



## **Caldwell College Department of Intercollegiate Athletics Student-Athlete Drug Education and Drug Testing Program**

The Caldwell College Administration and the Department of Athletics has approved this policy. The Department of Athletics reserves the right to amend this policy from time to time as needed. Furthermore, this policy is not to be construed as a contract between the college and the student-athlete.

The Department of Athletics at the Caldwell College is concerned with the health, safety and well-being of the student-athletes who participate in its programs and represent the college 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 Caldwell College. Substance use and abuse in sport can pose risks to the student-athlete's health and negatively affect his or her academic and athletic performance. It also can compromise the integrity of athletic competition and the ideals of the Caldwell College.

The Department of Athletics at the Caldwell College believes it is our responsibility to do everything possible to protect the health and well being of our student-athletes. It is our desire, therefore, to educate our athletes about the effects (both long and short term) of drugs and over-the counter dietary supplements on their performance and much more importantly, on their lives. It is our hope that our student-athletes will recognize the dangers of drug use and therefore compete and live free of all dangerous substances.

### **Purposes of the Student-Athlete Drug Education and Drug Testing Program**

The Department of Athletics believes that random drug testing and testing based on reasonable suspicion are appropriate to ensure the health, safety and well-being of our student-athletes, to promote fair competition in intercollegiate athletics, to affirm compliance with applicable rules and regulations on drug and alcohol abuse, to identify student-athletes who are improperly using drugs or alcohol and to assist them before they harm themselves or others. Furthermore, the Department of Athletics in conjunction with the Student Development Center recognizes its responsibility to provide educational programming that will support a positive decision-making process.

1. To assure all student-athletes, parents and College officials that the Caldwell College Intercollegiate Athletics Department are committed to providing a drug-free environment for the conduct of all athletic programs.
2. To disseminate information and to educate all student-athletes about the risks associated with drug and alcohol use.
3. To deter student-athletes from using drugs and alcohol.
4. To adhere to NCAA and Caldwell College Rules and Procedures regarding licit or illicit drug use by student-athletes.
5. To protect the reputation and integrity of the Caldwell College Intercollegiate Athletics Program.
6. To identify student-athletes who are using illicit drugs or abusing alcohol or other licit drugs and provide av-

venues for treatment and rehabilitation.

### **Alcohol, Tobacco and Other Drug Education**

Athletes who are educated about substance use in sport are more likely to make informed and intelligent decisions about usage. The Caldwell College Department of Intercollegiate Athletics through the Center for Student Development will conduct a drug and alcohol education program for student-athletes at least twice a year. These educational programs will be designed to review athletic department, institutional, and NCAA policies related to the use of alcohol, tobacco and other drugs. Appropriate educational materials will be made available to participants. Additionally, a resource pool of educational materials will be made available for use by coaches and student-athletes at any time throughout the year. All student-athletes are required to attend the educational programs. Make-up sessions are available for participants who must miss a scheduled educational session for an approved reason.

In addition to educating student-athletes and athletics staff about the various policies, a review of Caldwell College's institutional drug-testing program will be conducted. Dietary supplements and their inherent risks for student-athletes will be discussed. Time will be allowed for questions from participants.

### **Athletic Department Staff Responsibility**

All athletics staff members must be aware of and committed to the drug education and drug-testing program. No athletics staff member shall encourage or advise any student-athlete to take performance-enhancing or non-therapeutic drugs and further, they shall not issue or assist student-athletes in obtaining any performance-enhancing or non-therapeutic drugs. Staff members shall advise and educate student-athletes against these types of substances and shall report the use, or suspected use, of performance-enhancing and/or non-therapeutic drugs by a student-athlete to the appropriate athletic department administrator. All athletics staff members shall direct student-athletes who desire to use dietary supplements to the Athletic Trainer or the Team Physician. Any staff member found to be in violation of this policy is subject to dismissal.

### **Consent to Participate**

As a condition of participation in intercollegiate athletics at Caldwell College, each student-athlete will be required to sign a Caldwell College consent form agreeing to undergo drug and alcohol 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 may result in suspension from participation or termination of eligibility to participate in intercollegiate athletics at the Caldwell College. 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 Caldwell College drug-testing consent form.

