

**COLORADO STATE UNIVERSITY
STUDENT-ATHLETE DRUG EDUCATION AND TESTING PROGRAM
(Reviewed and revised July, 2010)**

ALL STUDENT-ATHLETES ARE REQUIRED TO ACKNOWLEDGE IN WRITING RECEIPT OF A COPY OF THIS PROGRAM AND TO SIGN A CONSENT FOR DRUG TESTING FORM ON AN ANNUAL BASIS.

I. INTRODUCTION AND OBJECTIVES

The Department of Athletics (“Department”) at Colorado State University (“University”) is concerned with the health, safety and welfare of the student-athletes who participate in its intercollegiate athletics programs. The University’s campus-based and non-campus based constituents, including fellow student-athletes, faculty, administration, governing board, student body and the community at large entrust the University and the Department with the duty and responsibility to take reasonable measures to ensure the health, safety and welfare of its student-athletes. The implementation of an institutional Student-Athlete Drug Education and Testing Program (“Program”) is an appropriate means to this end and also:

1. helps promote fair competition in intercollegiate athletics by preserving the integrity of the sports in which student-athletes compete from those who choose to seek a competitive advantage;
2. affirms and assists in compliance with National Collegiate Athletic Association (“NCAA”) rules and regulations regarding the use of banned substances;
3. helps promote a year-round drug free environment in the University’s intercollegiate athletics program;
4. responds proactively to the increased use of banned substances nation-wide and the physiological and psychological damage that such use can cause to student-athletes;
5. includes educational programming to support a positive decision-making process for student-athletes;
6. helps identify student-athletes who are using banned substances in an effort to assist them, through education and counseling, before they harm themselves or others or become physiologically or psychologically dependent;
7. adds a further deterrent to student-athletes’ use of such substances; and
8. protects the University’s integrity while minimizing the potential for negative publicity.

This document is not to be construed as a contract between Colorado State University and its student-athletes. However, signed consent, acknowledgment and notification forms will be considered confirmation of the student-athlete’s agreement to the terms and conditions contained in this document and shall be a legal contractual obligation of the student-athlete.

II. DEFINITIONS

1. **Student-Athlete**
A student-athlete is defined as:

- a. any person currently participating in the University's intercollegiate athletics program; that is, anyone who appears as active on the NCAA Squad List or Daily Eligibility Report;
- b. any person who is not currently participating in intercollegiate athletics due to temporary suspension, injury or ineligibility (due to academic, disciplinary or other reasons) but remains on the roster;
- c. any person who has been certified as a "permanent medical" under NCAA rules but is still receiving athletically related financial aid; or
- d. any person who has exhausted his/her seasons of competition but is still receiving athletically related financial aid.

This Program does not apply to students participating in intramural or club sports, cheerleader or dance squads or pep band or marching band.

2. **Colorado State University Banned Drug Classes**

The University' Drug Testing Program reserves the right to test for any prohibited substances including but not limited to the list of NCAA Banned Drug Classes. The list of NCAA Banned Drug Classes is subject to change by the NCAA Executive Committee, and student-athletes are accountable for all banned drug classes on the most current list. The most current list can be found on the NCAA Web site at www.ncaa.org/health-safety. The University's threshold for marijuana/THC testing could differ (i.e., be at lower levels) from that of the NCAA's. In conformity with NCAA regulations, the use of an anabolic agent or peptide hormone must be approved by the NCAA before a student-athlete is allowed to participate while taking these medications. Nutritional supplements are not strictly regulated and may contain substances banned by the NCAA. Information regarding nutritional supplements can be found on the National Center for Drug Free Sport Resource Exchange Center (REC) Web site at www.drugfreesport.com/rec. The University's Banned Drug Classes are listed in Appendix A.

3. **NCAA Drug Testing Program**

The NCAA conducts a mandatory, year-round drug testing program. The NCAA's program is conducted in addition to the University's program, which is separate and distinct from the NCAA program. A positive NCAA drug test result is treated as a positive test result under the University's Program. NCAA sanctions for a positive test include a mandatory 365-day suspension from all competition. The student-athlete is also charged with the loss of a minimum of one season of competition in all sports. Student-athletes are provided a copy of the NCAA Drug Testing Program and are required to sign the NCAA Drug Testing Consent Form on an annual basis.

