

# THE UNIVERSITY OF WEST ALABAMA

L I V I N G S T O N

## The University of West Alabama Athletic Department Drug Testing Policy

### **Introduction**

The administration of The University of West Alabama recognizes a responsibility to ensure each student a safe, healthy, and supportive educational environment. Part of the administration's responsibility is to periodically take necessary precautions which provide for the welfare and safety of our student-athletes, coaching staffs, sports medicine staff, administration, and support personnel. Unfortunately, substance abuse is a serious problem in our society. Drug use can be detrimental to the physical and mental well being of our student-athletes and university support personnel. It is our desire to discourage the use of illegal drugs, both on and off campus, and to provide a learning environment that is drug free at every level of the educational and athletic process. UWA student-athletes are viewed as leaders and role models and, as such, are respected and emulated by other individuals in the West Alabama community. Leadership brings additional responsibilities. While off campus, student-athletes represent the University and depict its character. Therefore, it is expected that individuals at The University of West Alabama exhibit leadership qualities and respectable character while off campus, as well as on campus. With this in mind, our drug screening policy provides for random testing for all student-athletes in all sports on a periodic basis as determined by the administration of the institution and athletic department. In addition, a Drug Education and Awareness program will be instituted for all student-athletes on a periodic basis. We have endeavored to implement a drug screening policy that will neither embarrass nor punish the individual, but rather discourage the use of drugs and illegal substances and allow the University the opportunity to intervene as early as possible should the presence of drugs be discovered within the athletic department. This program is intended to be a helpful component of the overall physical and mental educational and conditioning program at The University of West Alabama. Every effort will be made to administer this policy in a reasonable, fair, and equitable manner. Please read the following policy and sign the Drug Screening Policy consent form (must be signed by parent or legal guardian if the student-athlete is under the age of eighteen). If you have any further questions concerning any part of this drug, tobacco, and alcohol policy, please contact E.J. Brophy, Director of Athletics, at (205) 652-3652 [ejbrophy@uwa.edu](mailto:ejbrophy@uwa.edu).

### **Effective Date**

This policy is effective as of the Fall Semester of 2008.

### **Purpose**

1. To establish and define written policy and procedures for The University of West Alabama to: A) educate eligible student-athletes as to the dangers of drug abuse, B) periodically drug screen a select number of eligible student-athletes and C) drug screen any eligible student-athlete where a reasonable suspicion exists concerning unlawful use of controlled substances.
2. To promote the health, academic, and athletic progress of each student-athlete at The University of West Alabama.
3. To encourage eligible individuals to develop healthy, responsible lifestyles.
4. To discourage any drug use and abuse by eligible student-athletes at The University of West Alabama.
5. To identify any eligible student-athlete who may be using illegal drugs or controlled substances and to identify the illegal drug or controlled substance.
6. To identify any chronic dependency and ensure that it is treated and addressed properly to the fullest extent of our available resources.
7. To provide reasonable precautions to ensure that each eligible student-athlete is exposed to safe and effective academic and athletic environments by minimizing the dangers associated with drug abuse.
8. To provide reasonable safeguards in order that every eligible student-athlete is medically competent to participate in university related activities.

9. To re-emphasize to eligible student-athletes their responsibility as a positive role model, both on and off campus.
10. To empower eligible student-athletes with a reason to say “NO” to drug use and abuse.
11. To provide guidance, counseling, and treatment to eligible student-athletes who test positive by referring them to the appropriate professional help as indicated.