All Caldwell College student-athletes listed on the institutional squad list and who have signed the institutional consent form shall be subject to drug testing under the terms of this policy. This includes but is not limited to student-athletes who are "red shirting," student-athletes who are academically ineligible, student-athletes who are injured and 5th year student-athletes who are receiving athletic-related aid and/or using other athletic-related services. All student-athletes shall be subject to drug testing under the terms of this policy throughout the calendar year, including summer.

### **Use of Dietary Supplements**

Many dietary supplements or ergogenic aids contain banned substances. Often the labeling of dietary supplements is not accurate and is misleading. Terms such as "healthy" or "all natural" do not mean dietary supplements are free of banned substance or are safe to take. Using dietary supplements may lead to negative side effects such as dehydration and/or 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 the Athletic Trainer or Team Physician. Student-athletes are encouraged to contact the National Center for Drug Free Sport, Inc. at [www.drugfreesport.com](http://www.drugfreesport.com)

or the Dietary Supplement Resource Exchange Center (REC) at [www.drugfreesport.com/rec](http://www.drugfreesport.com/rec) for information on dietary supplements and other banned substances.

### **Policy and Procedures Concerning Alcohol or Drug Related Bad Behaviors**

As a result of the accessibility of alcohol by students, alcohol use and abuse are prevalent on college campuses. Student-athletes shall abide by all federal, state, local, college, and departmental alcohol policies. An alcohol violation shall include any violation of federal, state, local, college, or department alcohol policies, which includes any known and documented incident(s) documented by a Department of Athletics staff member.

Student-athletes shall not attend any athletic-sponsored meetings, treatments, practices, programs, services, contests, etc. while under the influence of alcohol. The consumption of alcohol while on College-sponsored travel is strictly prohibited. In addition, the consumption of alcohol by any student-athlete, student-athlete host and/or prospective student-athlete during recruitment visits is strictly prohibited.

It is the responsibility of all student-athletes to know all federal, state, and local laws as well as the college and athletic department policies related to the use of alcohol and drugs. Federal, New Jersey State and local laws provide many legal sanctions for the unlawful possession or distribution of controlled substances. These sanctions include severe criminal penalties such as fines and/or imprisonment.

If a student-athlete is determined to be involved in an alcohol or drug related incident, or if the student-athlete tests positive for alcohol, the student-athlete may be required to attend a counseling session for the purposes of evaluation, education, and if necessary, treatment or rehabilitation. If counseling is required, the student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician, the athletic trainer, and the Executive Athletic Director. Failure to sign such a release will render the student-athlete ineligible for practice and competition.

An alcohol or drug related incident shall include but is not limited to the following: underage drinking, minor in possession (MIP), public intoxication, drunk and disorderly conduct, DWI/DUI, assault while under the influence of alcohol or drugs, possession of drugs, and/or any violation of the Caldwell College Code of Conduct involving alcohol or drugs.

The Executive Athletic Director, or his or her designee, and the Head Coach, the athletic trainer in consultation with a college counselor, will determine on a case-by-case basis if the circumstances warrant suspension of the student-athlete from practice and/or competition. The first time a student-athlete is determined to be involved in an alcohol or drug related incident or the first time a student-athlete tests positive for alcohol, it may be classified as a “warning.”

### **Sanctions for Alcohol or Drug Related Bad Behaviors**

The following sanctions shall apply to a student-athlete for alcohol and drug related bad behaviors. Alcohol and drug related bad behaviors are cumulative for the student-athlete’s athletic career at the Caldwell College, including write-ups. Not meeting any or all of the sanction requirements will be considered another violation of this policy and the next subsequent sanction shall apply. For health and safety reasons, a team physician may withhold a student-athlete from practice and/or competition at any time.

### **First Alcohol or Drug Related Offense**

The Executive Athletic Director or his or her designee may schedule a confidential meeting with, the Head Coach, the Athletic Trainer, a college counselor and the student-athlete.

The student-athlete may be required to attend a counseling session for the purposes of evaluation, education, and if necessary, treatment or counseling. If counseling is required, the student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician, the Athletic Trainer, and the Executive Athletic Director. Failure to sign such a release will render the student-athlete immediately ineligible for practice and competition. Failing to meaningfully participate in the evaluation/counseling process as defined by the counselors will be classified as a second offense.

The student-athlete will be required to complete 10 hours of campus/community service within 30 days of the alcohol or drug related offense.

### **Second Alcohol or Drug Related Offense**

The Executive Athletic Director shall schedule a confidential meeting with his or her designee, the Head Coach, the Athletic Trainer, a college counselor and the student-athlete.