III. EDUCATIONAL COMPONENT

To prevent the use and distribution of banned substances, education is a cornerstone of this Program. The Department recognizes its responsibility to provide educational programming that will support positive decision-making processes. To this end, the Department encourages and supports realistic and up-to-date programming which educates student-athletes on the physiological and psychological dangers inherent in the use of banned substances; informs

student-athletes about any local, state and federal laws and NCAA and conference regulations concerning the use and possession of banned substances; and reinforces alternative activities supporting a healthy and safe lifestyle.

Educational efforts include:

1. an annual presentation to each intercollegiate athletics team in order to review the purposes and implementation of this Program and the sanctions for violating it;
2. the provision on an annual basis of a copy of this Program and the list of University banned drug classes to all current student-athletes;
3. the provision of a copy of this Program and the list of NCAA banned drug classes, or information containing electronic links to such information, to all new incoming student-athletes the summer prior to initial enrollment; and
4. the inclusion of the CSU Health Network (formerly University Counseling Center and Hartshorn Health Service) representative(s) on the Department's GOLD (Goal Oriented Leadership Development) Team, in the Department's Life Skills class, in new student orientation programs and, as may be deemed appropriate by the University or the Department, in special workshops, lectures or seminars.

IV. COUNSELING COMPONENT

In an effort to provide assistance, direction and resources for student-athletes, counseling is an important component of this Program. The CSU Health Network utilizes trained specialists who provide confidential, professional and voluntary assistance and support to students. Student-athletes will be required to access assessment, counseling and/or treatment services as a result of a positive test result. Student-athletes may also access services upon physician referral, University disciplinary referral or self-referral. In the case of mandatory counseling in conjunction with this Program, the student-athlete will be required to sign a consent form allowing the counseling entity to communicate with the Department as necessary regarding the student-athlete's compliance with the parameters of this Program.

V. DRUG TESTING COMPONENT

While education and counseling are important components of this Program, studies have shown that these components alone are not sufficient deterrents to the use of banned substances. The University believes that random and consistent drug testing is appropriate and necessary to ensure the health, safety and welfare of its student-athletes and to achieve the objectives of the Program.

1. General Provisions
 - a. The Department will conduct drug testing in accordance with the accepted procedures identified in this document and, more specifically, as set forth on the Department's Web site www.csurams.com.
 - b. Selection for testing may be based on position, time played, year in school, participation on a particular team, participation in post-season play, receipt of athletically related financial aid, record-setting or other exceptional athletic performance, random selection, a prior positive test result or reasonable suspicion.

- c. Student-athletes will be required to acknowledge receipt of a copy of this Program and sign Consent for Drug Testing Form on an annual basis, as set forth in Appendix B.
 - d. As part of this testing, a student-athlete will be asked to submit a urine sample which will be observed by the collection entity's representative of the same gender. Testing of urine samples will be done by an accredited laboratory. The random selection of student-athletes and the collection of urine samples will be conducted by an independent outside entity.
 - e. Testing may be conducted on any student-athlete as defined in Section II, Item 1.
 - f. Testing may be conducted for any substance as defined in Section II, Item 2, and/or as set forth in Appendix A.
 - g. All test results accumulate during the entire time that an individual is a student-athlete at the University. Additionally, a positive test result from the NCAA Drug Testing Program or a similar program of an outside athletics organization will be treated as a positive test result under this Program and will result in sanctions under this Program in addition to any sanctions imposed by the NCAA and/or the outside organization.
 - h. Drug testing will be conducted on a reasonable basis throughout the calendar year and may occur at any time of any day with reasonable notice, except in the case of unannounced drug testing as specifically stipulated in this Program.
 - i. Refusal to provide a sample, failure to appear for a test as scheduled, appearing late for a test or any attempt to circumvent the specimen collection and testing process will be considered a positive test result.
 - j. Any student-athlete with a prior positive test result, a prior breach of protocol, a prior failure to appear or who was late for a prior test, whether as a result of institutional or NCAA drug testing or a drug test administered by an outside athletics organization, may be subject to unannounced drug testing during the entire time the individual is a student-athlete at the University.
2. Notification Process
- a. The Head Athletic Trainer or the student-athlete's Head Coach, or their designees, will contact the student-athlete who is to be tested.
 - b. Contact is considered to be made when the Head Athletic Trainer or the student-athlete's Head Coach, or their designees, notify the student-athlete by either (1) speaking directly with the student-athlete in person or via phone, or (2) receiving a written response via text messaging or e-mail from the student-athlete. Leaving a message/voice-mail and/or sending a text message/e-mail does NOT constitute contact.
 - c. A student-athlete who does not respond to two or more notification attempts may be immediately tested at any subsequent time contact is established.
 - d. At the time of notification, student-athletes will be informed of the date, time and place of the testing.
3. Showing up Late, Refusal to Provide a Sample, Providing a Dilute Sample or Failure to Show

