

GARDNER-WEBB UNIVERSITY
Department of Athletics
Substance Abuse Education and Testing Policy

MISSION

The following policy statement has been adopted and shall be administered by the Gardner-Webb University Athletic Department. Gardner-Webb University reserves the right to make changes to this policy as needed, and this policy should not be construed to create a contract between the student-athlete and Gardner-Webb University. Please note, this policy represents the Gardner-Webb University substance abuse/testing policy, which is separate and distinct from the NCAA drug-testing program (including all sanction phases). Information regarding the NCAA drug-testing program is available at www.ncaa.org.

Gardner-Webb University is committed to Christian higher education and is concerned with the health, safety and welfare of the student-athletes who participate in its programs and represent the university in competitive athletics. Substance abuse is one of the most important issues facing athletics and society today. The use of illegal drugs, misuse of legal drugs and dietary supplements, use of performance-enhancing substances, use of alcohol and inappropriate use of tobacco are inconsistent with the standards expected of student-athletes at Gardner-Webb University. Substance use and abuse in sport can pose risks to a student-athlete's health/safety and negatively affect his/her academic and athletic performance. Substance use and abuse in sport may also compromise the integrity of athletic competition and the ideals of Gardner-Webb University.

For the purposes of this policy, "student-athlete" shall mean any student at Gardner-Webb University who participates in the University's Intercollegiate Athletics as a cheerleader, athletic training student or is a student-athlete listed on the official squad list.

PURPOSE

The purpose of the substance abuse education and testing policy at Gardner-Webb University is to educate student-athletes on substance abuse and to deter that use among Gardner-Webb's student-athletes. The basic purposes are:

- 1) To educate student-athletes and athletics staff with accurate information about the problems associated with substance use in sport, promoting health and safety in sport;
- 2) To provide a deterrent effect against prohibited substances through the administration of drug testing;
- 3) To identify student-athletes in need of treatment and rehabilitation and to facilitate professional referral for such; and
- 4) To identify and possibly eliminate chronic users in order to maintain the integrity of the Intercollegiate Athletics Program.

Working in cooperation with the Vice President and Dean for Student Development's office and local health officials, the Intercollegiate Athletics Department will provide educational programs, as well as current drug research for each of the athletic teams.

DRUG TESTING ACKNOWLEDGMENT AND CONSENT FORM

As a condition of participation in intercollegiate athletics at Gardner-Webb University, each student-athlete will be required to sign a consent form agreeing to undergo drug testing and authorizing release of test results in accordance with this policy (**See Appendix A**). Failure to consent to or to comply with the requirements of this policy will result in being denied the privilege of participating in intercollegiate athletics at Gardner-Webb University. Each student-athlete annually will be given a copy of the Substance Abuse Education and Testing Policy and will be required to participate in an informative session describing alcohol, tobacco and other drug education and testing policies. Additionally, student-athletes will be given an opportunity to ask any questions regarding the information contained in the policy, the testing program, or other related issues prior to signing the drug-testing consent form.

ALCOHOL, TOBACCO, DIETARY SUPPLEMENTS, AND OTHER PROHIBITED SUBSTANCES

University Alcohol and Drug Policy

The policies listed below apply to the Gardner-Webb campus and all University sponsored events at off campus locations. Administrators, alumni, faculty, guests, staff, and students must adhere to all applicable federal, state, and local law and University regulations related to the sale and use of alcoholic beverages and drugs. Any person found in possession of felony drugs, or manufacturing or selling of alcoholic beverages or drugs on the university campus or at University sponsored events will be referred to University Police for prosecution. Any student or employee convicted of violation of state and local law may be subject to suspension from the University.

Gardner-Webb University supports and is fully committed to the concept of a drug and alcohol free campus community. In order to comply with the Drug-Free Schools and Communities Act Amendments of 1989, Gardner-Webb publishes the following and makes it available to each student and to all employees. The unlawful manufacture, distribution, dispensing, possession or use of controlled substances such as, but not limited to, the following:

- Narcotics (heroin, morphine, etc.)
- Cannabis (marijuana, hashish, etc.)
- Stimulants (cocaine, diet pills, etc.)
- Depressants (tranquilizers, etc.)
- Hallucinogens (PCP, LSD, designer drugs, etc.)
- Designer (MDA, MDA-known as ecstasy, ice, etc.)

Alcohol is prohibited by students, employees, and guests on Gardner-Webb University's property or as any part of the University's activities. As a condition of enrollment, Gardner-Webb University students and employees will abide by these terms.

