

BOSTON UNIVERSITY DEPARTMENT OF ATHLETICS DRUG TESTING AND EDUCATION POLICY

Effective Aug. 1, 2016

Boston University supports the National Collegiate Athletics Association's policy regarding alcohol abuse and the use of banned substances. The University's Athletics Department had developed a drug testing and education policy designed to make all student-athletes aware of the problems and dangers of drug and alcohol abuse, and to provide assistance to those who may have substance abuse problems. Institutional policies may be updated at the discretion of the Athletic Director.

DRUG TESTING COORDINATOR

The Drug Testing Coordinator (Senior Associate Athletic Director/SWA) will be responsible for:

- Providing ongoing oversight to the drug testing program
- Coordinating testing procedures
- Scheduling the testing facility
- Scheduling the testing
- Supervising the notification of athletes
- Coordinating follow up procedures for a positive result

STUDENT-ATHLETE CONSENT

Prior to participating in any sport, each student-athlete will be given a copy of the Boston University Drug Testing and Education Policy Statement and nutritional supplement policy. Each student-athlete must acknowledge in writing that he or she has read this statement, and must agree in writing to participate in the drug testing program. The student-athlete must also agree to the release of information about a positive drug test to his or her parents, the Director of Athletics, the coach, the Medical Director and Athletic Trainers, the Executive Vice President, and the President. Various strategies may be deployed by Drug Free Sport personnel in order to obtain a valid urine sample for testing. The student-athlete has the right to refuse to participate in any of these individual methods. However, a student-athlete may not refuse to participate in testing nor the requirements necessary to obtain a valid sample (i.e., direct observation) without it being deemed a positive test. *Nothing in these procedures shall be construed to create a contract between student-athletes and Boston University. However, signed consent and notification forms shall be considered affirmation of the student-athlete's agreement to the terms and conditions contained in this policy and shall be a legal contractual obligation of the student-athlete.*

SUBSTANCES TO BE INCLUDED IN TESTING PROGRAM

Prescribed substances for which student-athletes may be tested include, but are not limited to, those that are listed as banned drugs in NCAA Bylaw 31.2.3.1. This list, a copy of which will be given to all student-athletes each year, is revised periodically and may be expanded upon written notice to student-athletes that there may be testing for additional substances. Some nutritional supplements contain prohibited substances, and student-athletes will be subject to penalties for their use. Also, student-athletes should be aware that some prescription medication may contain banned substances. Student-athletes should inform an Athletic Trainer or the Medical Director of any prescription medicine or supplements that they are taking.

USE OF ATTENTION DEFICIT DISORDER (ADD) OR ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD) MEDICATION

BU and the NCAA requires that all student-athletes that are taking prescription medication for ADD or ADHD must supply the Athletic Training Staff with written documentation of specific testing performed and copies of all prescriptions prior to any positive test result. A note from a physician is not sufficient documentation. Furthermore, the prescribing physician must have considered the use of non-stimulant medication. If this information is not provided prior to a positive test, it may be treated as a true positive result and the student-athlete may face the penalties outlined in this policy.

SELECTION OF ATHLETES TO BE TESTED

Each student-athlete listed on the NCAA squad list is subject to testing. Student-athletes who are injured, academically ineligible, have not begun or have completed their playing season (except for seniors who have completed their sports eligibility) are subject to testing. Student-athletes will be selected at random from every team's squad lists. Individuals, teams or a portion of a team also may be tested with the approval of the Director of Athletics upon the recommendation of a Coach, Athletic Trainer, and Strength and Conditioning Coach or Team Physician. Testing will be conducted with no more than 24 hours notice, and may be conducted without notice, at unspecified times and dates each semester. Student-athletes and their coaches will be notified simultaneously via email (also via phone call, if necessary) and will be expected to confirm notification of selection for drug testing.

REASONABLE SUSPICION SCREENING

A student-athlete may be subject to testing at any time when the Director of Athletics or his/her designee determines there is individualized reasonable suspicion to believe the participant is using a prohibited drug. Such reasonable suspicion may be based on objective information as determined by the Director of Athletics or by an Associate/Assistant Athletic Director, Head or Athletic Trainer, Strength and Conditioning Coaches, Head or Assistant Coach or Team Physician, and deemed reliable by the Director of Athletics or his/her designee. Reasonable suspicion may include, without limitation, 1) observed possession or use of substances appearing to be prohibited drugs, 2) arrest or conviction for a criminal offense related to possession or transfer of prohibited drugs or substances, or 3) observed abnormal appearance, conduct or behavior reasonably interpretable as being caused by the use of prohibited drugs or substances. Among the indicators which may be used in evaluating a student-athlete's abnormal appearance conduct or performance are: class attendance, significant GPA changes, athletic practice attendance, increased injury rate or illness, physical appearance changes, academic/athletic motivational level, emotional condition, mood changes, and legal involvement. If suspected, the Athletic Director or his/her designee will notify the student-athlete and the student-athlete will be tested as soon as the proper collections staff can be scheduled. 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 on-site saliva testing products to determine alcohol consumption).

NOTIFICATION AND COLLECTION

Within 24 hours prior to the test, the Senior Associate Athletic Director or designee will notify the head coach and the student-athlete simultaneously via email (also via phone call, if necessary) of his/her selection for a drug test. The coach will be expected to confirm notification of selection for drug testing as well as follow up with the student-athlete who has been selected.

