

Fresno State Department of Athletics Substance Abuse Education and Testing Program

2007-2008 Policy

The mission of the Department of Athletics at Fresno State is to offer every student-athlete a quality athletic experience. This includes providing each student-athlete with the opportunity to enhance their intellectual, physical, personal and social development within a competitive sport environment. The use of drugs is inconsistent with this mission, and may create a serious risk to the health and safety of all student-athletes.

The primary goal of the Substance Abuse Education and Testing Program (hereafter "Substance Program") is to help student-athletes abstain from drug use and inappropriate alcohol use as part of a healthy lifestyle and good decision-making process. The Substance Program also offers assistance to athletes concerning issues related to drug and alcohol abuse. Preventative measures used by the Athletics Department include drug screening combined with an alcohol and drug education program **as part of the Student-Athlete Assistance Program (SAAP)**. Fresno State does not condone the use of street drugs, performance enhancing substances, including dietary supplements, and the inappropriate use of alcohol and prescription medicines. Also, in accordance with NCAA Bylaw 17.1.7, the use of tobacco products by student-athletes is prohibited during practice and competition.

The Athletics Department's definition of inappropriate use of alcohol by student-athletes includes, but is not limited to, the following: **underage** drinking; **regardless of age**: drinking at any activity sponsored by the Athletics Department where they represent the institution, drinking while on trips for off-campus competition, consumption of alcohol prior to or during athletics practice or competition, public drunkenness, driving under the influence(DUI), and consumption of alcohol when hosting a prospective student-athlete on an official visit. Any violations of University, city, county, state or federal laws also constitute violations of the Student-Athlete Code of Conduct.

The Athletics Department will use urine drug testing to help deter the use of banned substances as well as to help identify those student-athletes with drug and alcohol abuse problems. It is the policy of the Athletics Department to return to athletic participation those who are in compliance and to restrict from athletic participation those who are not.

The Substance Program is separate and distinct from the NCAA drug-testing program; student-athletes are responsible for both. This Substance Program policy may be amended as needed with proper notice to students-athletes.

I. EDUCATION AND SCREENING PROGRAM GOALS

- A. Educate student-athletes concerning the risks of using banned substances, including dietary supplements, and the inappropriate use of alcohol and prescription medicines.
- B. Provide reasonable safeguards to ensure the safety of every student-athlete who participates in athletic competition.
- C. Identify student-athletes who may be involved with substance or alcohol abuse.
- D. Encourage prompt education, counseling or treatment for student-athletes with substance or alcohol abuse problems.

II. PROGRAM IMPLEMENTATION

Any student-athlete on a Fresno State roster or on the NCAA squad list will be included in this program. This includes those athletes who have completed their eligibility and those eligible to use the academic center and the weights and conditioning facility. At least once each year, a presentation will be made to each team outlining and reviewing the Department's program and policy regarding drug screening, its purpose and its implementation. Prior to practice or competition each student will confirm in writing that she/he has received, read, and is willing to abide by the policy. Once each semester, student-athletes will attend educational sessions on dietary supplements, anabolic agents, street drugs, alcohol and tobacco.

III. DRUG SCREENING

Currently the Athletics Department conducts tests for street drugs such as amphetamines, cannabinoids (substance contained in marijuana), cocaine and other controlled substances. The department may also test for anabolic steroids and their precursors as well as other athletic performance-enhancing substances. These drugs may be present in nutritional supplements, and regardless of the source, it will be considered a positive drug test. Current information on ingredients that are banned by the NCAA and may be contained in nutritional supplements is available at www.drugfreesport.com/rec (the password is ncaa1). The department may test for any drug listed on the NCAA list of banned drug classes [Bylaw 31.2.3.1].

The NCAA banned drug classes list may be amended periodically by the NCAA committee with oversight for NCAA testing. To view the most current list, visit www.ncaa.org/health-safety.

A. Testing Guidelines

- 1. All Substance Program testing will be conducted through unannounced tests (i.e., coaches and students will not know testing dates in advance).

All student-athletes are subject to drug testing throughout the entire academic year; a random selection of 10% of student-athletes from each team will be tested on a monthly basis. Drug testing may also be done during the summer months.