Gardner-Webb will impose disciplinary sanctions on students and employees who violate the terms of paragraph one. Upon conviction, the appropriate disciplinary action, up to and including expulsion from the University and/or satisfactory participation in a drug and alcohol abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement, or other appropriate agency will be taken. More specific penalties are outlined in the following publications: Gardner-Webb University Student Handbook, Gardner-Webb University Special Studies Bulletin, Gardner-Webb University Graduate catalog and Gardner-Webb Personnel Policies manual. Violations may also be referred to the appropriate civil

authorities for prosecution under local, state, and federal law. Local, state, and federal laws prohibit the unlawful possession, and distribution of illicit drugs and alcohol. The applicable legal sanctions for various offenses are listed in the North Carolina Criminal Law and Procedure book, a reference copy maintained in the University Police Office. A booklet describing the health risks associated with the illicit drugs and abuse of alcohol is made available to all students and employees. Additional information and individual counseling is available through the University's Counseling Center in Washburn Hall. If necessary and at the student/employees expense, referral can be made to an outside agency. Violation of subsection (a1) of this section shall be an infraction and shall not be considered a moving violation for purposes of G.S.20-16 (c) The law prohibiting passengers in a motor vehicle from possessing an open container of alcoholic beverage in the passenger area of a motor vehicle.

Tobacco

The use of tobacco products is prohibited by all game personnel (e.g. coaches, student-athletes, athletic trainers, managers and game officials) in all sports during practice and competition.

Dietary Supplements

Many dietary supplements or ergogenic aids contain banned substances. Oftentimes the labeling of dietary supplements is not accurate and is misleading. Terms such as "healthy" or "all natural" do not mean dietary supplements do not contain a banned substance or are safe to take. Using dietary supplements may cause positive drug tests. Student-athletes who are currently taking dietary supplements or intend to take any are required to review the product with their team physician, certified athletic trainer or other qualified professional(s). Student-athletes are solely responsible for any substance that they ingest. All student-athletes are encouraged to use the Drug Free Sport Resource Exchange Center (REC) to obtain current and accurate information on dietary supplements or ergogenic aids. All inquiries to the REC are confidential. The Resource Exchange Center may be accessed at www.drugfreesport.com/REC/. In addition, information is available at www.healthycompetition.com.

Prohibited Drugs and Substances

The drug and/or alcohol screening process may include analysis of, but is not limited to, the NCAA list of banned-drug classes (**See Appendix B**). For an ongoing updated listing of the banned-drug list view the NCAA's web site at www.ncaa.org. Prohibited substances that Gardner-Webb University may screen for include, without limitation, marijuana, PCP, opiates, MDMA (Ecstasy), amphetamines, cocaine, flunitrazepam (Rohypnol) and anabolic steroids. Gardner-Webb University requires that all student-athletes keep the athletic training staff and/or team physician aware of any prescribed drugs and dietary supplements that he or she may be taking. Gardner-Webb University reserves the right to test for substances not contained on the NCAA banned-drug list and may test at cut off levels that differ from the NCAA program.

TYPES OF DRUG TESTING

- 1) **Unannounced Random Testing**
All student-athletes who have signed the institutional drug-testing consent form and are listed on the institutional squad list are subject to unannounced random testing. Students listed on the squad list that have exhausted their eligibility or who have had a career-ending injury will not be selected for testing. The Vice President for Athletics or his/her designee will select student-athletes from the official institutional squad lists by using a computerized random number program.
- 2) **Pre-season Screening**
Student-athletes are subject to pre-season drug testing and may be notified of such by the Vice President for Athletics or his/her designee at any time prior to their first competition.
- 3) **Reasonable Suspicion Screening**
A student-athlete may be subject to testing at any time when the Vice President for Athletics or his/her designee determines there is individualized reasonable suspicion to believe the participant is using a prohibited drug. Such reasonable suspicion may be based on objective information as determined by the Vice President for Athletics or by a Head Coach, Assistant Coach, Director of Athletic Training, Assistant Athletic Trainer, or Team Physician, and deemed reliable by the Vice President for Athletics or his/her designee. Reasonable suspicion may include, without limitation, 1) observed possession or use of substances appearing to be prohibited drugs, 2) arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs or substances, or 3) observed abnormal appearance, conduct or behavior reasonably interpretable as being caused by the use of prohibited drugs or substances. Among the indicators which may be used in evaluating a student-athlete's abnormal appearance, conduct or performance are: class attendance, significant GPA changes, athletic practice attendance, increased injury rate or illness, physical appearance changes, academic/athletic motivational level, emotional condition, mood changes, and legal involvement. If suspected, the Vice President for Athletics or his/her designee will notify the student-athlete and the student-athlete must stay with a member of their coaching staff, the athletics administration staff, or the sports medicine staff, until an adequate specimen is produced. Note: The possession and/or use of illegal substances may be determined by means other than urinalysis. When an individual is found to be in possession and/or using such substances, he/she will be subject to the same procedures that would be followed in the case of a positive.
- 4) **Postseason/Championship Screening**
Any participant or team likely to advance to post-season championship competition may be subject to additional testing. Testing may be required of all team members or individual student-athletes at any time within thirty (30) days prior to the post-season competition. If a student-athlete tests positive, he or she will not be allowed to compete at the post-season event and will be subject to the sanctions herein.