### **Definitions**

1. **Controlled Substance** - any substance as defined by the NCAA’s list of banned-drug classes. The list consists of substances generally purported to be performance enhancing and/or potentially harmful to the health and safety of the student-athlete.
2. **Positive Test** - A drug screening test will be considered positive once the “confirmation” or second test has been completed from the same specimen and confirms the results of the initial test. A positive test is defined as a test which indicates, in the opinion of the outside private laboratory performing the testing, that an eligible student-athlete has used a prohibited or controlled substance based on traces of that substance detected in the student-athlete’s urine specimen. A drug screening test will also be considered positive if it is discovered by the outside laboratory that the provided urine sample has been altered or where foreign substances have been added to the sample in an effort to destroy or disguise traces of prohibited substances.
3. **Eligible Student-Athletes** - any student-athlete participating in intercollegiate athletics at The University of West Alabama including the following sports: 1) football, 2) volleyball, 3) men’s basketball, 4) women’s basketball, 5) baseball, 6) softball, 7) men’s cross country, 8) women’s cross country, 9) men’s rodeo, 10) women’s rodeo, 11) men’s tennis, and 12) women’s tennis (also any student involved in cheerleading and the dance squad). Note: this also includes any student-athlete who is ineligible by NCAA guidelines, but is still listed on the roster of any one of the above listed teams. Student athletic trainers, student managers, and other student support personnel will also be included in the list of eligible student-athletes only if their immediate supervisor deems it appropriate.
4. **Reasonable Suspicion** - is defined as that quantity of proof or evidence that is more than intuition or strong feeling, but less than probable cause. Such reasonable suspicion must be based on specific, contemporaneous, articulate observations concerning the appearance, behavior, and speech or body odors of the student-athlete. The observations may include indications of the chronic and/or withdrawal effects of prohibited substances or alcohol or any of the following:
  - A. Reduced quality of academic or athletic performance,
  - B. Patterns of unexcused absence from academic classes or athletic meetings,
  - C. Inability to get along with others; excessive withdrawal or isolation,
  - D. Frequent tardiness to academic classes or athletic meetings,
  - E. Decreased manual dexterity,
  - F. Impaired short-term memory,
  - G. Periods of unusual hyperactivity, irritability, or drowsiness,
  - H. When a denoted administrator, coach, or support staff has suspicion through the sense of smell, sight, or sound, or
  - I. Presence or possession by a student-athlete of illegal or controlled drugs or drug related paraphernalia.
5. **Incident** - Shall be defined as 1) a positive drug test, or 2) a situation where a student-athlete covered under this policy is determined to be using or in possession of a controlled substance at an event as defined under this policy.
6. **Refusal to Submit to Testing** - shall include any or all of the following:
  - A. Failure to provide adequate urine for prohibited substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing; or
  - B. Engaging in conduct that obstructs or interferes with the testing process; or
  - C. Failure or refusal to execute the required forms provided in conjunction with the receipt of this policy or which are a part of the testing; or
  - D. Failure to be readily available for requested testing; and/or
  - E. Failure to report to, and undergo prohibited substances testing as required.

- F. Any refusal to submit to testing will be considered to be a positive drug test and all appropriate action will be taken.
7. **Events** - this program applies to the following events:
- A. All on campus activities whether during or after normal school hours, and both between and within semesters,
  - B. All school related field trips, activities, parties, athletic events, and other extra curricular, whether such activities are on or off campus, or
  - C. Student-athletes' misconduct relating to the use of illegal drugs or controlled substances outside of the University or the University's athletic setting. In recognition of this fact, off campus activities involving association with illegal drugs or controlled substances will be included in the administration of this policy when the actions of the eligible student-athlete could have an unfavorable effect on the general safety and welfare of other student-athletes, University students, University employees, or University support personnel. Events of this nature will be reviewed by the Director of Athletics and the University administration on a case by case basis to determine the extent and severity of the incident. In cases where appropriate, the student-athlete will be referred to the University's Student Life Committee.

## **Policy Statement**

### **Periodic Random Drug Screening**

The University of West Alabama will periodically randomly drug screen a select number of eligible student-athletes. Several, not to exceed four, drug screening tests may be conducted during the course of the academic year. Additionally, the NCAA may also require a mandatory drug screening test during each semester of the academic year. The NCAA may also require a drug screening test if a team is selected for post-season championship play. The drug screening tests will test for the most frequently abused drugs in Alabama and our local area. This may include, but are not limited to, alcohol, cocaine, marijuana, amphetamines, opiates, PCP's, and anabolic steroids. The drugs included in the testing procedure may be increased or decreased at the discretion of the Director of Athletics or administration of The University of West Alabama. A list of the specific drugs tested for in the drug screen is available through the UWA Director of Athletics.

### **Reasonable Suspicion Drug Screening**

The University of West Alabama reserves the right to test any eligible student-athlete for the use of prohibited drugs and controlled substances when actions of said individual student-athlete are such to provide reasonable suspicion of the use of prohibited drugs or controlled substances. Refer above for criteria in Definitions, 4. Reasonable Suspicion.

Any coach, UWA administrator, UWA support staff, UWA faculty, or parent may report reasonable suspicion to the Director of Athletics who will, along with the referring party, decide on the need for drug screening. Reports should be in writing stating the incidence, times, dates, and involved parties.

### **Individuals on school property not specifically covered by this policy**

Individuals discovered on University property, with or without permission, who are discovered to be using or in possession of a controlled substance or alcohol will be immediately requested to leave the premises and may be reported to the University campus police or local law enforcement.

