



**Saint Joseph's University
Department of Athletics
Drug and Alcohol Education & Testing Program**

[Revised Effective February 15, 2019]

1. Introduction

The Saint Joseph's University Department of Athletics has adopted and shall administer this Drug and Alcohol Education & Testing Program (the "Program"). The Department of Athletics reserves the right to make changes to the Program as needed, and the Program should not be construed to create a contract between the student-athlete and Saint Joseph's University. The Program is in addition to and intended to complement the NCAA drug-testing program. Information regarding the NCAA drug-testing program is available at www.ncaa.org.

2. Purpose

The Department of Athletics believes that the drug and alcohol education and drug testing set forth in the Program are appropriate to protect the health, safety and welfare of student-athletes; to promote fair competition in intercollegiate athletics; to affirm compliance with applicable rules and regulations on drug and alcohol use; and to identify and help student-athletes who are abusing drugs or alcohol.

3. Alcohol, Tobacco and Drug Education

Student-athletes who are educated about substance use are more likely to make informed and intelligent decisions related thereto. The Department of Athletics will ensure that student-athletes receive regular drug and alcohol education, including education regarding the institutional and NCAA policies.

4. Consent to Participate

As a condition of participation in intercollegiate athletics at Saint Joseph's University, each student-athlete must sign a consent form agreeing to undergo drug testing and authorizing the release of test results in accordance with this Program. Failure to consent to the requirements of this Program may result in suspension from participation, or termination of eligibility to participate in, intercollegiate athletics at Saint Joseph's University.

5. Alcohol Policy

Student-athletes are required to conduct themselves in accordance with university policies, and with federal, state, and local laws. This extends to the recruitment of prospective Saint Joseph's University student-athletes, who are not permitted to consume alcohol during a campus visit.

Possession or consumption of alcoholic beverages by any individual under the age of 21 is a violation of state law. Likewise, it is illegal and violates University policy to supply alcoholic beverages to persons under the age of 21.

In addition to any discipline issued by the University's Office of Community Standards, the Department of Athletics may suspend or take other appropriate disciplinary action against any student-athlete upon a charge, conviction or plea of guilty to any of 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 local, state, or federal law involving alcohol or drugs, including possession of drugs
- Violations of the Saint Joseph's University Community Standards involving alcohol or drugs

6. Tobacco Policy

Student-athletes and game personnel (*e.g.*, coaches, athletic trainers, managers and game officials) in all sports are prohibited from using tobacco products during practice and competition, and at any time when using home or away athletic facilities. A student-athlete who violates the tobacco policy for the first time will be sanctioned for a "First Positive Result" as outlined in the sanction section of the Program. Subsequent violations of the tobacco policy by a student-athlete will be addressed at the discretion of the Director of Athletics. The Director of Athletics or his/her designee will issue sanctions to game personnel who violate the tobacco policy on a case-by-case basis and in accordance with University policy.

7. Supplements

Saint Joseph's University or affiliated personnel may not distribute or encourage the use of any dietary, performance enhancing, recovery or other supplement or ergogenic aid other than those expressly permitted by NCAA rules. Many supplements or ergogenic aids contain banned substances. The labeling of supplements is often inaccurate and/or misleading. Terms such as "healthy," "all natural" and "NCAA approved" do not mean that supplements are safe to take. Using supplements may result in a positive institutional or NCAA drug test. Student-athletes who are currently taking or considering taking supplements are required to review the product with their athletic trainer or other Sports Medicine Department personnel. The use of all supplements for any reason is at the student-athletes' own risk. Student-athletes are solely responsible for any substance that they ingest.

8. Prohibited Drugs and Substances

Drug tests under the Program will screen for the NCAA list of banned-drug classes. For an ongoing updated listing of the banned drug list, view the NCAA's web site at www.ncaa.org. Prohibited substances that Saint Joseph's University may screen for include, but are not limited to the following classes (and any substance chemically related to these classes):

- Stimulants (includes commonly known substances such as **amphetamine (Adderall), methamphetamine, methylphenidate (Ritalin), cocaine, and bath salts**)
- Anabolic agents
- Diuretics and other masking agents
- Peptide hormones and analogues
- Anti-estrogens
- Beta-2 agonists
- Street or illicit drugs (includes commonly known substances such as **heroin, marijuana, THC, and synthetic cannabinoids such as spice or K2**)

Saint Joseph's University reserves the right to test at cut off levels that differ from the NCAA program.

