guardian will be notified.
2. Student-athlete must attend counseling and evaluation sessions for a period of time to be determined by the counselor, team physician and Director of Sports Medicine.
3. Student-athlete will be tested weekly as recommended in evaluation for a period of time to be determined by the counselor, team physician and Director of Sports Medicine. Refusal to cooperate in tests and counseling will result in temporary or permanent suspension from a team and possible loss of the athletics scholarship.

4. Playing time penalties will be as follows for positive tests:
  - a) Marijuana / Synthetic Cannabinoids: No loss of playing time, penalty level I.
  - b) Any Other Banned Substance: suspension for 50 percent of team's season, Penalty Level II. All other banned substances consist of drugs as outlined on the NCAA drug testing consent form. Student Athletes can obtain this list from the Director of Sports Medicine or from the NCAA web site.
5. The counseling and evaluation sessions are a very important part of the intervention process following the first positive drug test. These sessions will (in some cases) extend beyond the time period required for completion of the suspension from competition. Additional 10% penalties will be imposed if the prescribed counseling and evaluation sessions are not completed on schedule. (In case of a positive marijuana test, a 10% loss of playing time penalty will be imposed.) These possible additional penalties are not considered a second positive drug test and will be imposed only to assure completion of the counseling sessions.
6. Voluntary disclosure of the use of a banned substance by the student athlete will be considered a positive drug test. However, the penalty in this situation will not include loss of playing time and is available only for the first drug offense. The student-athlete must voluntarily disclose the use of a banned substance prior to notification of sample collection and the disclosure must be made directly by the student athlete to the Director of sports medicine or designee. This positive test result will be considered equivalent to a first positive for marijuana, a penalty level I offense.

SECOND POSITIVE:

1. Student-athlete's parents or guardian will be notified.
2. Student-athlete must attend counseling and evaluation sessions for a period of time to be determined by the counselor, team physician and Director of Sports Medicine.
3. Student-athlete will be tested twice weekly as recommended in evaluation for a period of time to be determined by the counselor, team physician and Director of Sports Medicine. Refusal to cooperate in tests and counseling will result in temporary or permanent suspension from a team and possible loss of the athletics scholarship.

4. Playing time penalties will be as follows for positive tests:
  - a) Marijuana / Synthetic Cannabinoids: (if the first positive test result was for marijuana or voluntary disclosure, Penalty Level I offenses) suspension for 50 percent of teams competitive season, Penalty Level II.
  - b) Marijuana / Synthetic Cannabinoids: (if the first positive test result was for Any Other Banned Substance, a Penalty Level II offense). Student Athlete will be immediately suspended and will permanently lose all privileges of participation in athletic activities or using athletic department facilities, Penalty Level III. The director of athletics will determine whether financial aid is maintained or revoked.
  - c) Any Other Banned Substance (if the first positive test resulted from a Penalty Level I or Penalty Level II offense for marijuana, voluntary disclosure or Any Other Banned Substance). Student Athlete will be immediately suspended and will permanently lose all privileges of participation in athletic activities or using athletic department facilities, Penalty Level III. The director of athletics will determine whether financial aid is maintained or revoked.
5. The counseling and evaluation sessions are a very important part of the intervention process following the first positive drug test. These sessions will (in some cases) extend beyond the time period required for completion of the suspension from competition. Additional 10% penalties will be imposed if the prescribed counseling and evaluation sessions are not completed on schedule. These possible additional penalties are not considered a second positive drug test and will be imposed only to assure completion of the counseling sessions.

