

**SOUTH FLORIDA STATE COLLEGE
ADMINISTRATIVE PROCEDURES**

PROCEDURE NO. 1180

TITLE: STUDENT-ATHLETE SUBSTANCE ABUSE TESTING

BASED ON POLICY: 1.18 SUBSTANCE ABUSE TESTING

OFFICE OF PRIMARY RESPONSIBILITY: STUDENT SERVICES/ ATHLETIC
DIRECTOR

I. Purpose:

To ensure the health, safety, welfare, and performance of our student-athletes; to promote fair competition in intercollegiate athletics; to affirm compliance with applicable policies and procedures prohibiting drug and alcohol abuse; and, to identify student-athletes who are improperly using drugs or alcohol for intervention and enforcement

II. Procedure:

A. Consent to participate

Conditional to participation in intercollegiate athletics at SFSC, each student-athlete will be required to sign a consent form agreeing to undergo drug and alcohol testing. A copy of this consent form will be kept on file with the student-athlete's school record. Student-athletes have the right to refuse to consent to drug testing under this procedure. However, failure to consent to or comply with the requirements of this administrative procedure will result in suspension from participation or termination of eligibility to participate in intercollegiate athletics at SFSC.

B. Alcohol

SFSC does not condone the illegal or otherwise irresponsible use of alcohol. It is the responsibility of every member of the College community to know the risks associated with alcohol use and abuse. This responsibility obligates student-athletes to know relevant College policies and federal, state, and local laws and to conduct themselves in accordance with these laws and policies.

This administrative procedure extends to the recruitment of prospective SFSC student-athletes. Prospective student-athletes visiting campus and socializing with current students are expected to participate in all activities without the influence of alcohol.

It should be understood that possession or consumption of alcoholic beverages by individuals under the age of 21 is a violation of state liquor laws. Likewise, it is illegal for anyone to supply alcoholic beverages to persons under the age of 21.

A positive test for alcohol for any student-athlete will result in the sanctions set forth in this administrative procedure.

The Athletic Office will enforce sanctions as set forth in this administrative procedure for a positive test to a student-athlete upon conviction or plea of guilty to the following:

- Driving under the influence (DUI/DWI) or other motor vehicle violations involving alcohol or drugs
- Public intoxication
- Drunk and disorderly conduct
- Other violations of law involving alcohol or drugs, including possession

C. Dietary Supplements

SFSC Athletic Office personnel will not distribute or encourage the use of any dietary supplements or ergogenic aids which contain banned substances or are generally considered harmful. Student-athletes who are currently taking dietary supplements, or intend to take any, are required to review the product with the Athletic Office. Student-athletes are encouraged to contact The National Center for Drug Free Sport at drugfreesport.com or the Dietary Supplement Resource Exchange Center (REC) at drugfreesport.com/rec for additional information on dietary supplements and banned substances.

D. Prohibited drugs/substances

The drug screening process may include analysis of, but is not limited to, the National Collegiate Athletic Association's (NCAA) list of banned-drug classes. For an ongoing updated listing of the banned-drug list view the NCAA's Website at ncaa.org. SFSC requires that all student-athletes keep the athletic training staff and/or athletic director aware of any prescribed drugs and dietary supplements that he or she may be taking.

E. Confidentiality

All drug screening and testing results will be received by the athletic director. Results of drug screening and testing of student-athletes will be kept confidential with the exception of disclosure of information by the athletic director to members of the administration, the College president, and members of the coaching staff of the applicable program, or disclosure as required by applicable state statutes.

F. Testing selection and frequency

1. Unannounced testing

All student-athletes who have signed the institutional drug-testing consent form are subject to unannounced testing at random times throughout the year, but most likely during the student-athlete's respective sport season.

The athletic director or designee will randomly select student-athletes for this unannounced testing. Urinalysis and/or onsite saliva testing procedures may be used for unannounced random testing.