2. All incoming student-athletes (freshmen and transfers) will submit to a drug test during the first week of the term of their first-time enrollment or if their sport reports before the start of the term, during the first week of practice. Any positive test will follow the protocol for a first failed drug test except that no initial positive will be assigned to the student-athlete's cumulative record.
3. Student-athletes may be selected for drug testing through several methods: team testing (all students on a given team), random selection, pre-season testing (prior to the first practice or competition), post-season testing (prior to post-season play), re-entry (after drug/alcohol treatment or suspension), follow-up (following a positive drug test), and reasonable suspicion.
4. Drug testing for reasonable suspicion may be based on objective information from a source deemed reliable by the Director of Athletics or his/her designee. This information may include: (a) observed possession of the banned substance(s), (b) arrest or conviction for a criminal offense related to the prohibited substance(s), and (c) observed abnormal appearance, conduct or behavior reasonably interpreted as being caused by the use of the substance(s) (e.g., dilated or constricted pupils, missing class or practice, lack of motivation, mood changes). If students are found to be in possession and/or using such substances, they will be subject to the same procedures that would be followed in the case of a positive urinalysis.
5. Post-season drug testing will be conducted with each team that is in a position to qualify for post-season competition. Positive results will count as positive tests in the Substance Program, and students will be immediately suspended in accordance with the suspension percentage designated in Section V of this policy.
6. Fifth-year athletes (those whose eligibility is exhausted) must comply with all elements of the program. Fifth-year students testing positive who are on post-eligibility athletic aid will not receive any additional athletic scholarship funding.
7. A no-show for a drug test counts as a positive.
8. Refusal by a student-athlete to take a drug test at the time it is requested will be treated as a positive test.

9. Any attempt to tamper with, manipulate, substitute or adulterate the urine specimen or the testing process will be considered as if it were a positive drug test result.
10. All positive drug test results will be cumulative throughout students' entire athletic careers while at Fresno State.
11. All student-athletes with a positive drug test(s) from the 2005-06 academic year will be considered to have one positive test at the beginning of the 2006-07 academic year. However, the mandatory 10% suspension as indicated in Section V of this policy will be waived. Those students will be drug tested monthly throughout the 2006-07 academic year because there are grounds for reasonable suspicion of their continued drug use.

B. Notification of Drug Testing

Once a month, during the academic year, 10% of the student-athletes from each team will be selected for drug testing. Names of student-athletes will be selected randomly in addition all student-athletes with previous positives within the year and those identified for reasonable suspicion will be tested. The list will be prepared by the SAAP Manager the day before the drug test and shared with the members of the athletic training staff.

1. SAAP Manager Notification

- a. The SAAP Manager will review the list to determine if all athletes selected will be available.
- b. The SAAP Manager will give the names to the athletic trainers and coaches responsible for that sport by 12:00 noon the day prior to the test.
- c. Once the athletic trainer receives the names, the athlete notification process can begin.

2. Athlete Notification

- a. Upon direct notification(no messages) by either the trainer or the coach, athletes will be required to report to their respective athletic training room to sign the Athlete Notification Form prior to 6 PM.
- b. The athlete will be told to report to the drug testing site at his/her scheduled time between 6:00 a.m. – 9:00 a.m. the following morning. Once the student-athlete reports to the testing site,he/she will remain at the site until a valid sample is provided.
- c. Athletes will be instructed to report in the appropriate attire, not to void prior to arrival, and to not be over-hydrated.

- d. All athletes are required to provide working phone numbers where they can be contacted in case they miss their assigned time.
- e. Failure to report will result in a positive drug test.

C. Collection Procedures

Athletes must report to the testing site dressed in appropriate athletic clothing (i.e., shorts, T-shirts, and sports bra for female athletes).

