

**THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
DEPARTMENT OF ATHLETICS**

STATEMENT OF POLICY CONCERNING

**SUBSTANCE ABUSE EDUCATION, TESTING, AND COUNSELING PROGRAM
FOR INTERCOLLEGIATE ATHLETICS**

A. INTRODUCTION

The use of banned substances is a matter of deep concern within our society. Many lives are damaged, and in some cases destroyed, by substance abuse. The University of North Carolina at Chapel Hill is determined to help all students and employees avoid such hazards, through its established policies on substance abuse that apply to all members of the academic community. However, this departmental program is specifically designed for the members of our intercollegiate athletics teams. It is based on the premise that banned substances and athletics are inherently incompatible.

First, many banned substances, when used in connection with athletics activities or physical conditioning programs, may pose serious risks to the health of the student-athlete and may endanger other persons in contact with the user. Such use may result in illness, temporary or permanent injury, or even death.

Second, the use of certain performance-enhancing substances may temporarily improve some types of athletics performance and thereby create an unfair competitive advantage for the person using them, violating the basic principles of sportsmanship.

Third, intercollegiate student-athletes frequently become highly publicized role models and their use and abuse of banned substances can negatively influence other young people, as well as damage the reputation of the University.

B. BASIC PROGRAM GOALS

The goals of this substance abuse education, testing, and counseling program are (1) to educate student-athletes about the health, safety, and academic risks of the use of banned substances; (2) to test to detect banned substance use; (3) to provide a counseling program to assist in the rehabilitation of any student-athlete found to be using banned substances; and (4) to set forth clear consequences and sanctions, with a progressive response to successive positive tests for the use of banned substances, to maintain the integrity and character of the athletics program.

All intercollegiate student-athletes at The University of North Carolina at Chapel Hill must comply with the terms of this program on substance abuse education, testing, and counseling. Accordingly, all student-athletes must read these requirements carefully and

annually acknowledge in writing acceptance of the terms by signing the UNC Drug Testing Consent Form attached as Appendix A. Failure to sign will result in the student-athlete's removal from the University's intercollegiate athletics program.

C. EDUCATIONAL PROGRAM

An important component of this program is an ongoing educational effort designed to help student-athletes avoid any involvement in the use of banned substances. Each student-athlete at The University of North Carolina at Chapel Hill shall be required to participate in substance abuse education activities prescribed by the Department of Athletics. Additionally, any student-athlete may seek assistance for a substance abuse problem at any time by contacting his or her coach, a departmental employee, a Sports Medicine employee, or a representative of the Division of Student Affairs.

D. BANNED SUBSTANCES

A student-athlete, during the period of his or her eligibility to participate in intercollegiate athletics, may not use the substances identified as NCAA Banned Drugs. The current list is included as Appendix B, but the list is subject to change by the NCAA Executive Committee, and the student-athlete shall be held accountable for all banned drugs on the current list.

If an otherwise-banned substance is being used at the prescription of a physician, the student-athlete may continue to participate in athletics under the guidance of the team physician, unless the team physician notifies the Director of Athletics or his or her designee in writing that the specified athletics activity may not be safely undertaken. A student-athlete taking a banned substance at the prescription of a physician must notify the Director of Sports Medicine or his or her designee of such fact, including the name of the prescribing physician, to avoid a positive test for the substance being treated as a positive result under Section F. of this Policy.

E. TESTING PROGRAM

It is a condition of participation in athletics that a student-athlete annually sign the UNC Drug Testing Consent Form (attached as Appendix A) and the NCAA Drug Testing Consent form, affirming willingness to submit to any tests prescribed by The University of North Carolina at Chapel Hill or the NCAA to reveal the use of any of the banned substances listed in Appendix B.

The testing will be implemented as follows:

1. When tests will be administered:
 - a. Preseason testing.
A student-athlete may be tested during the pre-participation physicals for his or her respective varsity sport.

b. Unannounced random and team testing.

A student-athlete, a percentage of the members of a team, or an entire team may be subject to unannounced testing during both the academic year and summer sessions. The selection of individuals will be made by the Director of Athletics or his or her designee through a random computer drawing of names from the team roster.

c. Testing in response to reasonable cause.

