

Sam Houston State University Department of Intercollegiate Athletics Institutional Drug Education & Testing Program

PHILOSOPHY

The Department of Intercollegiate Athletics at Sam Houston State University believes that the abuse of legal drugs and/or the use of illegal drugs: a) can and will adversely affect the health and safety as well as the academic capability of student-athletes; b) may reflect adversely on the university tarnishing its reputation for and values of fair play; and, c) subject the University to scrutiny and punishment from outside entities including the NCAA and legislative authorities, compromising and/or jeopardizing the University's investment in its athletic programs and the ability of other innocent student-athletes to compete in those programs. In an effort to minimize the possibility that a student-athlete may jeopardize his or her own physical and academic performance, the Department of Intercollegiate Athletics at Sam Houston State University has developed the following drug testing policy and procedure. This policy is separate from the NCAA Drug Testing Program in which each institution must participate.

POLICY

The Department of Intercollegiate Athletics at Sam Houston State University, in association with The Texas State University System, reserves the right to require a urine specimen from any participant in a sports program recognized, operated, or controlled by or under the authority of the Department of Intercollegiate Athletics. Eligible participants include all student-athletes appearing on the team's NCAA official squad list.

The Department of Intercollegiate Athletics will provide the squad list to an independent drug testing agency who will randomly select the student-athletes for testing. The testing period will be based on the academic calendar for the university, beginning on either the day an individual sport has its initial NCAA eligibility meeting or the first day of classes in the fall semester as listed on the official University calendar, whichever comes first. This includes any official University breaks or closures with the exception of the summer. Only the NCAA will test during the summer months.

There is no prior notification required for the drug test. Screening may be done for any substance appearing on the NCAA banned substance list, including stimulants, anabolic agents, diuretics, masking agents, and street drugs. The NCAA banned substance list may be obtained from the Head Athletic Trainer, the Compliance Coordinator, or online at www.ncaa.org. A consent form authorizing the taking and testing of urine samples (Appendix A) shall be signed annually by each student-athlete. If the student-athlete is a minor, a parent or guardian's signature will be required. Collection and analysis of all specimens are performed by an independent laboratory selected by the Department of Intercollegiate Athletics. Test results shall be shared with those identified in the consent form. Strict confidentiality of test results, except as authorized by the consent form, shall be maintained in accordance with the procedures which follow. If there is reasonable suspicion that a student-athlete is using banned drugs and substantial proof can be documented using the Probable Cause to Suspect Drug Use Notification form (Appendix B), the suspected student-athlete may be selected for drug testing at the discretion of the Director of Athletics, Head Athletic Trainer or Head Coach. Any student-athlete having a history of a positive drug test while at Sam Houston State University may be subject to testing at any time throughout their eligibility. At the discretion of the Director of Athletics, each athletic team may be tested in its entirety.

At the beginning of each academic year or at other times as determined by the Department of Intercollegiate Athletics at Sam Houston State University, a presentation will be made to all intercollegiate student-athletes to review and explain the Department of Intercollegiate Athletics' drug testing policy and procedure. The consent forms will be signed at that time and secured in each student-athlete's medical file in the office of the Head Athletic Trainer.

PURPOSES

The purposes of the Sam Houston State University drug testing policy are:

1. To inform and educate the student-athletes as to the harmful effects of substance abuse and misuse;
2. To deter the potential abuse of, misuse of, or experimentation with drugs and other physically or psychologically harmful substances;
3. To provide any student-athlete determined to be affected by substance use or abuse with the opportunity to obtain rehabilitation through professional evaluation and counseling, or referral for treatment at their own expense; and
4. To protect and preserve the integrity of the individual student-athlete, the Department of Intercollegiate Athletics, and Sam Houston State University.