- a. If a student-athlete is late to testing (once notification/contact has occurred), the Head Athletic Trainer or designee will attempt to reach the student-athlete via phone, text, e-mail, etc. to notify him/her that he/she is late for drug testing.
 - b. The student-athlete will be considered a “No Show” if he/she does not report within 30 minutes following the end of the testing session.
 - c. A student-athlete will be considered a “No Show” if he/she refuses to provide a sample.
 - d. A “No Show” will be considered a positive test result and will be subject to all of the sanctions associated with a positive test result.
 - e. The student-athlete is expected to provide an adequate specimen (i.e., concentrated, alkaline, and at or above the minimum volume requirement). Providing three or more inadequate or dilute samples will be considered reasonable suspicion, and the institution reserves the right to test the student-athlete at any time without notice and without random selection.
4. Selection for Random Drug Testing
- a. The selection of student-athletes for random drug testing will be done by an independent outside entity conducting the Department’s drug testing program.
 - b. The Director of Athletics, the Senior Associate Athletic Director for Internal Operations and/or the Head Athletic Trainer will determine the schedule and frequency of random drug testing.
 - c. The Compliance Director will provide current squad lists for submission to the independent outside entity in conformity with the established random drug testing schedule.
 - d. The Head Athletic Trainer will inform the accredited laboratory of the number of student-athletes to be tested over a particular time period. For example, the laboratory may be informed to randomly select 40 student-athletes for testing during the month of October. The Head Athletic Trainer and accredited laboratory will mutually agree upon the date, time and location for the testing.
 - e. The independent outside entity will randomly select the student-athletes to be tested and will send the list via confidential e-mail or other agreed upon procedure to the Head Athletic Trainer, who will initiate the notification process.
 - f. **NOTE: Student-athletes with a previous positive test result from this or any other athletically-related drug testing program will be added to the list of randomly selected student-athletes.**
5. Drug Testing Based on Reasonable Suspicion
- a. If the Director of Athletics, the Head Athletic Trainer, a Head Coach or any Department staff member who works closely with student-athletes (e.g., assistant trainer, strength/conditioning coach, academic coordinator, assistant coach, compliance director) has a reasonable suspicion that a student-athlete may be using a substance in violation of this Program, that individual may recommend that the student-athlete be referred for medical evaluation, counseling and/or drug testing. This recommendation should be submitted in writing to the Head Athletic Trainer who will then consult with the appropriate individuals (see 5.f) to determine a course of action, if any.