The student-athlete shall be required to attend counseling sessions for the purposes of evaluation, education, and if necessary, treatment or counseling. The student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician, the Athletic Trainer, and the Executive Athletic Director. Failure to sign such a release will render the student-athlete immediately ineligible for practice and competition. Failing to meaningfully participate in the evaluation/counseling process as defined by the counselors will be classified as a third offense.

The student-athlete will be immediately suspended from participation in any intercollegiate competition at the Caldwell College. The suspension will be determined by the Executive Director of Athletics in conjunction with all parties involved. The suspension will be served during the championship season. In addition, sanctions may be applied to exhibition contests, scrimmages, and/or non-championship season contests. The suspension will rollover to the next championship season of competition if necessary. If the alcohol or drug related offense occurs during the off-season, the suspension will be served during the next championship season of competition. If the alcohol or drug related offense occurs at the end of the regular season but prior to post-season competition, it shall be served during the post-season competition. Dual sport student-athletes will serve this suspension for both sports. The student-athlete must be medically authorized by a Caldwell College team physician, or Athletic Trainer, in conjunction with any counselor and/or therapist, prior to resuming any athletic practice or competition.

### **Third Alcohol or Drug Related Offense**

The Executive Athletic Director shall schedule a confidential meeting with or his or her designee, the Head Coach, a college counselor and the student-athlete.

The student-athlete shall be required to attend counseling sessions for the purposes of evaluation, education, and if necessary, treatment or counseling. The student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician, the Athletic Trainer and the Executive Athletic Director. Failure to sign such a release will render the student-athlete immediately ineligible for practice and competition. Failing to meaningfully participate in the evaluation/counseling process as defined by the counselors will be classified as

a fourth offense.

The student-athlete will be immediately suspended from participation in any intercollegiate competition at the Caldwell College. The suspension will be for a period of time equivalent to 50% of his or her championship season of competition. The determination of the 50% always will be rounded up (e.g. if 50% equals 2.3 games, the student-athlete will be suspended for 3 games). The suspension will be served during the championship season. In addition, sanctions may be applied to exhibition contests, scrimmages, and/or non-championship season contests. The suspension will rollover to the next championship season of competition if necessary. If the alcohol or drug related offense occurs during the off-season, the suspension will be served during the next championship season of competition. If the alcohol or drug related offense occurs at the end of the regular season but prior to post-season competition, it shall be served during the post-season competition. Dual sport student-athletes will serve this suspension for both sports. The student-athlete must be medically authorized by a Caldwell College team physician, or the Athletic Trainer, in conjunction with any counselor and/or therapist, prior to resuming any athletic practice or competition.

#### **Fourth Alcohol or Drug Related Offense**

The Executive Athletic Director shall schedule a confidential meeting with his or her designee, the Head Coach, the Athletic Trainer a college counselor and the student-athlete.

The student-athlete will be immediately suspended from participation in any intercollegiate practice, training and competition at the Caldwell College for a period of one year. In addition, athletic-related financial aid shall be revoked. After one (1) year the student-athlete must request to have his/her athletic financial aid reinstated. The one-year suspension may not be counted as a “red shirt” year.

The student-athlete will be required to attend or continue attending counseling sessions for the purposes of evaluation, education, and if necessary, treatment or counseling. Again, the student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician the Athletic Trainer and the Executive Athletic Director. Failure to sign such a release will render the student-athlete ineligible for practice and competition. Failure to comply with the Caldwell College Department of Athletics drug education and drug testing policy or failure to comply with any treatment program recommendations shall result in permanent suspension from all practice, training and competition.

#### **Tobacco Policy**

The NCAA and the Caldwell College prohibits the use of tobacco products by all game personnel (e.g. coaches, student-athletes, athletic trainers, managers and game officials) in all sports during practice and competition. See NCAA Bylaws 11.1.5. and 17.1.7. A student-athlete who violates this tobacco policy shall be disqualified for the remainder of that practice or competition. The Executive Athletic Director will sanction other game personnel (e.g. head or assistant coach) who violate this tobacco policy on a case-by-case basis.

#### **Prohibited Drugs/Substances**

The Caldwell College drug screening process may include analysis of, but is not limited to, the NCAA list of banned-drug classes. The NCAA banned-drug classes are as follows: stimulants, anabolic agents, diuretics, street drugs, peptide hormones and their related compounds. For an ongoing updated listing of the NCAA banned-drug classes, student-athletes are urged to review the NCAA’s web site at [www.ncaa.org](http://www.ncaa.org) or contact the athletic trainer.