A student-athlete may be subject to testing at any time when there is reasonable cause to suspect he or she is engaged in the use of banned substances. Information from any source deemed reliable by the Director of Athletics or his or her designee, including but not limited to:

- (1) observed possession or use of banned substances;
- (2) arrest or conviction for a criminal offense related to the possession, use, or trafficking of banned substances;
- (3) a drug-related charge under the Instrument of Student Judicial Governance;
- (4) abnormal weight change; or
- (5) observed abnormal appearance, conduct, or behavior, including unusual patterns of behavior or absence from training or competition, reasonably interpreted as being caused by the use of banned substances

shall be sufficient for the Director of Athletics or his or her designee to confer with University legal and medical authorities to determine whether there is reasonable cause to suspect that the student-athlete is engaged in banned substance use. Reasonable cause exists if a reasonable person unfamiliar with the student-athlete or the athletics program would conclude, based on the available information, that there is a basis for the suspicion that the student-athlete is using a banned substance.

If reasonable cause is found to exist, the Director of Athletics or his or her designee shall meet in-person with the student-athlete and the student-athlete shall be asked to sign an acknowledgement form (attached as Appendix C).

2. Consequences of failure to participate in or cooperate with testing:

a. If a student-athlete declines to execute the UNC Drug Testing Consent Form (Appendix A), his or her eligibility to participate in intercollegiate athletics will be terminated for the balance of the academic year.

b. If the student-athlete is not present for a drug test, and no satisfactory explanation for the absence is provided to the Director of Athletics or his or her designee, the absence shall be considered the equivalent of a positive test for a banned substance that is not an anabolic agent. A student-athlete not present for a drug test who has provided a satisfactory explanation for the absence may be

tested as soon as practicable, at the discretion of the Director of Athletics or his or her designee.

c. If the student-athlete fails, within a reasonable period of time, to produce a satisfactory sample, his or her eligibility to participate in intercollegiate athletics will be suspended until the student-athlete produces the required sample under conditions prescribed by the Director of Athletics or his or her designee.

d. If the student-athlete refuses to provide a sample or manipulates his or her sample to alter the integrity and/or validity of the sample, the manipulation shall be treated as a positive test for a banned substance that is not an anabolic agent.

F. CONSEQUENCES OF A POSITIVE TEST FOR BANNED SUBSTANCE USE

The minimum consequences specified below will apply following (a) any positive result on a drug test administered pursuant to this Policy, (b) any positive result on an NCAA-administered drug test, or (c) the occurrence of an event that is considered the equivalent of a positive test under the prior section of this Policy.

More severe consequences than those listed below may be imposed if the coach has distributed a written policy describing those consequences to each team member when he or she becomes a member of the team and at the beginning of each academic year. Such a team policy must be approved in advance by the Director of Athletics.

1. Probation, performance contract, and notification of parent(s) or guardian(s):

a. Probation.

The student-athlete will be on probation with the Department of Athletics.

b. Performance contract.

The student-athlete will be required to sign a performance contract specifying expectations for the student-athlete's behavior, detailing the consequences of an additional positive drug test, and setting forth any additional sanctions, which may include community service. If, in the judgment of the Director of Athletics, the student-athlete has not complied with the performance contract, such noncompliance may trigger suspension for 50% of the number of regular season contests or termination of the student-athlete's eligibility to compete.

c. Notification of parent(s) or guardian(s).

The student-athlete's parent(s) or guardian(s) will be informed by the Director of Athletics, or his or her designee, of the known facts concerning banned substance use and the conditions to be imposed by the University as a result of those facts. The parent(s) or guardian(s) will also receive a copy of the performance contract, signed by the student-athlete, and will be informed of any suspension or termination of athletics eligibility pursuant to this Policy.

2. Evaluation, counseling, and treatment:

a. Evaluation of the nature and extent of banned substance use.

The student-athlete will be required to meet with a designated professional from the Student Health Service for an assessment of the nature, extent, and history of the problem and to devise an appropriate counseling and treatment plan.

b. Counseling and treatment.

The nature and extent of counseling and treatment that may be required as a condition of continued athletics eligibility will be determined by a designated professional from the Student Health Service and the Dean of Students, and others as deemed appropriate, in consultation with the Director of Athletics or his or her designee. The student-athlete will be asked to sign a release of medical information so that information about the plan and the student's progress may be shared as necessary with the Director of Athletics and his or her designees for the purpose of evaluating the student's progress in the counseling and treatment plan.

3. Follow-up testing:

While the student-athlete is participating in a prescribed treatment plan, he or she may be subject to testing for banned substances for the purpose of determining the student's progress under the treatment plan. After the student-athlete is released from the treatment plan by the collective judgment of the individuals identified in F.2.b., he or she will be subject to periodic unannounced testing for banned substances for as long as he or she remains a member of the athletics program.