### **Costs**

Costs associated with the drug screening program will be covered as follows:

1. The initial drug screening fee will be assumed by The University of West Alabama Athletic Department.
2. The cost for a second drug screening of the same specimen; used for confirmation of the first "positive" test will be assumed by The University of West Alabama Athletic Department.

3. A challenge by the student-athlete of the drug screening, where subsequent drug screening is required by an outside private laboratory, will totally be the responsibility of the student-athlete or his/her parent(s) or guardian(s).
4. Any additional testing required or requested will be the responsibility of the student-athlete or his/her parent/guardian.

### **UWA Drug Testing Procedure & Recommendations**

The University of West Alabama will enact a procedure for randomly testing all of its athletes for the use of illegal drugs and substances banned by the National Collegiate Athletic Association (NCAA). The NCAA mandates that all student-athletes sign a consent form allowing for their random selection for drug testing prior to being allowed to compete in collegiate athletics. Along with this NCAA form, each student-athlete will also be required to sign a UWA drug screening consent form (if the student-athlete is under the age of 18, both consent forms must also be signed by a parent or guardian). This will allow UWA to randomly select student-athletes from all of its NCAA or NIRA (National Intercollegiate Rodeo Association) sponsored athletic events.

Each student-athlete will be randomly selected from a database by the outside private laboratory. The laboratory will select one or more student-athletes from each sport sponsored by UWA in both the fall and spring semesters for testing. There will be no prior notice of the date or time of such testing. The dates of the tests will not be disclosed until the Director of Athletics feels it necessary to notify the involved parties. Student-athletes that have been randomly selected by the Director of Athletics or by the outside private laboratory will be notified in writing two days prior to the date of the test. The student-athlete must then confirm their test date and time with the site coordinator (person denoted by the Director of Athletics as coordinator of the administration of the test). The student-athlete is then required to sign a statement denoting that he/she was informed concerning his/her selection for testing, testing time, and date of the test. Each of these signed statements will be kept in the athlete's permanent medical file in the Head Athletic Trainer's office. The student-athlete will again be informed by the site coordinator that failure to attend and take part in the drug testing program will automatically be assumed as positive and fall under the disciplinary actions of first positive test, unless the miss is determined to be of extenuating circumstances. A committee composed of the Head Athletic Trainer, one male head coach, and one female head coach will determine extenuating circumstances. Also the student-athlete may acquire and pass an equal drug test, sanctioned by UWA, at his/her cost, within two weeks of the original drug test.

The method of testing will be urinalysis and the urine samples will be collected and tested by an out of town private laboratory utilizing generally accepted pathological methods. The collection and coding of specimen samples will be executed in such a manner as to insure confidentiality. Specimen samples will be identified by number only. Appropriate "chain of custody" methods will be exercised to insure complete integrity of the specimen. Prescription or over-the-counter medications shall be disclosed to the University or private laboratory prior to providing a urine sample or on the day immediately following the drug screen procedure. Medications disclosed after the drug screen procedure might require written confirmation from the prescribing physician or pharmacist if requested by the Director of Athletics. It is recognized that some legal, acceptable medications may result in a "positive" test result and will not be cause to implement any type of disciplinary procedures.

The site of the drug test will be determined by the Director of Athletics (it is recommended that the test be administered in the football locker room in Homer Field House). The time will be set by the Director of Athletics with consultation from the site coordinator. The test will be administered by an outside laboratory to be determined annually at a cost to be determined per test (plus an additional cost to be determined for each test that is returned as "positive" for confirmation purposes). The athletic training staff, coaching staffs, and athletic administrators will be recruited to help with administration of the test. Also, the Director of Athletics must provide various drinks and fruits at the test site for the selected student-athletes.

Once the student-athlete has reported and signed in for the sample collection, he/she must remain until an adequate urine sample has been acquired. The sample will be collected and sealed for transportation per the instruction of the designated outside private laboratory. The laboratory results of the drug screening will be reported exclusively to the Director of Athletics. An anonymous number known only to the testing laboratory

and the Director of Athletics will identify each eligible student-athlete on a master list. The Director of Athletics reserves the right to notify the President of the University, head coach of that sport, the student-athletes parents, and the athletic training staff of the drug screening results.