Additional substances that the Caldwell College may screen for include alcohol, beta-blockers, opiates, MDMA (Ecstasy), amphetamine/methamphetamine, and flunitrazepam (Rohypnol). The Caldwell College explicitly reserves the right to test for substances not listed on the NCAA Banned Drug Classes List and to test at detection levels that vary from those of the NCAA. The Caldwell College's Student-Athlete Drug Education and Drug Testing Program are separate and distinct from the NCAA's drug testing programs, including but not limited to banned substances, sanctions imposed and levels of detection.

## **Methods of Selection for Drug Testing**

### **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 at any time. The National Center for Drug Free Sport will select student-athletes from the official institutional squad lists by using a computerized random number program.

### **Reasonable Suspicion Screening**

A student-athlete may be subject to testing at any time when the Executive Director of Athletics or his/her designee determines there is individualized reasonable suspicion to believe the student-athlete may be using a prohibited substance (See Appendix B – Reasonable Suspicion Form). Such reasonable suspicion may be based on objective information as determined by the Executive Director of Athletics or by an Associate/Assistant Athletic Director, Head Coach, Assistant Coach, Head Athletic Trainer, Assistant Athletic Trainer, or Team Physician, Academic Counselor and deemed reliable by the Executive Director of Athletics or his/her designee. Reasonable suspicion may be found, but not limited to 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, institutional write-ups, and legal involvement. If reasonable suspicion is verified (see Reasonable Suspicion Reporting Form – Appendix B), the Executive Director of 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 (e.g., using on-site saliva testing products to determine alcohol consumption). When an individual is found to be in possession and/or using such substances, he/she may be subject to the same procedures that would be followed in the case of a positive urinalysis.

### **Postseason/Championship Screening**

Any participant or team likely to advance to post-season championship competition may be subject to additional testing by the Caldwell College prior to the post-season championship event. 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 unless he or she subsequently tests negative prior to departure for the event and receives permission from the Executive Director of Athletics or his or her designee to compete in the post-season event.

### **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 Director of 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.

### Follow-up Testing

A student-athlete who has returned to participation in intercollegiate athletics following a positive drug test under this policy may be subject to follow-up testing throughout the remainder of their athletic eligibility. Testing will be unannounced and will be required at a frequency determined by the Executive Athletic Director or his/her designee in consultation with the counselor or specialist involved in the student-athlete's case.

### Notification and Reporting for Collections

The student-athlete will be notified of and scheduled for testing by the institution. The Executive Director of Athletics or his/her designee will notify the student-athlete, in person or by direct telephone communication (e.g. no voice mail messages, no emails), of the date and time to report to the collection station and will have the student-athlete read and sign the Student-Athlete Notification Form (See Appendix C). No specific time period is required for notification of student-athletes prior to the administration of any drug tests.

A student-athlete who refuses to provide an adequate urine sample during the testing process, attempts to alter or substitute his or her urine sample, or fails to show up at the designated time, shall be deemed to be in violation of this policy and will be cause for the same action(s) as a positive drug test result. (See Appendix D for Specimen Collection Procedures).

### Voluntary Disclosure/Safe Harbor

(a) A student-athlete who has engaged in prohibited drug or alcohol use is encouraged to seek assistance from the Athletic Department (e.g. Executive Athletic Director, Team Physician, Athletic Trainer or Coach) by voluntarily disclosing his or her use.

(b) The student-athlete who seeks assistance *prior* to receiving a positive drug test result and/or prior to being notified that he or she has been selected for drug testing, the impermissible use will not be deemed a violation of this policy for purposes of determining sanctions; however, for health and safety reasons the student-athlete will be ineligible to participate in intercollegiate sports pending an evaluation. A student-athlete will not be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or conference postseason competition.

(c) Upon entering the Safe Harbor Program, the student-athlete will be required to undergo an initial drug test as well as an evaluation by a drug education or substance abuse professional. As stated above, if the initial drug test result is positive, the impermissible use will not be deemed a violation of this policy for purposes of determining sanctions. The drug education or substance abuse professional shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case. The counselor will provide a summary of his or her findings and recommendations to the Executive Athletic Director.