9. Categories of Drug Testing

Eligibility: For the purposes of the drug testing provisions of the Program, "student-athlete" shall mean any scholarship or non-scholarship student-athlete at Saint Joseph's University who is listed on the official institutional squad list required by the NCAA, including any athlete who has exhausted his/her eligibility but is still receiving financial aid. Student-athletes who are deemed medical non-counters under NCAA rules, and fifth year student-athletes with no remaining eligibility, are not subject to drug testing under this Program.

- Random Testing
All student-athletes are subject to unannounced random testing. Student-athletes will be selected from official institutional squad lists using a computerized random number program.
- Reasonable Suspicion Testing
A student-athlete may be subject to testing at any time when the Director of Sports Medicine, in conjunction with the Director of Athletics, determines there is individualized reasonable suspicion to believe the student-athlete is using a prohibited drug. Such Reasonable Suspicion Testing must be based on objective and reliable information. Reasonable suspicion may include, but is not limited to, the observed possession or use of substances appearing to be prohibited drugs; an arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs or substances; a finding of "responsible" for violating the University Drug Policy by the Office of Community Standards; or observed abnormal appearance, conduct, or behavior reasonably interpretable as being caused by the use of prohibited drugs or substances.

In the event that a student-athlete will be subject to a reasonable suspicion drug test, the Director of Sports Medicine will notify the student-athlete and the student-athlete must stay with a University staff member or member of the contracted drug testing collection team until an adequate specimen is produced through normal collection protocol.

- Return to Competition Testing
A student-athlete who has been suspended from intercollegiate competition as a result of a drug-related violation may be required to undergo Return to Competition Testing prior to

regaining eligibility. The Director of Sports Medicine, in consultation with the appropriate staff member from the Saint Joseph's University Wellness, Alcohol and Drug Education Program in the Office of Student Outreach and Support (WADE) and/or treatment provider, will determine whether such Return to Competition Testing is appropriate. If a student-athlete tests positive, they will return to suspended status pending conditions set forth by the WADE staff member and/or treatment provider, together with the Director of Sports Medicine and the Director of Athletics, but will not be subject to the usual sanctions under this Program as set forth in paragraph 15.

- **Follow-up Testing**

A student-athlete who has returned to full participation in intercollegiate competition following a drug-related suspension may be subject to Follow-Up Testing. Follow-Up Testing will be unannounced and will be required at a frequency recommended by the treatment provider, together with the Director of Sports Medicine and the Director of Athletics. If a student-athlete tests positive, they will return to suspended status pending conditions set forth by the treating counselor, together with the Director of Sports Medicine and the Director of Athletics, but will not be subject to the usual sanctions under this Program as set forth in paragraph 15.

10. Notification and Reporting for Collections

The Department of Athletics will notify student-athletes selected for drug testing via a face-to-face meeting with the student-athlete, a phone conversation with the student-athlete, or an electronic mail or other electronic notification that has been confirmed by the student-athlete. The Director of Sports Medicine, Head Athletic Trainer, or an Assistant Athletic Trainer will notify the student-athlete of the date and time to report to the drug testing station and will have the student-athlete read and sign a Student-Athlete Notification Form.

The Director of Sports Medicine, Head Athletic Trainer, or an Assistant Athletic Trainer will be in the testing station to confirm the identity of the selected student-athletes. Student-athletes shall provide photo identification at the drug testing station. The Director of Sports Medicine, Head Athletic Trainer, or an Assistant Athletic Trainer must remain in the drug testing station until all student-athletes complete the collection process.

11. Collection Protocol

Specimen collection protocol will be based on the National Center for Drug Free Sport Urine Collection Protocol. All collections under this Program shall be observed.