PROCEDURES

Urine samples will be secured for testing in the following manner:

1. Student-athletes who have been selected for institutional drug testing by the Department of Intercollegiate Athletics will be notified by phone no more than 2 hours prior to the testing. At this time, the student-athlete will be notified of the time and location of testing.
2. Upon arriving at the designated location, the student-athlete will present picture identification if asked (driver's license or University identification card) to the Drug Testing Coordinator or designee. After checking in, the student-athlete will not be allowed to leave the testing site until a valid urine sample has been collected. The student-athlete will be provided a vial by the independent testing agent to use for the collection.
3. A member of the Athletic Training staff, or designee, of the same gender as the student-athlete will require the student-athlete remove any jacket, outer garment, or bulky attire prior to providing a sample and will monitor the furnishing of the specimen by observation in order to assure the integrity of the specimen.
4. Fluids and food will be provided for student-athletes who have difficulty providing a specimen. These fluids and food will be sealed, caffeine-free, alcohol-free and free of all banned substances. Other fluids and food items will not be allowed in the collection site.
5. If a specimen is incomplete, the student-athlete must remain in the collection area until the sample is complete. During this period, the student-athlete is responsible for returning the collection beaker to the collection agent for control purposes and specimen integrity.
6. If the urine has a temperature below 90 degrees F, the specimen will be rejected and a second specimen will be required. The student-athlete will be provided with a new vial for subsequent specimen collections.
7. Once the student-athlete provides a acceptable specimen (at least 30mL), the Athletic Training staff member will instruct the student athlete not to flush the toilet or turn on the sink and return the beaker to the collection agent present for proper packaging . At this time the provided specimen will be split into an "A" bottle and a "B" bottle and sealed in front each individual athlete and initialed.
8. The student-athlete must maintain control of his/her specimen throughout the entire collection process. When the collection vial is sealed, the student-athlete will be required to initial the seal acknowledging that the sample is his/hers and was in his/her control throughout the process. The sealed collection vial will then be placed in the collection container with the chain of custody paperwork and sent directly to the laboratory following the test.
9. Any student-athlete who refuses to provide a specimen, is unable to provide an acceptable specimen, or

fails to appear at the time scheduled for testing, will be considered as having a positive test.

10. Tampering with or altering a urine specimen in an attempt to alter its natural characteristics and/or form or providing a specimen that is not your own will be considered a positive test.

11. Any student-athlete who qualifies for an NCAA Championship may be tested prior to attending the championship. If a student-athlete tests positive during this test, he or she will not participate at the NCAA Championships.

PENALTIES

Student-athletes demonstrating positive test results will be subject to the following actions:

1. If any student-athlete tests “positive”, that is, if the tests show the presence of a banned substance or its metabolite over the predetermined standard cut off level, the Head Athletic Trainer will inform the Director of Athletics, the Head Coach and the student-athlete within 48 hours (excluding weekends) after the positive test confirmation has been received from the laboratory. The Head Athletic Trainer will meet privately with the student-athlete to explain the type of substance identified by the test.

In the event of a first positive test of any banned substance listed in the preceding policy section of this drug education and testing program (including street drugs (as determined by the NCAA), stimulants (prescription or illegal, diuretics (masking agents) and/or synthetic marijuana discovered to be present in the student-athlete’s specimen, the student-athlete will be referred to the Sam Houston State University Counseling Center for appropriate treatment. The athlete is responsible for any and all monetary charges that may be applied. The athlete will also not be allowed to travel with their respective teams while serving game(s) suspension time for any reason. If the athlete is at the end of their competitive season the suspension will carry over to the next season if the minimum number of games/matches /meets does not meet the requirements of a first offense.

In addition, the student athlete will also be suspended from multiple events.

If the student athlete is a member of the following teams they will be suspended for 3 games/meets/matches (bowling, football, golf, tennis, and track/cross country), six games for (men’s and women’s basketball, soccer and volleyball), or 3 series or 9 games for baseball and softball. The suspension decision will be made at the professional discretion of the Director of Athletics and Head Athletic Trainer dependent on sport participation and administration may adjust any penalty at any given time with out notice. The disciplinary action taken by the Sam Houston State Athletic Administration will be recorded on the Disciplinary Action Contract (Appendix C) and placed in the student-athlete’s confidential file located in the Department of Intercollegiate Athletics.

2. In the event a second positive test result for street drugs or street drug metabolites is confirmed under and consistent with the method described above, the student-athlete, Director of Athletics, Head Athletic Trainer, Associate Athletic Director/SWA, Compliance Coordinator, and/or Head Coach may discuss, either in person or by telephone, the actions to be taken by the Department of Intercollegiate Athletics. A second positive test is defined as a subsequent positive test after the initial positive test for any street drug or its metabolites (not necessarily the substance previously causing a positive) during the student-athlete’s intercollegiate athletic career while competing for Sam Houston State University.