All initial positive tests can be challenged. A second test on the same urine specimen at the same private laboratory will be performed to assure that no error has occurred with all costs assumed by the University's athletic department. Student-athletes or their parent/guardian are extended the option to obtain a sample of the positive urine specimen for their use in obtaining additional confirmation test(s) from their preferred source at their expense. Such additional confirmation test(s) are considered solely to satisfy parent/guardian concerns and will have no bearing on changing the outcome of the initial "positive" test result. Disciplinary procedures will be administered based on the results of the initial or subsequent test conducted by the designated outside private laboratory.

Student-athlete(s) receiving a positive confirmation on the drug test will immediately start the system of counseling, treatment, and drug education outlined in the UWA athletic department drug and alcohol policy.

### **Disciplinary Procedures**

Any student-athlete receiving a confirmed "positive" drug test from the designated outside private laboratory will be treated in the following fashion.

1. First "positive" test:
  - A. Laboratory will notify the Director of Athletics, who will notify all staff he deems appropriate or necessary (this shall include, but is not limited to the Head Coach, Head Athletic Trainer, and Faculty Athletic Representative).
  - B. The Director of Athletics will notify the parent(s)/legal guardian by voice and certified letter.
  - C. The Director of Athletics will hold a meeting of all the involved parties (including but not limited to the Head Coach of the student-athlete's sport, Head Athletic Trainer, parent(s)/legal guardian, and Faculty Athletic Representative).
  - D. Any student-athlete at The University of West Alabama who receives a "positive" drug test will be required to attend intervention and counseling through the University Counseling and Student Development Center. This service is provided at no cost to the student-athlete. The number of counseling sessions needed by the student-athlete will be at the discretion of the University Counseling and Student Development Center. Failure at any time during counseling to attend a mandatory session will result in the student-athlete being suspended from the next scheduled contest of their sport. Any additional intervention or treatment deemed appropriate by the University Counseling and Student Development Center and/or desired by the student-athlete will be provided with all costs being the responsibility of the student-athlete and/or their parent/guardian
  - E. At a time specified by the testing laboratory (2-8 weeks), the student-athlete will be retested at the expense of the student-athlete.
2. If a student-athlete receives a subsequent, second "positive" test, the following punishment will be instituted:
  - A. The student-athlete will immediately be suspended from competition for the remainder of the current season.
  - B. The Director of Athletics will notify parent(s)/legal guardian of second "positive" test by voice and certified letter.
  - C. The Director of Athletics will schedule a meeting of all involved parties (see Disciplinary Procedures, section 1. C. for the list of involved parties).
  - D. The student-athlete may participate with their team's practices or activities at the head coach's discretion.
  - E. The student-athlete must continue mandatory counseling, as deemed appropriate by the University Counseling and Student Development Center.
  - F. The student-athlete's scholarship could still be effective throughout the remainder of the academic year, but each student-athlete on scholarship who receives a "second positive drug test" may be referred to the University's Student Life Committee. The Student Life Committee could hear the student-athlete's case and rule on the status of the scholarship or any additional disciplinary action that they deem necessary.

- G. The student-athlete must have a retest before scholarship renewal time (May of the academic year) at end of academic year at the expense of the student-athlete.
  - H. If the student-athlete is still “positive” on the retest at end of the academic year, their will be no renewal of his/her scholarship and any further punishment left to the discretion of the student-athlete’s head coach.
3. Points of emphasis on disciplinary procedures:
- A. Once the student-athlete’s eligibility has been restored, they will be subject to drug testing by UWA or the NCAA at any time during the rest of their career at The University of West Alabama (see section, Reasonable Suspicion).
  - B. The penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a controlled substance.
  - C. If a student-athlete tests “positive” on first test and “negative” on second test, they will be completely and immediately reinstated to normal status, with stipulation that they can be retested at anytime at request of the Director of Athletics or Head Coach.
  - D. If a student-athlete tests “positive” on the Fall Semester Drug Test and is “negative” on the required second test; then is subsequently “positive” on the drug test offered in the Spring Semester, they will be considered as having a second “positive” test and all rules governing a second “positive” test will apply (see Disciplinary Procedures, section 2.).
  - E. If a student-athlete is “positive” on first drug test and “negative” on any subsequent test(s) in one academic year, they will be treated as “negative” at the start of the next or subsequent academic years. If the student-athlete tests “positive” in a subsequent academic year, it will be treated as a first “positive” during that academic year (see Disciplinary Procedures, section 1).
  - F. If a student-athlete misses a mandatory counseling session after testing “positive”, they will be suspended from the next scheduled game(s) for every unexcused counseling absence they have (excused absences will be determined by the University Counseling and Student Development Center).
  - G. If a student-athlete misses a scheduled drug test or refuses to submit to testing they will be treated as “positive”, unless the absence has extenuating circumstances. Extenuating circumstances will be determined by a committee composed the Head Athletic Trainer, one male head coach, and one female. If the absence is ruled extenuating by the committee, they will have two (2) weeks to make-up their drug test, at their own expense.