- 5) Re-entry Testing
A student-athlete who has had his or her eligibility to participate in intercollegiate sports suspended as a result of a drug and/or alcohol violation, may be required to undergo re-entry drug and/or alcohol testing prior to regaining eligibility. The Vice President for Athletics or his/her designee shall arrange for re-entry testing after the counselor or specialist involved in the student-athlete's case indicates that re-entry into the intercollegiate sports program is appropriate.

- 6) Follow-up Testing
A student-athlete who has returned to participation in intercollegiate sports following a positive drug test under this policy may be subject to follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Vice President for Athletics or his/her designee in consultation with the counselor or specialist involved in the student-athlete's case.

SELECTION AND NOTIFICATION FOR TESTING

Selection

- 1) Selection of student-athletes may be performed through computer-generated random selections or because of reasonable suspicion of substance use. In addition, student-athletes may be selected for testing prior to participation in intercollegiate sport or prior to participation in post-season (championship) competition. Student-athletes may also be selected for drug testing for re-entry purposes or follow-up testing after a positive test result.
- 2) The student-athletes will be selected from an institutional squad list provided by the Head Coach of their respective sport.
- 3) The site coordinator will be notified of the selection list no later than two days before the test date.
- 4) The drug-testing program is in effect throughout the calendar year.

Notification

- 1) All student-athletes to be tested will be notified by their Head Coach and/or Athletic Trainer on the day they are to be tested, and of the designated time and place to report.
- 2) The student-athlete will be contacted by phone or in person.

COLLECTION PROCEDURES

Specimen collection will be based on the National Center for Drug Free Sport Urine Collection Protocol.

1. Upon entering the collection station, the student-athlete will provide photo identification and/or a client representative/site coordinator will identify the student-athlete and the student-athlete will officially enter the station.
2. The student-athlete will select a sealed collection beaker from a supply of such and will record his/her initials on the collection beaker's lid.
3. A collector, serving as validator, will monitor the furnishing of the specimen by observation in order to assure the integrity of the specimen until a volume of at least 50 mL is provided (85-100 mL if testing for anabolic steroids – depending on which steroid panel is selected).
4. Validators who are of the same gender as the student-athlete must observe the voiding process and should be members of the official drug-testing crew. The procedure does not allow for validators to stand outside the immediate area or outside the restroom. The student-athlete must urinate in full view of the validator (validator must observe flow of urine). The validator must request the student-athlete raise his/her shirt high enough to observe the midsection area completely and drop their shorts/pants (including underwear) ruling out any attempt to manipulate or substitute a sample.
5. Student-athletes may not carry any item other than his/her beaker into the restroom when providing a specimen. Any problem or concern should be brought to the attention of the collection crew chief or client representation for documentation. Student-athletes are encouraged to wash and dry hands prior to and following urination.
6. Once a specimen is provided, the student-athlete is responsible for keeping the collection beaker closed and controlled.
7. Student-athletes who have difficulty voiding can drink eight ounces of fluid every 30 minutes (approved by the collector) and consumed in the station. These items must be caffeine- and alcohol-free and free of any other banned substances.
8. If the specimen is incomplete, the student-athlete must remain in the collection station until the sample is completed. During this period, the student-athlete is responsible for keeping the collection beaker closed and controlled.
9. If the specimen is incomplete and the student-athlete must leave the collection station for a reason approved by the collector, specimen must be discarded.
10. Upon return to the collection station, the student-athlete will begin the collection procedure again.
11. Once an adequate volume of the specimen is provided, the collector who monitored the furnishing of the specimen by observation will sign that the specimen was directly validated and a collector will check the specific gravity and if in range measure the pH of the urine in the presence of the student-athlete.
12. If the urine has a specific gravity below 1.005 (1.010 if measured with a reagent strip), the specimen will be discarded by the student-athlete. The student-athlete must remain in the collection station until another specimen is provided. The student-athlete will provide another specimen.