Upon confirmation of a second positive test result for a banned substance listed previously in the policy section, the student-athlete will be declared ineligible immediately for the remainder of their competitive season, must enrolled in SHARP baring all expenses for the program and will lose all athletic aid/scholarship. If the athlete is at the end of their competitive season the suspension will carry over to the next season if the minimum number of games/matches /meets does not meet the requirements of a first offense.

In the event that any competition suspension is not served in its entirety during the current competitive season, the remainder of the penalty will be served at the beginning of the next competitive season that the student-athlete competes (excluding exhibition games). If the second positive test occurs outside of the competitive season, the penalty will commence at the start of the next regularly scheduled competitive season.

A student-athlete receiving a competition suspension shall be permitted to return to competitive status only with clearance from the Team Physician, Head Athletic Trainer, and Director of Athletics. Additionally, a competition suspension cannot be served concurrently with an illness or injury as determined by the Head Athletic Trainer and/or Team Physician.

3. A third positive test result for street drugs or street drug metabolites will result in permanent loss of eligibility for the remainder of the student-athlete's intercollegiate career at Sam Houston State University.
4. In the event of a first positive test where anabolic steroids or masking agents are identified as present within the student-athlete's system, the student-athlete will be declared ineligible for the remainder of the season and will lose all athletic financial aid beginning on the date the positive test is confirmed.
5. A second positive test for which anabolic steroids or masking agents will result in permanent loss of eligibility for the remainder of the student-athlete's intercollegiate career at Sam Houston State University as well as loss of any athletic related financial aid.
6. In the event of any positive drug test, a student-athlete will be given a list of expectations that will need to be met prior to reinstatement to the team. These expectations may include, but are not limited to: maintaining a sound academic standing, possible selections for monthly drug testing, attendance at counseling sessions and maintaining good citizenship as a student-athlete at Sam Houston State University. These expectations will be discussed during a meeting with the student-athlete. Those present at this meeting may include any or all of the following the Director of Athletics, Team Physician, Head Athletic Trainer, Associate Athletic Director/SWA, Compliance Coordinator and Head Coach. Any additional persons present will be at the discretion of the Director of Athletics and/or Head Athletic Trainer. Additionally, these expectations will be documented in the Disciplinary Action Contract (Appendix C). It will be reviewed by the student-athlete and signed by the Director of Athletics, Head Athletic Trainer, Head Coach, Associate Athletic Director-SWA, Compliance Coordinator and the student-athlete. A copy of this letter will be placed in the student-athlete's confidential file located in the Department of Intercollegiate Athletics.

APPEALS PROCESS

Student-athletes demonstrating positive test results and wishing to appeal the results must follow the designated appeals process:

1. If the student-athlete challenges the test results, he/she must notify the Head Athletic Trainer or the Director of Athletics in writing within 24 hours after the meeting to discuss the test results.
2. Upon receiving notice of challenge, the Head Athletic Trainer and/or Team Physician will meet with the student-athlete for further discussion about the reliability of the test and to determine whether an additional test should be administered. If an additional test is administered, the "B" specimen will be tested by the same laboratory that tested the "A" specimen. Re-testing of the original sample will be at the student-athlete's own expense.
3. If the Head Athletic Trainer determines the test results reflect a true positive, the test results may be communicated to the Director of Athletics, the Associate Athletic Director/SWA, Compliance Coordinator and the Head Coach of the appropriate sport or sports. The student-athlete will be subject to the appropriate penalties as described previously.
4. If it is determined that the initial results were a "false positive", the result will be documented in the student-athlete's confidential file located in the Department of Intercollegiate Athletics. The student-athlete will not undergo any further disciplinary action.

Sam Houston State University Intercollegiate Athletics Safe Harbor Program

A student-athlete may self-refer to the Department of Intercollegiate Athletics' "Safe Harbor Program" for voluntary evaluation and counseling. A student-athlete is not eligible for the Safe Harbor Program after notification of an impending drug test or after receiving notice of a positive test from Sam Houston State University.

The student-athlete who desires to self-refer to the Safe Harbor Program may do so by notifying the Director of Athletics, Head Athletic Trainer, Associate Athletic Director/SWA, Compliance Coordinator or Head Coach, and completing the Request to Enter Safe Harbor Program form (Appendix D).