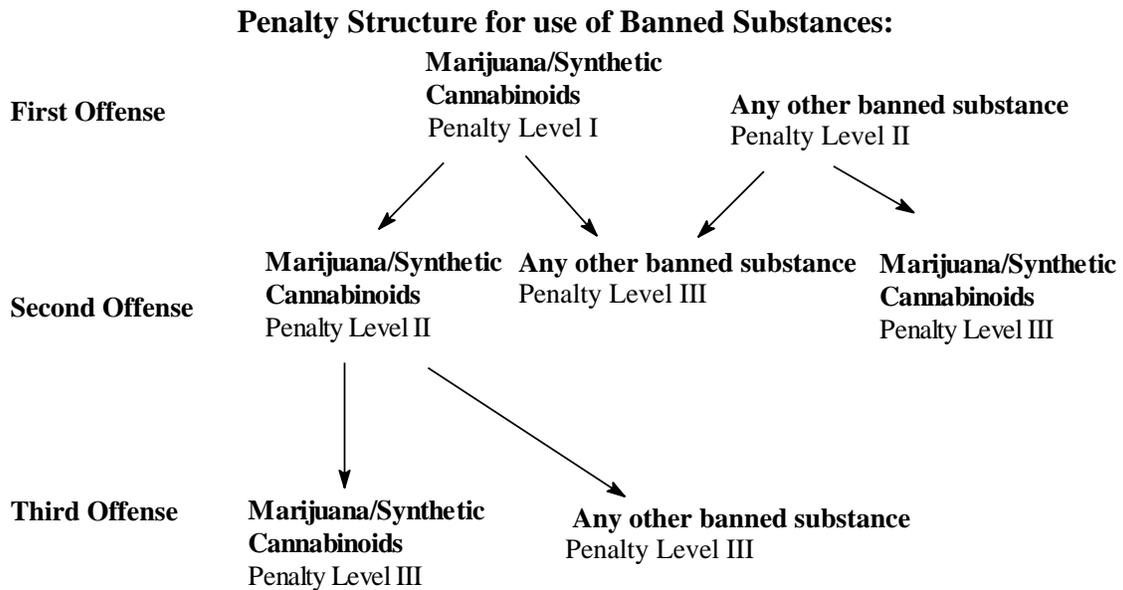
THIRD POSITIVE:

1. Student-athlete's parents or guardian will be notified.
2. Student-athlete must attend counseling and evaluation sessions for a period of time to be determined by the counselor, team physician and Director of Sports Medicine.
3. Student-athlete will be tested as recommended in counseling for a period of time to be determined by the counselor, team physician and Director of Sports Medicine. Refusal to cooperate in tests and counseling will result in temporary or permanent suspension from a team and possible loss of the athletics scholarship.
4. Playing time penalties will be as follows for positive tests:

- a) Marijuana/ Synthetic Cannabinoids or Any Other Banned Substance. Student Athlete will be immediately suspended and will permanently lose all privileges of participation in athletic activities or using athletic department facilities, Penalty Level III. The director of athletics will determine whether financial aid is maintained or revoked.

**PLAYING TIME PENALTIES:**

The playing time penalties for positive drug tests results are summarized in the following diagram.



Penalty Level I      No loss of playing time, one year probationary period.\*

Penalty Level II      Suspension for 50% of team’s competitive season.\*

Penalty Level III      Permanent loss of playing status at Auburn University

\* All first time offenders will be considered in a probationary status of a period of one calendar year following confirmation of their first positive result, after which time probation will be reviewed by a committee consisting of the Athletics Director, the Head Coach, the Director of Sports Medicine and the Faculty Athletics Representative. If at any time during that year the student-athlete, in the opinion of the review committee, is not following through with his/her student-athlete responsibilities and conforming to expected standards of behavior, he/she may be subject to additional loss of playing time or loss of scholarship. The student-athlete’s complete reinstatement to the program after a year will be determined by the review committee at that time.

**G.      CONDITIONS OF SUSPENSION:**

1. The student-athlete's suspension will take effect during the team's competitive season, including post-season and NCAA competition. The suspended events will be for the next consecutive events in the schedule, extending into the next season if applicable.
2. Student-athletes who are on suspension will be allowed to practice, but not be allowed to participate in intercollegiate competition or other events that surround the competition.
3. Suspension from competition will occur while the student-athlete is enrolled at Auburn University. All suspensions will be served during the student-athlete's playing status. They will not be allowed to dress out, sit on the bench, be in the team area during competition, travel to away contests, have pre-game meals or be in the pre- or post-game locker room.

#### **H. APPEALS PROCESS:**

If a student-athlete believes the results of the drug test are in error or that the imposed penalty is inappropriate, the student-athlete may file a written appeal with the Director of Athletics. The written appeal must be filed with the Director of Athletics within 5 working days after the student-athlete's receipt of notification of the imposed penalty. The written appeal must include all information which the student-athlete believes is appropriate for the Appeals Committee to review the matter. The penalty will not take effect until the appeals process has been completed. The counseling and drug testing will proceed as outlined.

Upon notification of an appeal, the Director of Athletics will promptly call a meeting of the Appeals Committee to review the written request from the student-athlete. The Appeals Committee shall

consist of five members: the Chair of the Drug Testing/Drug Education Committee, the Chair of the Committee on Intercollegiate Athletics (CIA), the Senior CIA member serving on the Drug Testing/Drug Education Committee, the Associate Athletics Director for Student Services and the President of the Student Athlete Advisory Committee (SAAC). In the event that a member of the Appeals Committee is unable to serve, alternates will be appointed by the Director of Athletics (in consultation with the Chair of the CIA) from current membership of the CIA and/or the SAAC. The Chair of the Drug Testing/Drug Education Committee shall serve as Chair of the Appeals Committee.