13. If the urine has a pH greater than 7.5 (with reagent strip) or less than 4.5 (with reagent strip), the specimen will be discarded by the student-athlete. The student-athlete must remain in the collection station until another specimen is provided. The student-athlete will provide another specimen.
14. If the urine has a specific gravity above 1.005 (1.010 if measured with a reagent strip) and the urine has a pH between 4.5 and 7.5 inclusive, the specimen will be processed and sent to the laboratory.
15. The laboratory will make final determination of specimen adequacy.
16. If the laboratory determines that an student-athlete's specimen is inadequate for analysis, at the client's discretion, another specimen may be collected.
17. If an student-athlete is suspected of manipulating specimens (e.g., via dilution), the client will have the authority to perform additional tests on the student-athlete.
18. Once a specimen has been provided that meets the on-site specific gravity and pH parameters, the student-athlete will select a specimen collection kit and a uniquely numbered Chain of Custody Form from a supply of such.
19. A collector will record the specific gravity and pH values.
20. The collector will pour a minimum of 35 mL of the specimen into the "A vial" and the remaining amount (a minimum of 15 mL) into the "B vial" (another A=35 mL, B=15 mL in a second split sample kit or A=35 mL for a single sample for anabolic steroid testing, which will be shipped to a WADA accredited laboratory) in the presence of the student-athlete.
21. The collector will place the cap on each vial in the presence of the student-athlete; the collector will then seal each vial in the required manner under the observation of the student-athlete and witness (if present).
22. Vials and forms (if any) sent to the laboratory shall not contain the name of the student-athlete.
23. All sealed specimens will be secured in a shipping case. The collector will prepare the case for forwarding.
24. The student-athlete, collector and witness (if present) will sign certifying that the procedures were followed as described in the protocol. Any deviation from the procedures must be described and recorded. If deviations are alleged, the student-athlete will be required to provide another specimen.
25. After the collection has been completed, the specimens will be forwarded to the laboratory and copies of any forms forwarded to the designated persons.
26. The specimens become the property of the client.
27. If the student-athlete does not comply with the collection process, the collector will notify the client representative/site coordinator and third party administrator responsible for management of the drug-testing program.

28. On occasion, a client may choose to test using a single specimen kit. The collector will follow the split specimen procedures up to the point where the student-athlete selects a sealed kit. With a single specimen kit, the collector will instruct the student-athlete to provide at least 40 mL of urine allowing for a 5 mL pour-off to measure specific gravity and pH on site. A single A vial will be processed and transported to the laboratory for analysis.

TEST RESULTS

Urine samples will be collected and sent to an independent SAMHSA or WADA accredited laboratory for analysis. Each sample will be tested to determine if banned drugs or substances are present. If the laboratory reports a specimen as substituted, manipulated or adulterated, the student-athlete will be deemed to have refused to submit to testing and treated as if the test were positive for a banned substance. Utilizing a split sample procedure, the laboratory will screen for prohibited drugs from the A vial. If the sample screens positive, the laboratory will confirm the result from the A vial. All negative specimens will be discarded and a negative report returned to the Director of Athletic Training at Gardner-Webb University. If there is confirmation of a positive result, the results will be reported to the Director of Athletic Training, who will then share the results with the student-athlete, Team Physician, the Vice President for Athletics, The President of the University, and the appropriate Head Coach.

Should the student-athlete request a second confirmation, then the same laboratory will utilize the securely frozen B vial for such. **PLEASE NOTE – if a student-athlete tests positive for a prescription medication (i.e. codeine) and cannot show proof of a prescription from a licensed physician, then they will follow the same consequences as any other positive.**

FAILURE TO REPORT

A student-athlete who fails to show for a drug test following notification by their Coach will be treated as a positive drug test. Extenuating circumstances may exist and each case will be reviewed on an individual basis. The student-athlete is strongly encouraged to notify the Director of Athletic Training or another full-time member of the Athletic Training Staff if problems arise after being notified to report.

SANCTIONS

First Offense

Upon the confirmation of a positive drug test, the following will occur.