The Department of Intercollegiate Athletics will work with the student-athlete to prepare a Safe Harbor treatment plan, which may include confidential drug testing as well completing Drug counseling with the Sam Houston State Counseling Center within the 30 days of harbor. If the student-athlete tests positive for a banned substance upon entering the Safe Harbor Program, that positive will not result in any administrative sanctions. Upon entrance into the Safe Harbor program the student athlete will Serve a 1 game/match/meet suspension for bowling football, golf, tennis, & track; 2 games/match for men's and women's basketball, women's soccer and volleyball; 1series or 3 games for baseball and softball. The Team Physician may suspend the student-athlete from play or practice if medically indicated. A student-athlete will be permitted to remain in the Safe Harbor Program up to thirty (30) days and/or completion of the required drug counseling program, as determined by the treatment plan. A student-athlete will not be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or Southland Conference postseason competition.

While in compliance with the Safe Harbor Program, the student-athlete will not be included in the list of student-athletes eligible for random drug testing by the Department of Intercollegiate Athletics. **Student-athletes in the Safe Harbor Program will remain subject to the NCAA Drug Testing Program.** The Director of Athletics, Team Physician, Head Athletic Trainer, Associate Athletic Director/SWA, Compliance Coordinator, and Head Coach may be informed of the student-athlete's participation in the Safe Harbor Program. Other University employees may be informed only to the extent necessary for the implementation of this policy.

If a student-athlete tests positive on a second test for any banned substance after entering the Safe Harbor Program or fails to comply with the treatment plan, the student-athlete will be removed from the Safe Harbor Program. The initial positive test under the Safe Harbor Program will be treated as a first positive and the second positive test will result in action consistent with a second positive test.

A student-athlete may only enter the Safe Harbor Program once during their intercollegiate career while attending Sam Houston State University. In addition, if a student athlete has previously tested positive for an institutional test they too are not eligible for entrance into the Safe Harbor Program.

Sam Houston State University Intercollegiate Athletics

**Institutional Drug Education & Testing Program
Consent and Authorization Agreement**

For and in consideration of my being permitted to participate in Sam Houston State University Intercollegiate Athletics, which I acknowledge to be a privilege and not a right or entitlement, I hereby agree to abide by the principles and conditions of the drug testing program that has been adopted by the University for its athletic department and the Texas State University System and any amendments thereto for the duration of my participation at Sam Houston State University Intercollegiate Athletics. I have received a copy of the University's "Drug Education and Testing Program", and have read and understand its provisions, including possible sanctions for violation of those provisions.

I hereby authorize the Department of Intercollegiate Athletics at Sam Houston State University to obtain and release test analysis results and information pertaining to and obtained under the provisions of the Department of Intercollegiate Athletics' drug education and testing program to those persons or entities identified in said program, including but not limited to: the Team Physician, Director of Athletics, Head Athletic Trainer, Associate Athletic Director/SWA, Compliance Coordinator, Head Coach, a counseling professional within the Student Counseling Center of Sam Houston State University, and/or a private treatment facility.

I do authorize the staff at the Student Counseling Center of Sam Houston State University or any private substance abuse treatment center to release information regarding my attendance (or lack thereof) and satisfactory completion of any required counseling or education sessions mandated by Sam Houston State University Intercollegiate Athletics.

My execution of this form shall be consent for the release of such information under the Texas Occupations Code, Section 159.005 (physician-patient-confidential information), Public Information Act, Government Code, Chapter 552, and the Family Education Rights and Privacy Act of 1974 (Title 20 U.S.C.A. Sec. 1232g).

I further hereby release Sam Houston State University, its Regents, and their respective employees and agents from any and all liability for the damages that may result from the authorized release of such information or records.

(Print Student Athlete Name)

(Signature of Student Athlete)

(Sport)

(Date)

(Signature of Parent or legal guardian, if Student-Athlete is under 18 years of age)

(Signature of Supervising Full-Time Staff Athletic Trainer)

Sam Houston State University Intercollegiate Athletics

**Institutional Drug Education & Testing Program
Probable Cause to Suspect Drug Use Notification Form**

I, _____, under the probable cause to suspect drug use or abuse report the
(Department of Athletics representative)

following objective sign(s), symptom(s) or behavior(s) that I reasonably believe warrant

_____ be referred for possible drug testing under the Department of Athletics
(Name of Student-Athlete)

Institutional Drug Education and Testing Program.