The student-athlete will have the opportunity to meet with the Appeals Committee to present additional information and respond to questions from the committee. The committee may call additional witnesses (including the appealing student-athlete) for the purpose of obtaining all information relevant to the appeal and make every effort to complete its review in a timely manner. The committee hearing shall be private and confidential and will be limited to persons officially involved. The committee will conduct its deliberations in a closed and confidential session. The committee decisions will be by majority vote.

The committee will submit its findings and recommendations to the Director of Athletics who will then inform the student-athlete of the findings. The Director of Athletics may reduce the severity of the recommendations of the Appeals Committee but only with the prior approval of the University President.

#### **I. ANNUAL REVIEW:**

Two annual reports should be prepared and presented to the Drug Education/Testing Committee. These reports shall include: 1) a report by the Director of Sports Medicine to include incidents of

positive tests, drugs involved, and a general evaluation of the drug testing program with any recommendations for modifications or improvements; and 2) a report provided by the Director of Sports Medicine to include a description of drug education programs, attendance at such, and a general evaluation of the drug education program with any recommendations for modifications or improvements.

#### **J. CRIMINAL OFFENSES INVOLVING DRUGS AND ALCOHOL**

Any student-athlete involved in an alcohol or drug related incident will be subject to immediate investigation. Drug and alcohol related incidents would include but are not limited to: driving under the influence (DUI), public intoxication, underage consumption of alcohol, fights, disturbances, domestic violence, trafficking in controlled substances, or other activities prohibited by local, state or federal law.

It is the responsibility of the student-athlete involved in the incident to report the matter immediately to his/her Head Coach who will immediately make a report to the Director of Athletics. Failure of the student-athlete to report the incident is itself a violation and subject to sanctions. The Director of Athletics is required to report to the Faculty Athletics Representative.

The Investigating Committee for all criminal offenses involving drugs and alcohol shall consist of the Director of Athletics, the student-athlete's Head Coach, the Chair of the Drug Testing/Drug Education Committee, and the Chair of the Committee on Intercollegiate Athletics. The Associate A.D. for Compliance will serve as an ex officio member of the committee. The Investigating Committee will be chaired by the chair of the CIA. The Director of Athletics will inform the student-athlete of the findings and recommendations of the Investigating Committee.

Any student-athlete charged with DUI will receive an immediate temporary suspension from all competitions pending a preliminary investigation. The charge will be investigated immediately by an Investigating Committee. If the charge appears to have merit the penalties may range from suspension to loss of scholarship and will be considered a positive drug test. If the charge does not appear to have merit the temporary suspension will be lifted.

All criminal offenses involving drugs and alcohol will be immediately evaluated by the Investigating Committee and penalties recommended as appropriate for the incident. The AU investigation and possible penalties are separate and apart from any criminal prosecution resulting from the incident. In most cases, the AU investigation and penalties would occur well in advance of the legal disposition of the matter.

**Auburn Athletics Compliance Program**  
**Consent For Drug Testing**

I \_\_\_\_\_ have been provided and been given an opportunity to read  
(Student-Athlete name PRINTED)

The Auburn University Department of Athletics Drug Education/Testing Program and I have also been given the opportunity to ask questions concerning said program. I hereby consent to be tested for the presence of banned substances in accordance with the Auburn University Department of Athletics Drug Testing Program.

I understand that this testing will occur at such time or times as deemed appropriate by the team physician, the Athletics Director, my head coach or Director of Sports Medicine.

I understand that any urine specimen or sample will be sent only to a qualified laboratory for actual testing, and that the samples will be coded to provide confidentiality.

I hereby authorize the release of such testing results to the Athletics Director, team physician, head coach, Director of Sports Medicine and other University officials as deemed appropriate. I understand that these results will also be made available to me.

I understand that I am free to withdraw this consent for testing. However, I also understand that should I refuse to submit to testing at the time requested, I will not be permitted to participate in any intercollegiate sporting program until such time as the Department of Athletics and Auburn University shall deem appropriate.

I hereby authorize the release of the results of such testing to my parent(s) upon the receipt by the University of a Specific Request by my parent(s).

I hereby release Auburn University, its Trustees, officers, employees and agents from legal responsibility or liability for the release of such information and records as authorized by this form.

_____ Student-Athlete Printed Name	_____ Sport
_____ Student-Athlete Signature	_____ Date
_____ Signature of Parent or Legal Guardian (If Student-Athlete is a minor)	_____ Date