- b. A determination of “reasonable suspicion” may be based on behavior, information, conduct or performance by the student-athlete which leads the University to conclude that there is the likelihood that the student-athlete is taking or is under the influence of banned substances.
- c. Indicators which may be used in evaluating a student-athlete’s behavior, conduct or performance include, but are not limited to: class attendance; significant GPA changes; attendance at athletics practices and/or conditioning and rehab activities; increased injury rate or illness; changes in physical appearance, academic/athletic motivational level and/or emotional condition; mood changes; and/or involvement with the legal system and/or the University disciplinary system.
- d. Presenting three (3) or more inadequate or dilute samples (i.e., sample has a concentration level lower than that required by collection protocol) during a single institutional or NCAA drug test is grounds for reasonable suspicion.
- e. Reasonable cause may also be based on information received that a student-athlete is using a banned substance.
- f. The determination that “reasonable suspicion” exists to require a student-athlete to submit to drug testing will be made only after consultation among the Director of Athletics, the Senior Associate Athletic Director for Internal Operations, the Head Athletic Trainer, the Head Coach and the individual asserting reasonable suspicion. If it is determined that any behavior, conduct or performance of the student-athlete is such that testing for cause is required to protect the health or safety of the student-athlete, the health or safety of others or the integrity of the sport, then the “reasonable suspicion” standard has been met. In this case, the student-athlete may be subject to unannounced drug testing.

6. Drug Testing Based on a Past Positive Result

Any individual with a prior positive drug test result, a prior breach of protocol, a prior failure to appear or who was late for a prior test under this Program or a drug testing program administered by the NCAA or an outside athletics organization may be subject to unannounced drug testing during the entire time that the individual is a student-athlete at the University.

VI. TESTING PROCEDURES, NOTIFICATION OF TEST RESULTS AND TESTING RECORDS

- 1. The collection of urine samples by the independent outside entity will follow Specimen Collection Procedures as outlined on the Department’s Web site at www.csurams.com. A sample will be collected from each student-athlete and will be divided into Specimen A and Specimen B. Samples will be sealed and coded for confidentiality and will remain under the supervision of the independent outside entity’s designee until delivered or shipped to the accredited laboratory for testing. Identification information for each sample will remain under the supervision of the independent outside entity until final confirmed results are returned to the University and all appeals have been completed.
- 2. The use of substances and methods that alter the integrity or validity of urine samples provided during drug testing is prohibited. Any urine sample tested for the presence of

banned substances may also be tested for the presence of substances used to alter the integrity or validity of urine samples. A positive finding for these substances or other methods of tampering will be considered a positive test. Any attempt to tamper with a urine sample during the collection process will be treated as a positive test.

3. The independent outside entity will contact the Director of Athletics or a designee via a secure Web site as soon as possible following testing with the results of all tests.
4. The Head Athletic Trainer and/or the Head Coach will notify the student-athlete of the positive test result. The Director of Athletics or designee may also inform the parents and/or guardians of any student-athlete who has a positive test result.
5. Each positive test result will be reviewed by a Team Physician or other designated physician who will determine if there is a legitimate medical reason for the result. The Director of Athletics will request the Head Athletic Trainer to facilitate this review. Exceptions for the banned-drug classes of stimulants, anabolic agents, diuretics, peptide hormones, beta blockers and anti-estrogens may be made by the Team Physician, or other physician so designated by the University, for those student-athletes with a documented medical history demonstrating the need for regular use of such a drug. However, in conformity with NCAA regulations, the use of an anabolic agent or peptide hormone must be approved by the NCAA before the student-athlete is allowed to participate while taking these medications.
6. Within twenty-four (24) hours following notification of the positive test result, the student-athlete may request that the accredited laboratory be instructed to perform testing on Specimen B. The student-athlete, at his/her own expense, may choose to be present at the laboratory for the opening of Specimen B or may request that a surrogate attend the opening of the specimen on the student-athlete's behalf. Specimen B results will be final. If Specimen B results are negative, the drug test will be considered negative. The Department reserves the right to request testing of Specimen B.
7. Records of test results are considered part of the student-athlete's educational record and are confidential to the degree permitted by law. The records will be maintained by the Head Athletic Trainer and released only under the circumstances allowed by this Program, or otherwise required by a valid subpoena or other applicable law, or as stated on the consent form.

VII. SANCTIONS FOR POSITIVE TEST RESULTS

The following sanctions will apply as a result of a positive drug test and only after test results are confirmed by a test of Specimen B. Positive drug tests from the NCAA drug testing program and/or other outside athletics organizations will result in sanctions under this Program in addition to any sanctions imposed by the NCAA and/or the outside athletics organization. In addition, the student-athlete may be subject to University discipline and/or legal sanctions as a result of circumstances leading up to, but not specifically as a result of, the drug testing component of this Program.