1. Athlete must wash and dry hands **using only water to wash**.
 - a. To assure the athlete does not have any chemicals on his/her hands, they must thoroughly wash and dry their hands prior to providing a specimen.
2. Selecting a collection cup and testing kit
 - a. The athlete must select a collection cup and testing kit from an approved supply. The cup and kit must remain in the sight of the collector at all times.
 - b. There must be a minimum of three (3) specimen collection cups and collection kits for the athlete to choose from.
3. Providing a specimen under observation
 - a. The observer must be the same sex as the athlete providing the specimen.
 - b. The observer must walk beside or behind the athlete so as not to let the collection cup and kit out of view.
 - c. The observer must have a clear view of the athlete while the specimen is being provided.
 - d. The athlete must remove his/her shirt prior to providing a sample.
 - e. The athlete must provide enough urine to fill the testing kit to 1/3 of its capacity.
 - f. The athlete must pour the specimen from the collection cup into the sample container, leaving a small amount in the sample container.
 - g. The athlete then seals the sample container tightly and carries both the collection cup and the sample container back to the processing table.

- h. The sample container is then sealed with the security seal.
- 4. Testing specimen using a refractometer and pH dipstick
 - a. Testing specific gravity
 - 1. Specific gravity must be tested PRIOR to testing pH.
 - 2. Using the refractometer, check the specific gravity of the urine remaining in the sample cup.
 - 3. Record the findings in testing log. Specific gravity must be greater than 1.005.
 - 4. Wipe glass prism dry with soft tissue between uses.
 - b. Specific gravity out of range
 - 1. If specimen does not meet these criteria, it is processed and the athlete is required to provide an additional specimen under observation as identified above.
 - 2. The athlete should be encouraged not to hydrate during this time frame.
 - c. Testing pH
 - 1. Using pH dipstick, check the pH of the urine remaining in the cup.
 - 2. Record findings in testing log.
 - 3. pH must be between 4.5 – 7.5.
 - d. pH out of range
 - 1. If specimen does not meet these criteria, it is processed and the athlete is required to provide an additional specimen under observation as identified above.
- 5. Chain of custody forms
 - a. When the athlete brings the sample container to the processing table, it must be sealed.
 - b. The athlete then writes his/her initials on the top portion of the security seal.
 - c. The athlete must verify that the number on sample label matches the form identification number, and the athlete identification number. The athlete then signs the form.

- d. The adhesive label is then removed from the chain of custody form and placed around the sample container.
 - e. The sample container is then sealed in the plastic pouch.
6. Storage and shipment of samples
- a. Samples awaiting shipment are to be refrigerated and stored in a secure location with limited access.
 - b. Samples will be sent next day to Redwood Toxicology along with white chain of custody forms.

IV. DISPOSITION OF THE RESULTS

A. Positive Tests

1. All test results will be given to the assigned team physician, the Head Athletic Trainer and the SAAP manager. The SAAP Manager will notify both the Director of Athletics and the Sr. Associate Director of any positive tests. If necessary, the Head Athletic Trainer and SAAP Manager will consult with the team physician to determine medical risk.
2. The team physician will provide a recommendation regarding the athlete's participation in practice and/or competition to the SAAP Manager, who will inform the Head Athletic Trainer, the Director of Athletics and the Sr. Associate Director of Athletics. If tests indicate a potential medical risk because of the substance involved, the team physician will recommend to temporarily suspend the student-athlete until such time as there is no medical risk. The team physician is the sole authority on medical risk associated with participation.
3. The SAAP Manager will inform the student-athlete, coach, and sport supervisor immediately of the positive test result.
4. As soon as possible following a positive drug test, the SAAP Manager, head coach and sport supervisor will interview the student-athlete at a post-positive meeting. The Head Athletic Trainer and/or team physician will also be invited to the meeting.

V. CONSEQUENCES OF POSITIVE DRUG TESTS

Student-athletes who test positive on Substance Program drug tests must proceed through following consequences: *Please note that positives resulting from initial enrollment pre-screening will not be subject to suspension or a first-positive on the student-athletes' records. The remainder of the protocol remains the same for these student-athletes.*

A> First positive – The first positive drug test will result in suspension (i.e., will not play) in 10% of the total contests for that season, including post-season play. The suspension starts immediately following the positive result and continues until 10% of the contests have been played. The number of dates of competition will be rounded to the nearest whole number. Suspension is from competition only. Students are allowed to practice and participate in all other team activities, except they will not be part of any team activities on a competition day.