4. Suspension or termination of athletics eligibility:

a. Positive test for a banned substance that is an anabolic agent.

After any positive test for a banned substance that is an anabolic agent, the Director of Athletics shall terminate the student-athlete's eligibility for athletics participation.

b. Positive test for a banned substance that is not an anabolic agent.

After a positive test for any banned substance that is not an anabolic agent, if the problem is deemed by the Director of Athletics, in consultation with the Director of Sports Medicine or his or her designee, to be sufficiently serious, the student-athlete's eligibility may be suspended for a period of time or terminated.

A student-athlete who tests positive for a banned substance that is not an anabolic agent any time during or after a period of probation imposed under this Policy, shall, at a minimum, be suspended by the Director of Athletics from athletics participation for 50% of the total regular season contests, to be continued to the next season if necessary. If there is an odd number of regular season

contests (e.g., 29 games), the number of games in the suspension will be rounded down (e.g., 14-game suspension, instead of a 15-game suspension).

A student-athlete who tests positive for a banned substance that is not an anabolic agent any time during or after a period of suspension imposed under this section of the Policy shall have his or her athletics eligibility terminated by the Director of Athletics.

c. Suspension for one year for a positive result on an NCAA-administered test.

A positive result on a test for banned substances administered by the NCAA may result in loss of athletics eligibility for one year. The NCAA's Drug Testing Protocol and Policy may be found at <http://www.ncaa.org>.

d. Counseling and treatment after termination of athletics eligibility.

A student-athlete whose eligibility has been terminated may seek assistance from established University counseling and medical resources available to students at The University of North Carolina at Chapel Hill. Such services will not be initiated or supervised by the Department of Athletics, since the student's affiliation with the athletics program will have ended.

5. Non-renewal of and termination of existing grant-in-aid:

If eligibility is terminated, a student-athlete is not eligible for recommendation of renewal of any athletics grant-in-aid, and any existing grant-in-aid is subject to termination by a recommendation of the Director of Athletics to the Associate Provost and Director of the Office of Scholarships and Student Aid.

G. PROCEDURES FOR IMPOSING SERIOUS SANCTIONS

Sections E. and F. of this Policy provide notice of circumstances under which suspension or termination of eligibility to participate in intercollegiate athletics activities may be imposed for a violation of this Policy. Such sanctions may be imposed only in accordance with the procedures herein prescribed. If the sanction includes termination of an existing grant-in-aid or recommendation of nonrenewal of any future grant-in-aid, the appeal from that portion of the sanction shall be governed by G.4. Nonetheless, the Department of Athletics has the right, at any time, to terminate the student-athlete's privilege to participate on a team for reasons other than a violation of this Policy, including, but not limited to, violations of other University, departmental, or team policies. A violation of this Policy, in conjunction with a violation of other University, departmental, or team policies, may result in termination of a student-athlete's privilege to participate on a team. All such terminations are not subject to the procedures set forth in this Policy.

1. Written notice:

Before any suspension or termination is imposed, the student-athlete will be given written notice by the Director of Athletics of his or her intent to suspend or terminate eligibility, the reasons for the proposed action, and the right of the affected student-athlete to request an appeal.

2. Request for an appeal:

A student-athlete may request an appeal by addressing a request in writing to the Director of Athletics within three (3) business days after receiving the written notice referred to in paragraph 1., above. A request for an appeal must be based on insufficiency of evidence or mitigating circumstances. Failure of the student-athlete to request an appeal on these bases in writing within three (3) business days following his or her receipt of written notice will be considered a waiver of the appeal.

3. Appeal:

a. Appeal Committee.

If an affected student-athlete requests an appeal on the valid bases identified above in G.2., an appeal hearing shall be conducted by a standing committee consisting of three persons appointed by the Vice Chancellor for Student Affairs. No officer, employee, or agent of the Department of Athletics shall be eligible to serve on such committee.

b. Conduct of appeal.

The appeal hearing shall be convened within ten (10) business days after it is requested. The appeal hearing shall be conducted in private, with only the following individuals present:

- the members of the committee,
- the affected student-athlete and a support person(s) of his or her choice,
- the Director of Athletics, or his or her designee, accompanied by a support person(s) of his or her choice, and
- witnesses who are present to give testimony.

c. Scope of review.