1. First Positive Test Result
 - a. The student-athlete will be subject to additional drug testing whenever the Department conducts random testing during the entire time that the individual is a student-athlete at the University.
 - b. The Director of Athletics or designee may inform the student-athlete's parent(s) and/or guardian(s).
 - c. The student-athlete will be required to have an evaluation with the CSU Health Network at the soonest possible opportunity. Such evaluation will be coordinated by the Head Athletic Trainer and should be scheduled within seven (7) days of receipt of notification of a positive test result.
 - d. Any recommended treatment must be completed as scheduled and within a reasonable period of time. A written copy of the recommended treatment plan must be on file with the Head Athletic Trainer.
 - e. The Director of Athletics or designee will be notified if treatment is not being completed as scheduled and when all treatment has been completed.
 - f. If the treatment provider determines the student-athlete is non-compliant with the recommended program, the student-athlete will be immediately suspended from the team until compliance is restored and/or treatment is completed.
 - g. Except in the case of extreme financial hardship and upon approval by the Director of Athletics, the student-athlete is responsible for all costs, if any, incurred for services related to such evaluation and/or treatment.
 - h. A student-athlete who tests positive may be immediately withheld from practice and/or competition for health and safety reasons as determined by the team physician. In such case, the student-athlete must test negative before being allowed to return to practice and/or competition.

2. Second Positive Test Result
 - a. The student-athlete will be subject to additional drug testing whenever the Department conducts testing during the entire time that the individual is a student-athlete at the University.
 - b. The Director of Athletics or designee will inform the student-athlete's parent(s) and/or guardian(s).
 - c. The student-athlete will be required to have further evaluation and follow-up counseling with the CSU Health Network. The appointment must be made by the student-athlete within seven (7) days following confirmation of the student-athlete's positive test result. Any recommended treatment must be completed as scheduled and within a reasonable period of time. A written copy of the recommended treatment plan must be on file with the Head Athletic Trainer.
 - d. The Director of Athletics or designee will be notified if treatment is not being completed as scheduled and when all treatment has been completed.
 - e. If the treatment provider determines the student-athlete is non-compliant with the recommended program, the student-athlete will be immediately suspended from the team until compliance is restored and/or treatment is completed.

- f. Except in the case of extreme financial hardship and upon approval of the Director of Athletics, the student-athlete is responsible for all costs, if any, incurred for services related to such evaluation and/or treatment.
- g. The student-athlete will be suspended for regular season contests in all sports according to the following chart. The suspension will take effect immediately following completion of confirmation of a positive test result. The suspension will apply to regular season contests, conference championships and post-season competition including bowl games and must be served consecutively. Scrimmages and/or exhibitions with outside competition may not be included in the suspension. Loss of competition sanctions will carry over into the following year if it is not possible to complete the suspension in the current year. The suspension will apply separately to each sport in which a student-athlete participates. Suspensions cannot be served concurrently while sitting out of contests for any other reason; for example, due to injury, academic eligibility issues, completing a transfer residency requirement, serving a suspension for University disciplinary or conference or NCAA sanctions (excluding an NCAA drug-testing suspension), etc. A suspension under this sanction may be served concurrently with an NCAA drug-testing suspension.

SPORT	NUMBER OF CONTESTS IN SUSPENSION
Basketball (M/W)	7
Cross Country (M/W)	1
Football	3
Golf (M/W)	2
Softball (Championship Segment)	13
Swimming/Diving	4
Tennis	6
Track, Indoor (M/W)	2
Track, Outdoor (M/W)	2
Volleyball (Championship Segment)	7
Water Polo	7

- h. Any athletically related financial aid received by a student-athlete with no remaining eligibility may be subject to immediate cancellation in conformity with NCAA policies and procedures.
 - i. A student-athlete who tests positive may be immediately withheld from practice for health and safety reasons as determined by the team physician. In such case, the student-athlete must test negative before being allowed to return to practice and/or competition.
3. **Third Positive Test Result**
 The student-athlete will be permanently dismissed from the team and will not be allowed access to any Department services or facilities. Any athletically related financial aid that the student-athlete is receiving will be subject to immediate cancellation in conformity

with NCAA policies and procedures. The Director of Athletics or designee will inform the student-athlete's parent(s) and/or guardian(s). The student-athlete will be encouraged to pursue further evaluation and follow up with the CSU Health Network.