The student-athlete must report on time for the drug test. The student-athlete MUST bring their student ID. Failure of a student-athlete to appear at a scheduled drug test, for any reason, may be subject to the ramifications outlined in this policy for a positive test result. This will be determined, on a case by case basis, by the Director of Athletics, the Senior Associate Athletic Director and/or his/her designee.

RESPONSE TO A POSITIVE TEST RESULT

The Head Athletic Trainer will receive all test results following each test and will notify the Medical Director of all positive tests. The Head Athletic Trainer will inform the athlete that they have tested positive and must meet with the Medical Director. Failure to report on the specified date will result in loss of eligibility. If the Medical Director ascertains that the student-athlete does not have a legitimate reason for testing positive, the Senior Associate Athletic Director, the Medical Director and the Head Athletic Trainer will begin the positive test results protocol. The Senior Associate Director of Athletics will notify the Athletic Director and the head coach of the positive test result. If the drug test is deemed positive, the student-athlete must make

an appointment with a substance abuse counselor designated by the Medical Director within the next five days. Failure to make the appointment or attend the meeting will result in loss of eligibility.

PENALTIES FOR A POSITIVE TEST

A student-athlete who tests positive for the previously outlined substances, steroids or other performance enhancing drugs will be subject to the following penalties:

Following the **first positive test**, the student-athlete will be required to enter the Athletics Department's drug education program and fulfill mandatory meeting/s with a substance abuse counselor designated by the Medical Director before he/she will be allowed to return to intercollegiate practice and competition. Follow up meetings with the designated counselor will be at the discretion of either the counselor or the Medical Director. Failure to report to the meeting with either the Medical Director or the designated counselor will result in loss of eligibility.

The student-athlete will be **suspended from the next 10% of competitions for his/her respective sport**, beginning the date of the confirmed positive result and carrying over into the next competitive season, if applicable. Additionally, the student-athlete must have a negative drug test, as determined by the Medical Director, before returning to competition. The student-athlete may be responsible for the cost of the follow-up drug test and will meet with the Senior Associate Athletic Director for information on completing and submitting this test. Additional disciplinary action may be taken as specified by the Head Coach or Athletic Director. Parents and appropriate Boston University officials may be notified.

A student-athlete who tests positive for steroids or other banned performance enhancing substances will be subject to the penalties associated with the equivalent of two positive tests.

Following a **second positive test**, the student-athlete will be suspended from competition for one calendar year from the date of the positive result and subject to the other actions indicated above. The head coach, with the approval of the Director of Athletics, has the discretion to allow the student-athlete to participate in practice and other team activities. The Head Coach and the Director of Athletics will jointly decide whether to continue the student-athlete's athletic aid during the period of suspension.

In the event of a third positive test, the student-athlete will permanently lose all athletic eligibility and all athletically related financial aid.

A student-athlete who fails to report for a drug test after proper notification may be subject to the penalties outlined in this policy. The student athlete will be considered an administrative positive and will be required to meet immediately with the Director of Athletics or his/her designee who will determine the course of action.

A student-athlete who attempts to manipulate the results of a drug test will be subject to the penalties associated with the equivalent of two positive tests.

APPEAL OF A POSITIVE TEST RESULT

Student-athletes who test positive under the terms of this policy will be entitled to a hearing with the Director of Athletics or his/her designee prior to the imposition of any sanction. Requests for such a hearing must be made within forty-eight (48) hours of notification of a positive 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 Director of Athletics. The student-athlete remains ineligible to compete during the period of appeal.

The student-athlete may have an advocate or other representative present if he/she so desires. However, the student-athlete must present his or her own case. The meeting should take place no more than seventy-two hours after the written request is received. Either the student-athlete or the other parties involved may request an extension of time to the Director of Athletics, who will consider whether to grant the extension upon 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 Director of Athletics (or his/her designee), in conjunction with the Faculty Athletics Representative or other academic official, regarding the sanction to be imposed shall be final.

THE "SAFE HARBOR" PROGRAM

A student-athlete who wants to seek help for a substance abuse problem may discuss the matter with an Athletic Trainer and/or the Medical Director and receive necessary treatment before being selected for testing. This "safe harbor" may be used only once during the student-athlete's career at Boston University, and may last for no more than 30 days. No sanctions would be imposed for a student-athlete who tests positive for an institutional drug test (excludes NCAA drug testing) during the 30 day period of Safe Harbor treatment. Subsequently, the student-athlete may be subject for random selection for drug testing, but the earlier request for assistance will not be used as the basis for testing.

EDUCATIONAL COMPONENTS

Two types of educational programs will be offered each year. One will provide information about alcohol, drugs, and the drug-testing program. The other will be available to student-athletes who have tested positive for drug use or who have chosen to enter the Safe Harbor program.

- Educational information about drugs and the drug-testing program will be available to all student-athletes each year. One such educational session will be a part of a squad meeting at the beginning of every year. Additionally, the Athletics Department will provide at least one general educational session each year, utilizing resources outside the department and/or online training. The educational programs are mandatory for all student-athletes.
- Students who test positive for drugs, or who voluntarily enter the Safe Harbor program, will be required to participate in a minimum of one counseling session with an approved specialist, as designated by the Medical Director. Attendance at counseling sessions and meetings must begin before a student-athlete will be reinstated for competition.

All coaches will contribute to the educational process by helping to provide information and assistance to their teams. Coaches will be expected to develop and distribute specific written statements regarding drug and alcohol use by their team members, including policies related to alcohol use during official visits by prospect. A copy of these policies must be on file in the Boston University Compliance Office.