- 1) The student-athlete must schedule evaluation and counseling sessions with the Director of the Counseling Center within 72 hours of being notified of a positive test.
- 2) The student-athlete will be suspended from 10 percent of the allowable dates of competition for the traditional season as determined by the NCAA Division I Manual. When 10 percent of a season equals a partial number of games, that number will be rounded up to the next, whole number of games. For example if 10 percent of the season equals 2.1 games, the student-athlete will miss three games.

- a. If the positive test result occurs in the non-traditional season, the suspension will carry over into the next traditional season. Note, scrimmages and out of season competitions will not count towards the 10 percent.
 - b. The student-athlete will be required to attend all athletically related activities at the Head Coach's discretion during this suspension, unless in a scheduled counseling session.
 - c. The student-athlete may participate in all practice sessions during the duration of the first offense; provided a medical evaluation supports the drug use in question does not place the student-athlete at undue risk.
- 3) The Intercollegiate Athletics Department reserves the right to require that the student-athlete contact their parents, explaining the positive test, what must be done to correct the situation and the possible consequences if they continue to be involved with substance abuse.

Please note that the student-athlete's Head Coach may have penalties for a positive drug test in addition to this policy. This could include the loss of athletics financial aid as per NCAA Bylaw 15.3.4.1(c). If the Director of the Counseling Center determines that a need exists for counseling off-campus, or additional medical attention, the student-athlete will be referred, at their own expense, to a local agency. Before returning to full competition, the student-athlete must have a negative re-entry drug test administered by the University Athletic Training Staff. The student-athlete may be subject to unannounced follow-up testing at any time thereafter.

Second Offense

If at any time during their enrollment at Gardner-Webb a student-athlete tests positive a second time, the following applies:

- 1) The student-athlete will be declared ineligible, and lose their athletics grant-in-aid for one full calendar year. In compliance with institutional, conference, and NCAA rules and regulations, the institution shall inform the student-athlete in writing that he or she, upon request, shall be provided a hearing before the institutional agency making the award. NCAA Bylaw 15.3.5.1.1.
- 2) Counseling, arranged by the Director of the Counseling Center, will be required. If the Director of the Counseling Center feels that the student-athlete will need outside referral, this will be done at the student-athlete's expense.
- 3) The student-athlete may also be subject to other appropriate sanctions placed upon them by the University's Code of Student Conduct.

If the student-athlete would like to have his/her eligibility and/or scholarship reinstated after a second offense, they must submit a typewritten letter to the Vice President for Athletics stating their reasons for reinstatement. If the Vice President for Athletics finds this letter satisfactory, then the student-athlete will appear before a committee formed by the Vice President for Athletics, Director of Athletic Training, Vice President and Dean for Student Development, and Director of Counseling the Center. Only upon this committee's recommendation will the student-athlete be reinstated. After testing positive, a student-athlete can be retested at any time.

Third Offense

A third positive test will lead to the permanent loss of athletics grant-in-aid from Gardner-Webb University. The student-athlete will be encouraged to seek outside professional counseling or medical attention at their expense.

APPEALS PROCESS FOR A POSITIVE DRUG TEST RESULT

- 1) The student-athlete may appeal a positive drug test result. If the student-athlete elects to have the B sample testing, that request must be filed with Drug Free Sport and the B Sample result provided to the institution prior to the appeal.
- 2) The request for a student-athlete appeal shall be submitted in writing (e.g., letter, fax, email, etc.) by the student-athlete to the Director of Athletic Training within 48 hours of notification of the student-athlete's B sample result, if requested.
- 3) Every effort will be made to hear the student-athlete's appeal before the student-athlete's next contest if the student-athlete has completed number two listed above in a timely fashion every effort will be made.
- 4) Copies of the report from the laboratory that contain results from the A specimen and B specimen will be forwarded to the Director of Athletic Training.
- 5) Technical experts may serve as consultants to the committee in connection with such appeals.
- 6) The certified athletic trainer may serve as a consultant to the committee in appeal phone calls involving matters of collection protocol.

ADDITIONAL INFORMATION

Gardner-Webb University's Athletic Training Staff requests that all student-athletes keep the Director of Athletic Training and/or Team Physician aware of any prescription medication that he/she may be taking. This is particularly important since some prescribed medicines may show up on the urinalysis. It is imperative that Gardner-Webb's Athletic Training Staff know in advance if a student-athlete is taking any prescribed medications.

IF YOU NEED HELP, WE ENCOURAGE YOU TO TAKE ACTION TODAY.