The following sign(s), symptom(s), and/or behavior(s) were observed by me over the past _____ hours and/or
_____ days. **Please check below all that apply:**

The Student-Athlete has shown:

- _____ irritability
- _____ loss of temper
- _____ poor motivation
- _____ failure to follow directions
- _____ verbal outburst
- _____ emotional outburst
- _____ sudden weight gain
- _____ sudden weight loss
- _____ sloppy hygiene and/or appearance

The Student-Athlete has been:

- _____ late for practice
- _____ late for class
- _____ not attending class
- _____ receiving poor grades
- _____ missing appointments
- _____ missing/skipping meals

The Student-Athlete has demonstrated the following:

- _____ dilated pupils
- _____ constricted pupils
- _____ red eyes
- _____ smell of alcohol on breath at practice
or competition
- _____ smell of marijuana
- _____ staggering or difficulty walking
- _____ constantly running and/or red nose
- _____ over stimulated or "hyper"
- _____ excessive talking
- _____ withdrawn and/or less communicative
- _____ periods of memory loss
- _____ slurred speech
- _____ combative behavior or fighting
- _____ been arrested, detained in jail, or received
a citation for a drug related offense

Other specific objective findings include:

(print name athletic staff member)

(signature)

(date)

Reviewed by:

Approved for testing:

_____ YES _____ NO

(Director of Athletics)

(date)

If approved for testing, forward copy of this form to Head Athletic Trainer. Place original in Student-Athlete's permanent file.

Appendix C

Sam Houston State University Intercollegiate Athletics

Institutional Drug Education & Testing Program Disciplinary Action Contract

I, _____, understand that on _____, I was found to have a
(Student-Athlete name) (date)

positive drug test for the following substance(s): _____

This positive test constitutes a:

First Positive Test

Second Positive Test

Third Positive Test

Following a meeting with the individuals whose signatures appear below, I understand that I will follow the appropriate sanctions for the offense as outlined in the Department of Intercollegiate Athletics' Institutional Drug Education and Testing Program.

Additionally, my Head Coach has imposed the following sanctions and/or requirements:

Failure to comply with any of the above sanctions may result in my suspension, dismissal, and/or adjustment or termination of my scholarship.

I have read, understand, and agree to comply with the above.

(Student-Athlete name printed)

(Student-Athlete signature)

(date)

(Director of Athletics)

(Head Coach)

(Head Athletic Trainer)

(Associate AD/ SWA)

(Compliance Coordinator)

Cc: University President

**Sam Houston State University Intercollegiate Athletics
Institutional Drug Education & Testing Program
Request to Enter Safe Harbor Program**

I, the undersigned, request to enter the Sam Houston State University Intercollegiate Athletics Safe Harbor Program. I understand that by this request, I will:

- Be immediately tested for drugs according to procedures described in the Sam Houston State University Drug Education and Testing Program
- Be evaluated by the Team Physician and/or a substance abuse counselor, as determined by the Team Physician
- Follow and complete the prescribed counseling and treatment plan
- Be subject to further drug testing at a frequency prescribed by the Team Physician and/or counselor
- Remain in the Safe Harbor Program until released by the Team Physician and/or counselor for a period of time for 30 days or upon completion of SHARP, and
- Be suspended for the designated amount of games/matches/meet/tournaments indicted in the Sam Houston State University Drug Education and Testing Program
- Not be eligible for selection to participate in drug screening under the Sam Houston State University Intercollegiate Athletics Drug Education and Testing Program, but
- **Will remain eligible for drug testing as mandated by the NCAA**

I sign this request voluntarily and will fully knowledge the significance and consequences of my signature. I represent and assert that no one associated with Sam Houston State University has promised me anything other than what is contained in the Safe Harbor Program description which is attached to this document.

Student-Athlete Name (printed): _____

Student-Athlete Signature: _____

Today's Date: _____

For Head Athletic Trainer and/or Team Physician:

Student Athlete Eligible for Safe Harbor Program: ____ Yes ____ No

Reviewed Safe Harbor Program with SA: ____ Yes ____ No

Signature: _____

Title: _____

Date: _____