#### **Mandatory Requirements of Each Student-Athlete**

1. Each student-athlete must sign a University Drug Consent Form, prior to the start of their athletic season (must also be signed by a parent(s)/legal guardian if the student-athlete is under the age of (18) eighteen)
2. Those sports beginning prior to the start of school (preseason camp in August) must meet with the Head Athletic Trainer or Director of Athletic Training & Sports Medicine for a detailed explanation of the University’s Drug Testing Policy.
3. On the first or second Sunday in September, there will be a mandatory meeting for all student-athletes who have not attended a drug testing policy meeting.
4. Each individual coach may have their team meet for a subsequent, private meeting with the Head Athletic Trainer to further explain or answer any questions about the University’s Drug Testing Policy.
5. The University’s Athletic Department along with the University Counseling and Student Development Center will host one drug education meeting with a speaker on a periodic basis that will be mandatory for all student-athletes to attend.

## Drug Testing Consent Form

- For:** UWA Student-Athletes  
**Action:** Sign and return to the Director of Athletics  
**Due Date:** At the time your intercollegiate squad first reports for practice or prior to your pre-participation physical examination  
**Required by:** The athletic administration of The University of West Alabama  
**Purpose:** To assist in certifying eligibility

### To Student-Athletes of The University of West Alabama

You must sign this form to participate (i.e., practice or compete) in intercollegiate athletics at The University of West Alabama as specified in The University of West Alabama Athletic Department Drug Testing Policy. If you have any questions, you should discuss them with the Director of Athletics.

#### Drug Testing Consent

By signing this form, you affirm that you are aware of The University of West Alabama Athletic Department Drug Testing Policy, which provides:

- A student-athlete who tests positive on the drug screen provided by the designated outside private laboratory will be required to attend mandatory counseling sessions after the first "positive" drug test. The student-athlete will be required to have a second drug screening, at their expense, within two to eight weeks following the initial positive test.
- A student-athlete who receives a second positive for the use of a substance on the NCAA list of banned drugs, within a two to eight week period, shall be declared **ineligible** for further participation in regular-season and postseason competition in all sports.
- The student-athlete shall remain **ineligible** for the remainder of the regular-season and postseason competitions of that academic year after the student-athlete's second positive drug test.
- In addition, the penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a controlled substance, unless there are extenuating circumstances.
- The University of West Alabama's Athletic Department will adopt the NCAA list of banned drugs for the criteria of testing, and shall authorize methods for drug testing of student-athletes on a year-round basis.
- You agree to allow The University of West Alabama's Athletic Department to drug test you in relation to any participation in intercollegiate athletics sanctioned by The University of West Alabama. Also, you understand that the University's Athletic Department can request a drug screen on you at any time when there is reasonable suspicion.
- You will be provided an opportunity to review the procedures outlined by The University of West Alabama Athletic Department Drug Testing Policy.
- You understand that this consent and the results of your drug tests, if any, will only be disclosed to the Director of Athletics, the Head Coach, Faculty Athletic Representative, and Sports Medicine staff.
- You agree to disclose your drug testing results only for purposes related to your eligibility for participation in regular-season and postseason competition and referral for counseling and intervention.

- The University’s Student Life Committee may hear any appeal for restoration or the permanent termination of the student-athlete’s eligibility or scholarship.
- You affirm that you understand that if you sign this statement falsely or erroneously, you violate The University of West Alabama Athletic Department’s policies and procedures and you will further jeopardize your eligibility.
- You understand that if you are under the age of eighteen (a minor), you must have this form cosigned by a parent or legal guardian.
- You agree to follow all of the criteria outlined in The University of West Alabama Athletic Department Drug Testing Policy.

\_\_\_\_\_

Date

Signature of Student-Athlete

\_\_\_\_\_

Date

Signature of Parent or Legal Guardian (if student-athlete is a minor)

\_\_\_\_\_

Name (please print)

Date of Birth

\_\_\_\_\_

Home Address

\_\_\_\_\_

City

State

Zip

\_\_\_\_\_

Sport (s)

**What to do with this form:** Sign and return it to the Director of Athletics at the time your intercollegiate squad first reports for practice or competition or prior to pre-participation physical exams. This form is to be kept in the Director of Athletics’ office for six years.