(d) A student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period of time, not to exceed thirty (30) days, as determined by the treatment plan and will be removed from the random selection pool of student-athletes. However, the student-athlete will not be permitted to return to participation in intercollegiate sports until the counselor has interviewed the student-athlete following the conclusion of the recommended treatment (or stage of treatment, as applicable) and has determined that reentry into intercollegiate sports is appropriate. If the counselor deems it necessary, the student-athlete will be required to undergo drug and/or alcohol testing as part of the reentry evaluation.

(e) Failing to complete the treatment recommended by the counselor, having a second positive drug test result for *any* banned substance after entering the Safe Harbor Program that is determined to be a result of new drug use, or having a positive result on a reentry drug or alcohol test will be deemed a second offense under this policy (e.g. the initial positive drug test result plus the second/new positive drug test result).

(f) If the student-athlete regains his or her eligibility to participate in intercollegiate athletics, he or she may be required to undergo unannounced follow-up tests at the discretion of the Executive Athletic Director or his or her designee in consultation with the counselor.

(g) A positive drug test result at any time after satisfactorily completing the Safe Harbor Program will count as the first positive drug test result.

### **Reporting of Results**

All student-athlete information and records associated with the Caldwell College drug education and drug-testing program will be confidential and results will be released only to those individuals with a legitimate need to know.

Urine samples will be collected and sent to an independent certified laboratory for analysis. Each sample will be tested to determine if banned drugs or substances are present. Results will be made available to the Executive Athletic Director. The Executive Athletic Director will review the results and if there is a positive drug test result, the Executive Athletic Director will inform the Athletic Trainer. It is the responsibility of the Executive Athletic Director to see that the following individuals are informed of the positive test result:

- Student-athlete
- Executive Director of Athletics
- Drug Testing Site Coordinator
- Appropriate sport administrator
- Head coach and/or assistant coach
- Athletic trainer
- Student-athlete's parents and/or legal guardian will be contacted

### **Medical Exception Process**

The Caldwell College recognizes that some banned substances are used for legitimate medical purposes. Accordingly, the Department of Athletics allows exceptions to be made for those student-athletes with a documented medical history demonstrating a need for regular use of such a substance. Exceptions may be granted for substances included in the following classes of banned drugs: stimulants, beta-blockers, diuretics and peptide hormones.

Student-athletes are required to inform their athletic trainer of all medications (prescribed and over-the-counter) he or she is taking. Caldwell College should maintain in the student-athlete's medical record a letter from the prescribing physician that documents the student-athlete's medical history demonstrating the need for regular use of such a drug. The letter should contain information as to the diagnosis (including appropriate verification), medical history and dosage information.

In the event a student-athlete tests positive, the Athletic Trainer in consultation with the Team Physician will review the student-athlete's medical record to determine whether a medical exception should be granted.

### **Positive Drug Test Sanctions**

The following sanctions shall apply to positive drug test results. Positive drug test results are cumulative for the student-athlete's athletic career at the Caldwell College. Not meeting any or all of the sanction requirements will be considered another violation of this policy and the next subsequent sanction shall apply. For health and safety reasons, a team physician may withhold a student-athlete from practice and/or competition at any time.

**Note: A positive drug test result under the NCAA's drug testing program, will be counted as a positive drug test result under the terms and conditions of the Caldwell College Department of Intercollegiate Athletics Drug Education and Drug Testing Program. Furthermore, a student-athlete under a drug-testing suspension from a national or international sports governing body that has adopted the World Anti-Doping Agency (WADA) code (e.g. USOC, USADA) shall not participate in NCAA intercollegiate competition for the duration of the suspension. See NCAA Bylaw 18.4.1.5.3.**

### **First Positive**

The laboratory (or Third Party Administrator) will report the positive drug test finding(s) to the Executive Athletic Director. The Executive Athletic Director will contact the Athletic Trainer to review the positive result. It is the responsibility of the Executive Athletic Director to see that the following individuals are informed of the positive test result:

- Student-athlete
- Drug Testing Site Coordinator
- Appropriate sport administrator
- Head coach and/or assistant coach
- Athletic trainer
- Student-athlete's parents and/or legal guardian may be contacted

The Executive Athletic Director will schedule a confidential meeting with the student-athlete and the individuals mentioned above to inform them of the finding. The Executive Athletic Director or his/her designee, the Head Coach and the student-athlete will notify the student-athlete's parent(s) or legal guardian(s) by telephone and in writing.