Students testing positive for the first time are also required to: (1) schedule a chemical dependency assessment within 48 hours of the post-positive meeting, (2) complete the assessment as soon as scheduling permits, (3) begin an education program as defined by the SAAP Manager within seven days of the post-positive meeting, attend ~~6~~^{six} 12 Step meetings within 14 days of the post-positive meeting, and participate in a post-program interview upon the completion of the required assessment and drug education. The student-athlete must submit to a post-program drug test. The students' parents may also be notified of the positive drug test.

Students will be drug tested monthly **for one year** following a first positive. At the end of the suspension period and before the student resumes full participation on the team, a re-entry drug test will be conducted. Any positive test results will be considered a second positive in the Substance Program.

B..Second positive – *Students testing positive for the second time are also required to: (1) schedule a chemical dependency assessment within 48 hours of the post-positive meeting, (2) complete the assessment as soon as scheduling permits, (3) begin an education program as defined by the SAAP Manager within seven days of the post-positive meeting, and participate in a post-program interview upon the completion of the required assessment and drug education. The student-athlete must submit to a post-program drug test. The students' parents may also be notified of the positive drug test.*

The second positive drug test will result in suspension (i.e., will not play) in 20% of the total contests for that season, including post-season play. The suspension starts immediately following the positive and continues until 20% of the contests have been played. This is a program suspension from all team activities, including practice. However, students may continue to participate in the team academic programs, and weight room use is allowed as long as it is not with the team.

Students will be drug tested monthly **for one year** following a second positive. At the end of the suspension period and before the student resumes full participation on the team, a re-entry drug test will be conducted. Any positive test results will be considered a third positive in the Substance Program.

- C. Third positive – The third positive drug test will result in permanent dismissal from the team.

NOTE: See Section VI A-6 for options on student-athlete records

The student-athlete may only petition the Director of Athletics if unusual or mitigating circumstances warrant deferment of the suspension or assignment of alternate consequences. When positive tests which result in loss of playing time occur toward the end of the sport season, the suspension will continue into the next sport season until the percentage of playing time loss is fulfilled.

VI. ASSESSMENT, EDUCATION, TREATMENT, AFTERCARE and SAFE HARBOR

A. Assessment

All assessment, education, counseling, treatment, aftercare, and Safe Harbor services with outside providers must have the prior approval of the SAAP Manager and the team physician.

1. An appointment for a chemical dependency assessment will be made with the treatment administrator within 48 hours of the post-positive interview.
2. The student–athlete must follow through with completing the assessment as soon as scheduling permits. If the student fails to do this, it is considered a second positive drug test, and the student will be suspended (i.e., will not play) in 20% of the total contests for that season, including post-season play.
3. The treatment administrator recommends a plan for the appropriate program for the student-athlete, based on the information contained in the assessment.
4. The plan is shared with the team physician and the SAAP Manager.
5. The student-athlete will meet for a post-assessment interview with the SAAP Manager, **the team physician**, Head Athletic Trainer and coach to discuss the specific plan.
6. The student-athlete will be drug tested monthly during the following year. If the student does not have any positive drug tests within that calendar year:
 - a) he/she will be removed from monthly testing, and his/her name will return to the selection pool for random drug testing. This same drug

testing schedule following a first positive will also be repeated after a second positive drug test, or

- b) he/she may elect to negate a positive from the student-athlete's record but remain in the monthly testing pool.

B. Education Program

1. The education program usually consists of a computer program, corresponding paper, and 6 (six) 12-Step meetings which focus on education as a means to prevent future drug use. If the student-athlete fails to complete the computer program and paper within 7 (seven) days of the post-assessment interview, or if the student fails to complete the six 12 Step meetings within 14 days of the post-positive interview, it is considered a second positive drug test, and the student will be suspended (i.e., will not play) in 20% of the total contests for that season, including post-season play. Other sanctions will apply as indicated in Section V of this policy.