2. Reasonable suspicion screening

A student-athlete may be subject to testing at any time when the athletic director or his/her designee determines there is individualized reasonable suspicion to believe the participant is using a banned substance. Such reasonable suspicion may be based on objective information as determined by the athletic director or by an associate/assistant athletic director, head coach, assistant coach, head athletic trainer, assistant athletic trainer, or team physician, and deemed reliable by the athletic director or his/her designee. Reasonable suspicion may include, but is not limited to:

- Observed possession or use of substances appearing to be prohibited drugs
- Arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs or substances
- Observed abnormal appearance, conduct, behavior, or performance that can be reasonably interpreted 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, behavior, or performance are: class attendance; significant GPA changes; athletic practice attendance; increased injury rate or illness; physical appearance changes; academic/athletic motivation level; emotional condition; mood changes; and legal involvement. If suspected, the athletic director or his/her designee will notify the student-athlete and the student-athlete must stay with a member of his/her coaching staff, the Athletic Office 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 urinalysis (e.g., using onsite saliva testing products to determine alcohol consumption).

G. Notification and reporting for collections

The student-athlete will be notified of and scheduled for testing by the institution. The athletic director or designee will notify the student-athlete 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. As a general rule, student-athletes will be notified no more than one (1) hour prior to testing. However, under the terms of this administrative procedure "no notice" testing is permissible.

The athletic director or designee will be in the collection station to certify the identity of the student-athletes selected. Student-athletes shall provide picture identification when entering the drug-testing station. The athletic director or designee must remain in the collection station until all student-athletes complete the collection process.

H. Collection procedures

1. Onsite screening and urinalysis collection procedures

- a. Onsite screening includes on-campus collection and screening of urine specimens from student-athletes. The technology used for this screening shall be industry standard and deemed reliable based upon a reasonable person standard.
- b. Only the athletic director or designee shall be present during the collection of the screening sample and shall be of the same gender as the student-athlete being screened.
- c. Upon entering the collection station, the student-athlete will be identified by the athletic director or designee. A picture ID may be requested to identify the student-athlete.
- d. When ready to urinate, the student-athlete will select a sealed collection container from a supply of such and will record his/her initials on the beaker's lid.
- e. An approved collector will monitor the furnishing of the specimen by observation in order to assure the integrity of the specimen until a specimen of at least 80 mL is provided.
- f. Once a specimen (at least 80 mL) is provided, the student-athlete is responsible for keeping the collection beaker closed and controlled.
- g. Fluids and food given to student-athletes who have difficulty voiding must be from sealed containers (approved by the athletic director or designee) that are opened and consumed in the station. These items must be free of any banned substances.
- h. 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.

- i. If the specimen is incomplete and the student-athlete must leave the collection station for a reason approved by the athletic director or designee, the specimen must be discarded.
 - j. Upon return to the collection station, the student-athlete will begin the collection procedure again.
 - k. Once a specimen (at least 80 mL) is provided, the collector will pour a small amount of urine into an approved container. An approved collector will check the specific gravity and pH of the urine in the presence of the student-athlete.
 - l. If the urine has a specific gravity below 1.0056 (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.
 - m. If the urine has a pH greater than 7.5 (with a reagent strip) or less than 4.5 (with reagent strip), the student-athlete will discard the specimen. The student-athlete must remain in the collection station until another specimen is provided.
 - n. If 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 screened by qualified on-campus personnel. The screening specimens become the property of the SFSC Athletic Office. In the event of a negative screening result, the student-athlete will be dismissed and no documentation will be placed in the student-athlete's official College record. In the event of positive on-campus drug screening results, the student-athlete will be required to report immediately with the athletic director or designee to an off-campus, independent private testing firm of SFSC's selection for confirmation drug testing. Failure to submit to a confirmation test is considered a positive confirmation test.
2. Off-site confirmation drug testing

The confirmation drug test will occur under the supervision of a Medical Review Officer (MRO). The MRO must be a licensed physician or medical professional employed by the off-campus testing firm. All costs associated with the confirmation drug testing shall be the sole responsibility of the student-athlete, whether the results are positive or negative.

I. Reporting results

A test result confirmed as positive by the laboratory does not automatically identify the student-athlete as having engaged in prohibited drug or alcohol use.