The student-athlete will be immediately suspended from participation in any intercollegiate competition at the Caldwell College. The suspension will be determined by the Executive Director of Athletics in conjunction with all parties involved. The suspension will be served during the championship season. In addition sanctions may be applied to exhibition contests, scrimmages, and/or non-championship season contests. The suspension will rollover to the next championship season of competition if necessary. Dual sport student-athletes will serve this suspension for both sports. If the positive drug test result occurs during the off-season, the suspension will be served during the next season of competition. If the positive drug test result occurs at the end of the regular season but prior to post-season competition, it shall be served during the post-season competition. The student-athlete must be medically authorized by a Caldwell College team physician, the Athletic Trainer, in conjunction with any counselor and/or therapist, prior to resuming any athletic practice or competition.

The student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician, the athletic trainer, and the Executive Athletic Director. Failure to sign such a release will render the student-athlete ineligible for practice and competition. Failure to sign such a release will render the student-athlete immediately ineligible for practice and competition.

The counselor will ask the student-athlete to discuss the nature and extent of his/her involvement with prohibited

drugs and/or alcohol. The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case. Failing to meaningfully participate in the evaluation/counseling process as defined by the counselors will be classified as a second offense.

If the counselor believes that additional rehabilitation is necessary either on or off-campus, all costs associated with this additional rehabilitation will be the responsibility of the student-athlete.

The student-athlete will be subject to follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics or his/her designee. The student-athlete will be required to complete 10 hours of campus/community service within 30 days of the positive drug test result.

### **Second Positive**

The laboratory (or Third Party Administrator) will report the positive drug test finding(s) to the Executive Athletic Director. The Executive Athletic Director will contact the Medical Director to review the positive result. It is the responsibility of the Executive Athletic Director to see that the following individuals are informed of the positive test result:

- Student-athlete
- Drug Testing Site Coordinator
- Appropriate sport administrator
- Head coach and/or assistant coach
- Athletic trainer
- Student-athlete's parents and/or legal guardian may be contacted

The Executive Athletic Director will schedule a confidential meeting with the student-athlete and the individuals mentioned above to inform them of the finding. The Executive Athletic Director or his/her designee, the Head Coach and the student-athlete will notify the student-athlete's parent(s) or legal guardian(s) by telephone and in writing.

The student-athlete will be immediately suspended from participation in any intercollegiate competition at the Caldwell College. The suspension will be for a period of time equivalent to 50% of his or her regular season of competition. The determination of the 50% always will be rounded up (e.g. if 20% equals 2.3 games, the student-athlete will be suspended for 3 games). The suspension will be served during the championship season. In addition sanctions may be applied to exhibition contests, scrimmages and/or non-championship contests. The suspension will rollover to the next season of competition if necessary. If the positive drug test result occurs during the off-season, the suspension will be served during the next season of competition. Dual sport student-athletes will serve this suspension for both sports. If the positive drug test result occurs at the end of the regular season but prior to post-season competition, it shall be served during the post-season competition. The student-athlete must be medically authorized by a Caldwell College team physician, the Athletic Trainer, in conjunction with any counselor and/or therapist, prior to resuming any athletic practice or competition.

The student-athlete will be required to attend or continue attending counseling sessions for the purposes of evaluation, education, and if necessary, treatment or counseling. Again, the student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician, the Athletic Trainer and the Executive Athletic Director. Failure to sign such a release will render the student-athlete ineligible for practice and competition.

Failing to meaningfully participate in the evaluation/counseling process as defined by the counselors will be clas-

sified as a third offense.

If the counselor believes that additional rehabilitation is necessary either on or off-campus, all costs associated with this additional rehabilitation will be the responsibility of the student-athlete.

The student-athlete will be subject to follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Executive Athletic Director or his/her designee.

### **Third Positive**

The laboratory (or Third Party Administrator) will report the positive drug test finding(s) to the Executive Athletic Director. The Executive Athletic Director will contact the Athletic Trainer to review the positive result. It is the responsibility of the Executive Athletic Director to see that the following individuals are informed of the positive test result:

- Student-athlete
- Drug Testing Site Coordinator
- Appropriate sport administrator
- Head coach and/or assistant coach
- Athletic trainer
- Student-athlete's parents and/or legal guardian may be contacted

The Executive Athletic Director will schedule a confidential meeting with the student-athlete and the individuals mentioned above to inform them of the finding. The Executive Athletic Director will notify the student-athlete's parent(s) or legal guardian(s) by telephone and in writing.