An alternate education program may be recommended by the treatment administrator and/or team physician based on the type of substance use and/or the results of the chemical dependency assessment. If so, the SAAP Manager will determine the length of time allowed for completion. The maximum time allowed for completion will be 3 (three) weeks. If the student fails to complete the alternate education within the time specified, it is considered a second positive drug test, and the student will be suspended (i.e., will not play) in 20% of the total contests for that season, including post-season play. Other sanctions will apply as indicated in Section V of this policy.

2. After completing the assessment and education program, the student is required to participate in a post-program interview with the SAAP Manager or his/her designee.
3. Additionally Coaches may impose their own consequences but only if they are more restrictive and included within a written set of team rules signed by the team members. Consequences which include restrictions or cancellation of scholarships require the concurrence of the Director of Athletics.

C. Treatment Program

Treatment is available upon the written request of the student-athlete, head coach, team physician, or athletic administrator. Requests will be made to the SAAP Manager and can occur before a student tests positive and after a first or second positive drug test. The treatment program usually consists of, at a minimum, a 12-week program designed to use a variety of techniques as a means to accomplish secondary prevention success.

1. The treatment administrator will report progress and consult with the team physician and the **SAAP Manager**.
2. Any violation of the treatment program (including a positive(non-decreasing) test, failure to attend counseling sessions and/or educational classes as scheduled, not completing outside assignments, e.g., attending 12 Step meetings in the community) will be reported to the **SAAP Manager**.
3. Decisions regarding the student-athletes' ability to continue to practice and/or compete are contingent on the confidential recommendations from the treatment administrator with input from the team physician, consultation with the head coach and the approval of the Director of Athletics. During treatment student-athletes will be required to:
 - a) Sign a comprehensive contract (treatment plan) that stipulates conditions for eligibility for competition and/or practice.
 - b) Submit to periodic drug testing as required by the treatment facility. Drug treatment participation will provide a Safe Harbor from regular Substance Program drug testing for a period of 45 days, but only if drug testing during that time indicates decreased use. If test results do not indicate decreased use, it will be considered a positive drug test within the Substance Program, and students will be subject to the sanctions indicated in Section V of this policy.
4. Once students are no longer in a treatment program, whether by noncompliance, dismissal or successful completion, they will be drug tested monthly.
5. Athletic Department funding for a drug treatment program can only occur one time. If students want to enter a second program, or want to enter the same program for a second time, they are responsible for payments.

D. Aftercare

Upon completion of treatment, student-athletes will enter the aftercare phase, which may last 3 to 6 months, and will again be tested for drugs on a monthly basis through the Substance Program.

E. Safe Harbor

Safe Harbor refers to a period of time in which a student is participating in a treatment program when positive drug tests do not count as positives within the Substance Program, as long as those test results indicate decreased drug use.

1. Athletic Department funding for a Safe Harbor program can only occur one time. If students want to enter a second program, or want

to enter the same program for a second time, they are responsible for payments.

2. Voluntary referrals into a Safe Harbor program may occur prior to a student testing positive. A voluntary referral at the time of testing is not considered voluntary.
3. The Safe Harbor program will last for a maximum time period of 45 days.
4. Upon entry into the Safe Harbor program, the student will be drug tested immediately to establish a base line of the substance being used.
5. Students will be drug tested while in the Safe Harbor program. If test results do not indicate decreased use, or if the student is noncompliant with the program requirements, he/she will be removed from the program and sanctions consistent with a second positive drug test will be applied (see Section V).
6. If the Safe Harbor treatment program extends beyond a 45-day period, any positive drug tests after those 45 days will be considered a positive within the Substance Program.
7. Students who successfully complete a Safe Harbor program will be returned to the random pool of athletes for further selection, but no sanctions are applied at that time.

VII. VOLUNTARY AND OTHER REFERRALS

- A. A student-athlete who comes forward voluntarily (or is referred by other means) and acknowledges a problem with drug abuse shall be afforded the support and resources available to address the problem. The student-athlete will undergo a chemical dependency assessment, as scheduled by the **SAAP Manager** and will be referred to the appropriate support services, which may include a treatment or Safe Harbor program. A self-referral at the time of testing **is not** considered voluntary.
- B. The referral, assessment, diagnosis and treatment resources of the Substance Program are available to all coaches and student-athletes to assist with current and pre-existing conditions and circumstances. These circumstances include, but are not limited to, alcohol/drug abuse and antisocial behavior.