Results will be made available to the athletic director. The athletic director will review the results and if there is a positive confirmation drug test, he/she will set up a meeting with the student-athlete. The student-athlete may

present evidence of any mitigating circumstances that he/she feels may be important to the outcome of the drug test. The athletic director will then make the determination of the outcome of the drug test.

J. Penalties

Refusal to sign a consent form prohibits a student-athlete from participating in any intercollegiate sport at SFSC.

Any student-athlete who is found guilty of serious criminal misconduct (e.g., drug trafficking; driving while impaired resulting in serious injury or death) will not be permitted to participate in any intercollegiate sport at SFSC.

Any student-athlete who tests positive for a banned substance or who refuses to submit to a required drug test as described in this administrative procedure shall be subject to the following sanctions:

1. First offense

The athletic director will schedule a confidential meeting with the student-athlete and the head coach. The athletic director or designee shall, if appropriate, notify the student-athlete's parent(s) or legal guardian(s) by telephone and in writing. The team physician will be informed, if needed. The student-athlete will be immediately suspended from participation in any intercollegiate sports at SFSC for a minimum of two weeks. The student-athlete will be required to attend a drug counseling assessment session at the student-athlete's sole expense. 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. The student athlete will not be permitted to return to competition in intercollegiate sports until he/she has complied with the counselor's directions for treatment, all of which shall be at the student athlete's sole expense.

The student-athlete will be subject to unannounced testing for the remainder of his/her enrollment at the College. Testing will be required at a frequency determined by the athletic director or his/her designee and at the student-athlete's sole expense.

2. Second offense

The athletic director will schedule a confidential meeting with the student-athlete and the head coach. The athletic director or designee shall, if appropriate, notify the student-athlete's parent(s) or legal guardian(s) by telephone and in writing. The team physician will be informed if needed. The student-athlete will be permanently suspended from participation in any intercollegiate sports at SFSC, and all remaining athletic scholarship funds, including housing funds, will be forfeited.

K. Voluntary disclosure/safe harbor

A student-athlete who has engaged in prohibited drug or alcohol use is encouraged to seek assistance from the Athletic Office by voluntarily disclosing his or her use.

If the student-athlete seeks assistance prior to being identified as having violated this administrative procedure or being notified that he/she must undergo screening, the impermissible use will not be deemed an offense for purpose of determining sanctions. However, the student-athlete will be ineligible to participate in intercollegiate sports pending an evaluation. The student-athlete will not be permitted to compete if notification occurs within 30 days prior to NJCAA or Conference postseason competition.

The student-athlete will be required to undergo an evaluation by a substance abuse counselor at the student-athlete's sole expense. The counselor 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 athletic director.

A student-athlete will be permitted to remain on inactive status for a reasonable period of time, not to exceed 30 days, as determined by the treatment plan. 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, again at the student-athlete's sole expense.

Failing to complete the treatment recommended by the counselor, having a positive test for any banned substance evaluation period, or having a positive result on a reentry drug or alcohol test will be deemed a first offense under this administrative procedure.

L. Appeal process

Student-athletes who test positive under the terms of this administrative procedure will be entitled to a hearing with the athletic director or designee prior to the imposition of any sanction. Requests for such a hearing must be made within 48 hours of notification of a positive test result. If the 48 hours would end on a weekend, the request must be made by noon on the next business day. Request must be in writing and received by the 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 72 hours after the written request is received. Either the student-athlete or the other parties involved may request an extension of time to the 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, as well as to review the results of the drug test. The proceedings shall be confidential. The decision by the athletic director or designee regarding the sanction to be imposed shall be final.

Appeal of any final decision of the athletic director may be had following the established procedures set forth in the Student Code of Conduct and Judicial Procedures (See SFSC Student Handbook).

M. Medical exception process

SFSC recognizes that some banned substances are used for legitimate medical purposes. Accordingly, the College 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.

The student-athlete is required to inform the Athletic Office of all medications he or she is taking. SFSC should maintain, in the student-athlete's medical records, 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 Office, in consultation with the team physician, will review the student-athlete's medical record to determine whether a medical exception should be granted.

HISTORY: Last Reviewed: 07/27/23

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Reviewed: xx/xx/xx

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