On appeal, there is a presumption that the original decision is correct. Accordingly, the scope of review is whether there is a reasonable basis for the original decision. If there is no reasonable basis for the actual sanction or sanctions imposed, or if compelling mitigating circumstances are found to be present, the committee may recommend a lesser sanction.

d. Recommendation to the Vice Chancellor for Student Affairs.

Within three (3) business days after the committee concludes its appeal hearing, the committee shall report its conclusions concerning the facts, as well as any recommendations about the sanction, to the Vice Chancellor for Student Affairs, who shall decide what sanction, if any, shall be imposed, consistent with the provisions of this Policy. If the Vice Chancellor for Student Affairs finds there was insufficient evidence, then the drug test giving rise to the incident will not be considered a positive test for purposes of this Policy.

4. Appeal of grant-in-aid:

The recommendation made by the Director of Athletics in accordance with this Policy to terminate an existing grant-in-aid or recommend non-renewal of a future grant-in-aid will be referred to the Associate Provost and Director of the Office of Scholarships and Student Aid, who is the institutional officer with the authority to accept or reject the recommendation regarding the athletics grant-in-aid.

The student-athlete may pursue an appeal of a negative decision of the Associate Provost and Director of the Office of Scholarships and Student Aid on the grant-in-aid to the Chancellor's Committee on Scholarships, Awards, and Student Aid by notifying the Chancellor's Committee chair within ten (10) business days from the receipt of the Associate Provost's decision. The Chancellor's Committee shall hear the appeal as promptly as possible. Failure of the student-athlete to request an appeal within ten (10) business days following his or her receipt of the Associate Provost's decision will be considered a waiver of the appeal.

5. Imposition of serious sanctions:

Suspension or termination of eligibility may not be imposed until the student-athlete's appeal, pursuant to G.2. and G.3., is concluded or the time period for filing the appeal has expired. Termination of any athletics grant-in-aid may not be imposed until the student-athlete's appeal, pursuant to G.4., is concluded or the time period for filing the appeal has expired.

H. CONFIDENTIALITY OF INFORMATION CONCERNING USE OF BANNED SUBSTANCES

Any information concerning a student-athlete's alleged or confirmed use of banned substances, solicited or received pursuant to implementation of this Policy, shall be restricted to institutional personnel and to parents or guardians as provided herein, except as required by law. No other release of such information will be made without the student-athlete's written consent, except as required by law. The University cannot guarantee that law enforcement or prosecutorial authorities will not gain access to information in the possession of the University, since a valid subpoena or other enabling court order might be issued to compel disclosure. The University, however, will not voluntarily disclose such information in the absence of a court order.

I. IMPROPER PROVISION OF BANNED SUBSTANCES BY UNIVERSITY PERSONNEL

No officer, employee, or agent of The University of North Carolina at Chapel Hill may supply to any student-athlete any banned substance or otherwise encourage or induce any student-athlete improperly to use any banned substance, except as specified banned substances may be prescribed by qualified medical personnel for the treatment of individual student-athletes. Any person who has information about a possible violation of this prohibition should report such information promptly to the University's General Counsel, who shall have authority to investigate the allegation and report the results of any investigation to the Chancellor for appropriate disciplinary proceedings against any University officer, employee, or agent who is charged with having violated this prohibition.

J. POLICY REVIEW AND AMENDMENT

A Substance Abuse Policy Review Committee appointed by the Director of Athletics will interpret this Policy and program as necessary, review its administration annually, and recommend any Policy or program changes to the Director of Athletics for approval by the Director and the Chancellor. The committee shall be comprised of substance abuse professionals, faculty members, Department of Athletics administrators, Student Affairs administrators, members of the Sports Medicine staff, University legal counsel, and others as determined by the Director of Athletics.

K. EFFECTIVE DATE

This program was revised and effective as of September 7, 2007.

Attachments: Appendix A
Appendix B
Appendix C

APPENDIX A

**UNC Drug Testing Consent Form
Pursuant to
The University of North Carolina at Chapel Hill Department of Athletics
Statement of Policy Concerning
Substance Abuse Education, Testing, and Counseling Program
for Intercollegiate Athletics**

The Board of Governors of The University of North Carolina has mandated that The University of North Carolina at Chapel Hill adopt mandatory testing of student-athletes for banned substances. The University of North Carolina at Chapel Hill has, therefore, adopted this Statement of Policy to comply with the Board of Governors' directive.