VIII. STUDENT-ATHLETES' RIGHTS

- A. At any time the student-athlete has the right to be assisted and/or represented by a person of his or her choice, but it may not be an attorney.
- B. Student-athletes may voluntarily contact the **SAAP Manager**, Head Athletic Trainer, team physician or sport supervisor at any time for personal, emotional or drug-related problems so that solutions may be found before their academic or athletic performance is affected. Any such concerns will be kept strictly confidential.
- C. Approval for a second opinion regarding a student-athlete's assessment may be granted with pre-approval of the SAAP Manager and team physician. Payment for the second assessment will be the responsibility of the student-athlete.
- D. Each student-athlete has the right to appeal any consequences imposed by this Substance Program policy. Requests for appeals are submitted in writing **through** the **SAAP Manager**. Any appeal must **be addressed** to the Director of Athletics and have a substantive or very unusual basis. The Director of Athletics will determine if an in-person meeting is needed. Any further appeal will be heard by a committee consisting of members of the Athletic Advisory Council, Faculty Athletic Representative and **the SAAP Manager** (non-voting). Students must fulfill the consequences delineated in Section V of this policy until an appeal decision is rendered.

IX. COACHES' ROLE

It is the responsibility of the head coach to ensure that their student-athletes follow through with all responsibilities regarding the testing and education provided by the Substance Program.

Each head coach may also have team rules regarding alcohol and drug use that are separate from the NCAA or Substance Program rules. These rules must be in writing and signed off by team members. Coaches have the right to be more restrictive than these Substance Program guidelines in implementing their team rules and any penalties will be in addition to the SAAP penalties.

X. VIOLATION OF STATE OR FEDERAL LAW

A criminal violation of state or federal laws involving the possession or sale of any drugs or illegal substances by student-athletes will be dealt with using the procedures outlined in the Student-Athlete Code of Conduct. This includes alcohol violations.

Sport _____

**FRESNO STATE
DEPARTMENT OF INTERCOLLEGIATE ATHLETICS
CONSENT TO PARTICIPATE IN THE
SUBSTANCE ABUSE PROGRAM
AND LIMITED WAIVER OF CONFIDENTIALITY**

I, _____, a student of California State University, Fresno, as a condition to participating in the Intercollegiate Athletic program conducted under the auspices to the California State University, Fresno Athletic Corporation, Inc., do hereby consent to participate in the Substance Abuse Program (hereafter "Program"). I acknowledge that I have received, read and understand the policy statement concerning this Program which includes provisions for testing for the presence of substances and for education and counseling with regard to substance abuse, and disciplinary sanctions which might be imposed if it is determined that I have violated the provisions and intent of the Program. I hereby consent to having samples of my urine tested for the presence of those drugs or other substances identified in the Program at such times as urinalysis tests are required under the Program. I understand that I may choose not to sign this Form and forego participation in intercollegiate athletics at Fresno State.

Further, I understand that as a part of the Program, the results of this testing may be disclosed to the team physician, athletic director, **sr. associate athletic director**, the coaching staff, **SAAP Manager**, Head Athletic Trainer, sports supervisor, Substance Program Committee members, and with proper consent, to my parent(s) or legal guardian(s) as provided for in the Program. I also understand that my participation in intercollegiate athletics is conditioned upon my full and good faith participation and cooperation in all aspects of the Program including testing and education and, upon request, counseling and rehabilitation.

To the extent that disclosures are necessary pursuant to the provisions of the Program, I further authorize the release of information under the Family Education and Privacy Act (20 U.S.C. Section 1232(g)), the physician-patient privilege, and any state laws or University policies. It is understood that the information will not be available to any other person without first obtaining my consent. I also hereby release the University, Athletic Corporation and all of their Trustees, Directors, officers, employees and agents from legal responsibility or liability for the release of such information and records as authorized by this Form.

Print Full Name

Signature

Date

Signature of parent or guardian if athlete is under 18 years

Date