The student-athlete will be immediately suspended from participation in any intercollegiate practice, training and competition at the Caldwell College for a period of one year. In addition, athletic-related financial aid shall be revoked for the same one-year period. The one-year suspension may not be counted as a "red shirt" year.

The student-athlete will be required to attend or continue attending counseling sessions for the purposes of evaluation, education, and if necessary, treatment or counseling. Again, the student-athlete will be required to sign a release of information to allow basic communication (e.g. whether the student-athlete arrived for an appointment or not) between the college counselor, a Caldwell College team physician, the athletic Trainer and the Executive Athletic Director. Failure to sign such a release will render the student-athlete ineligible for practice and competition. Failure to comply with the Caldwell College Department of Athletics drug education and drug testing policy or failure to comply with any treatment program recommendations shall result in permanent suspension from all practice, training and competition.

If the counselor believes that additional rehabilitation is necessary either on or off-campus, all costs associated with this additional rehabilitation will be the responsibility of the student-athlete.

The student-athlete will be subject to follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Executive Athletic Director or his/her designee.

### **Right to Appeal**

Student athletes who test positive for a banned substance may contest the finding within 48 hours following receipt of notice of the positive finding. Upon the student-athlete's request for confirmation of the positive finding, the Executive Athletic Director or his/her designee will request the laboratory to perform confirmation testing

on the student-athlete's specimen B, if applicable. The student-athlete may choose to be present at the opening of specimen B at the laboratory. If the student-athlete does not wish to be present at the opening of specimen B, but desires to be represented, arrangements will be made for a surrogate to attend the opening of specimen B. The surrogate will not be involved with any other aspect of the analysis of the specimen. The student-athlete or his/her surrogate will attest to the sample number and the integrity of the security seal prior to the laboratory opening of specimen B. Specimen B findings will be final. If specimen B results are negative, the drug test will be considered negative.

Student-athletes who test positive under the terms of the Caldwell College Department of Intercollegiate Athletics Student-Athlete Drug Education and Drug Testing Program will be entitled to a hearing. Requests for such a hearing must be made within forty-eight (48) hours of notification of a positive B sample test result. If the forty-eight hours would end on a weekend, the request must be made by noon on the next business day. Requests must be in writing and received by the Executive Athletic Director. The Executive Athletic Director will forward the request for a hearing to the Appeals and Reinstatement Committee. The Appeals and Reinstatement Committee is comprised of the Executive Athletic Director or his/her designee, the Team Physician, an athletic Trainer, a Faculty Athletic Representative, a substance abuse counselor and a sport administrator appointed by the Executive Athletic Director.

The student-athlete may have an advocate or other representative present if the student so desires. However, the student-athlete must present his or her own case. The hearing should take place no more than 48 hours after the written request is received. Either the student-athlete or the other parties involved may request an extension of time to the Executive Athletic Director, who will consider whether to grant the extension upon a showing of good cause. These proceedings shall include an opportunity for the student-athlete to present evidence, to question adverse testimony, as well as to review the results of the drug test. The proceedings shall be confidential. The decision by the Appeals and Reinstatement Committee regarding the sanction to be imposed shall be final. The Executive Athletic Director shall inform the student-athlete of the committee's decision in writing. A formal record, a tape recording, or a verbatim transcript of the hearing shall be kept.

### **Request for Reinstatement**

At the end of the one-year period of suspension (after a third positive drug test result or after a fourth alcohol or drug related offense) and after satisfactory completion of an appropriate treatment and aftercare program, the student-athlete may apply for reinstatement to the intercollegiate athletic department. Reinstatement shall not be considered automatic and will be addressed on a case-by-case basis.

The request for reinstatement shall be filed with the Executive Athletic Director. The request shall be made in writing and should state the grounds on which the student-athlete believes he/she should be reinstated. The Executive Athletic Director will forward the request for reinstatement to the Appeals and Reinstatement Committee. The Appeals and Reinstatement Committee is comprised of the Executive Athletic Director or his/her designee, the Team Physician, the Athletic trainer, the Faculty Athletic Representative, a substance abuse counselor and a sport administrator appointed by the Executive Athletic Director. The committee shall review the request for reinstatement and make a determination within ten (10) days of receiving the request. The decision of the Appeals and Reinstatement Committee shall be final.