VIII. APPEALS

A student-athlete who tests positive under the terms of this Program will be entitled, upon request, to an appeal. A request for an appeal must be made in writing to the Director of Athletics within forty-eight (48) hours of notification of confirmation of a positive test result and must include the rationale for the appeal. If the forty-eight hours would end on a weekend, the request must be made by noon on the University's next business day. A student-athlete who is appealing a Second or Third Positive Test Result is not eligible for competition during the appeal process.

1. Appeals Committee

Appeals will be heard by a three-person Appeals Committee comprised of the Senior Associate Athletic Director for Internal Operations or designee, the University's NCAA Faculty Athletics Representative and a physician or a medical professional recommended by a physician. The Head Athletic Trainer will facilitate the selection of the medical professional. The Committee will make a recommendation on each appeal to the Director of Athletics. The decision by the Director of Athletics regarding the sanctions to be imposed will be final.

2. Appeals Proceedings

- a. The Appeals Committee will have three business days after receipt of the written request to determine the date, time and location of the appeal. Every reasonable effort will be made to schedule the appeal in as timely a manner as possible. Either the student-athlete or the Committee may request an extension from the Director of Athletics upon a showing of good cause.
- b. The student-athlete may have an advocate or other representative present if the student-athlete so desires. However, the student-athlete must present his or her own case.
- c. The proceedings will be confidential.

IX. SAFE HARBOR COMPONENT

Any student-athlete may refer himself or herself for voluntary evaluation and treatment for the use of banned substances. Such self-referral will be known as the Safe Harbor Component ("Safe Harbor").

1. A student-athlete is not eligible for Safe Harbor after he/she has been informed of an impending drug test or after having received a positive test result under this Program or under a drug testing program administered by the NCAA or any other outside athletics organization. A student-athlete will not be permitted to enter Safe Harbor within thirty (30) days of the start of conference or NCAA post-season competition or a bowl game.

2. The Department will work with Hartshorn Health Service and the University Counseling Center to implement a Safe Harbor treatment plan for the student-athlete, which may include confidential drug testing. If the student-athlete tests positive for a banned substance upon entering Safe Harbor, that positive test will not result in any sanctions under this Program unless the student-athlete tests positive in a subsequent test or the student-athlete fails to comply with the treatment plan.
3. The student-athlete will be permitted to remain in Safe Harbor for a reasonable period of time, not to exceed thirty (30) days, as determined by the treatment plan.
4. If a student-athlete tests positive for any banned substance after entering Safe Harbor or fails to comply with the Safe Harbor treatment plan, the student-athlete will be removed from Safe Harbor. An initial Safe Harbor positive test will be treated as a first positive, and a subsequent positive test as a second positive, etc., and the student-athlete will be subject to the sanctions contained in this Program.
5. While in compliance with the Safe Harbor treatment plan, a student-athlete will not be included in the list of student-athletes eligible for random drug testing by the University. However, student-athletes in Safe Harbor may be selected for drug testing by the NCAA.
6. The Director of Athletics, the Senior Associate Athletic Director for Internal Operations, the Head Athletic Trainer, the Head Coach and the Team Physician may be informed of the student-athlete's participation in Safe Harbor. Other University staff (assistant trainer, assistant coach, academic coordinator, compliance director, etc.) may be informed at the discretion of the Director of Athletics or designee to the extent necessary for the implementation of this Program or the welfare of the student-athlete.

X. EFFECTIVE DATE

This Program, including appendices, is effective August 1, 2009, and is subject to change or modification at any time. However, any change or modification will only be implemented upon action by the Director of Athletics and will not be applied retroactively if such change or modification would adversely affect a student-athlete's rights under this Program.