I have read this Statement of Policy. I have been given an opportunity to ask any questions I may have had about the Policy. I understand the Policy and my responsibilities under it, and I have decided voluntarily to participate in the intercollegiate athletics programs to which this Policy applies. I consent to tests for banned substances administered pursuant to this Policy and I consent to notification of my parents or guardians under the circumstances outlined in this Policy.

(Signature of Student-Athlete)

(Date)

(Name Printed)

(Signature of at Least One Parent or Guardian,
if the Student-Athlete is Under Age 18)

(Date)



2011-12 NCAA Banned Drugs

The NCAA bans the following classes of drugs:

- a. Stimulants
- b. Anabolic Agents
- c. Alcohol and Beta Blockers (banned for rifle only)
- d. Diuretics and Other Masking Agents
- e. Street Drugs
- f. Peptide Hormones and Analogues
- g. Anti-estrogens
- h. Beta-2 Agonists

Note: Any substance chemically related to these classes is also banned.

The institution and the student-athlete shall be held accountable for all drugs within the banned drug class regardless of whether they have been specifically identified.

Drugs and Procedures Subject to Restrictions:

- a. Blood Doping.
- b. Local Anesthetics (under some conditions).
- c. Manipulation of Urine Samples.
- d. Beta-2 Agonists permitted only by prescription and inhalation.
- e. Caffeine if concentrations in urine exceed 15 micrograms/ml.

NCAA Nutritional/Dietary Supplements Warning:

**Before consuming any nutritional/dietary supplement product,
review the product with your athletics department staff!**

- Dietary supplements are not well regulated and may cause a positive drug test result.
- Student-athletes have tested positive and lost their eligibility using dietary supplements.
- Many dietary supplements are contaminated with banned drugs not listed on the label.
- **Any product containing a dietary supplement ingredient is taken at your own risk.**

**It is your responsibility to check with the appropriate athletics staff
before using any substance.**

**Note to Student-Athletes: There is no complete list of banned substances.
Do not rely on this list to rule out any supplement ingredient.
Check with your athletics department staff prior to using a supplement.**

Some Examples of NCAA Banned Substances in Each Drug Class

Stimulants:

amphetamine (Adderall); caffeine (guarana); cocaine; ephedrine; fenfluramine (Fen); methamphetamine; methylphenidate (Ritalin); phentermine (Phen); synephrine (bitter orange); methylhexanamine, etc.

exceptions: phenylephrine and pseudoephedrine are not banned.

Anabolic Agents – (sometimes listed as a chemical formula, such as 3,6,17-androstenetrione) boldenone; clenbuterol; DHEA (7-Keto); nandrolone; stanozolol; testosterone; methasterone; androstenedione; norandrostenedione; methandienone; etiocholanolone; trenbolone; etc.

Alcohol and Beta Blockers (banned for rifle only):

alcohol; atenolol; metoprolol; nadolol; pindolol; propranolol; timolol; etc.

Diuretics (water pills) and Other Masking Agents:

bumetanide; chlorothiazide; furosemide; hydrochlorothiazide; probenecid; spironolactone (canrenone); triameterene; trichlormethiazide; etc.

Street Drugs:

heroin; marijuana; tetrahydrocannabinol (THC); synthetic cannabinoids (eg. spice, K2, JWH-018, JWH-073)

Peptide Hormones and Analogues:

growth hormone(hGH); human chorionic gonadotropin (hCG); erythropoietin (EPO); etc.

Anti-Estrogens :

anastrozole; tamoxifen; formestane; 3,17-dioxo-etiochol-1,4,6-triene(ATD), etc.

Beta-2 Agonists:

bambuterol; formoterol; salbutamol; salmeterol; etc.

Any substance that is chemically related to the class, even if it is not listed as an example, is also banned!

Information about ingredients in medications and nutritional/dietary supplements can be obtained by **contacting the Resource Exchange Center, REC, 877-202-0769** or www.drugfreesport.com/rec password ncaa1, ncaa2 or ncaa3.

It is your responsibility to check with the appropriate athletics staff before using any substance.

APPENDIX C

**Notification of Drug Testing Based on Individualized Reasonable Cause
Pursuant to
The University of North Carolina at Chapel Hill Department of Athletics
Statement of Policy Concerning
Substance Abuse Education, Testing, and Counseling Program
for Intercollegiate Athletics**

By signing below, you acknowledge that you have been notified that, based on reasonable cause, you will be tested for banned substances consistent with the policies and procedures established in the Policy.

Date: _____

(Signature of Student-Athlete)

(Student-Athlete's Name Printed)

(Signature of Designated University Official Delivering the Notice)