12. Laboratory Analysis/Reporting Results

Urine samples will be collected and sent to an independent SAMHSA and/or World Anti-Doping Agency (WADA) approved laboratory for analysis. Saint Joseph's University hereby certifies that any laboratory it engages for drug testing will abide by the WADA code of ethics as it relates to the testing of samples. Each sample will be tested in accordance with the Program to determine if banned substances are present.

All student-athlete information and records associated with the Program will be treated as confidential and will be released only to those individuals with a legitimate need to know. To avoid inequitable treatment of student-athletes in relation to other students, a positive drug test under NCAA testing or the Program generally shall not be provided to the Office of Community Standards and should not serve as the basis for or be considered in connection with disciplinary procedures for violations of the University's Community Standards.

13. Medical Exceptions

Some banned drugs have legitimate medical uses. Accordingly, a team physician can grant a medical exception for use of a banned drug based on his/her conclusion that a student-athlete's documented medical history demonstrates the medical necessity for such use. Exceptions may be granted only for substances included in, or chemically related to, the following classes of banned drugs: stimulants, anabolic agents, diuretics and other masking agents, peptide hormones and analogues, antiestrogens, and beta-2 agonists.

Student-athletes are required to seek a medical exception for stimulants such as Adderall and Ritalin prior to beginning use of such stimulant. Student-athletes are encouraged to seek a medical exception for any other substance eligible for an exception prior to beginning use of such substance. A student-athlete may seek a medical exception after receiving notice of a positive test by submitting a request for a medical exception within five (5) business days of notice of the positive test.

A student-athlete may seek a medical exception by submitting a request for the exception to the athletic trainer or team physician assigned to the student-athlete's team. In response to such a request, the team physician shall evaluate the medical necessity for such use and, if he or she grants the exception, maintain appropriate documentation and dosage information. In the case of an anabolic agent or a peptide hormone, the student-athlete is not permitted to participate in competition until the NCAA approves use of the medication.

14. Positive Results

The following are deemed a positive result under this Program:

- A positive test for a banned substance (except those excused via the medical exception provisions of the Program)
- Refusal to submit to a required drug test or refusal to provide a specimen
- Failure to attend a scheduled drug test after notification of such test
- The laboratory reports a specimen as substituted, manipulated or adulterated
- The collector provides credible evidence of tampering
- A positive drug test pursuant to the NCAA drug testing program

Positive results will be subject to the sanctions set forth below. All positive results are cumulative.

15. Sanctions

- First Positive Result

The Director of Sports Medicine will schedule a confidential meeting with the student-athlete, the Director of Athletics or his/her designee, and the appropriate head coach to review the positive result. The Director of Athletics or his/her designee may notify the student-athlete's parent(s) or legal guardian(s). The student-athlete will be required to schedule a meeting with a WADE staff member. The WADE staff member shall determine the appropriate form(s) of education and intervention needed by the student-athlete, based on the circumstances of the case. Failure to schedule or attend an appointment as stated above may result in suspension from practice and/or competition as determined by the Director of Athletics or his/her designee. Failure to comply with the WADE staff member's recommendations may be classified as a Second Positive Result.

- Second Positive Result

The Director of Sports Medicine will schedule a confidential meeting with the student-athlete, the Director of Athletics or his/her designee, and the appropriate head coach to review the positive result. The Director of Athletics or his/her designee will notify the student-athlete's parent(s) or legal guardian(s). The student-athlete will be suspended from participation in any intercollegiate competition at Saint Joseph's University for 50% of the team's championship segment. The student-athlete shall remain eligible to practice and shall attend home competitions unless excused by the head coach. The student-athlete will be required to schedule a meeting with a WADE staff member. The WADE staff member shall determine the appropriate form(s) of education and intervention needed by the student-athlete, based on the circumstances of the case. Failure to schedule or attend an appointment as stated above may result in additional sanctions as determined by the Director of Athletics or his/her designee. Failure to comply with the WADE staff member's recommendations may be classified as a Third Positive Result.

- Third Positive Result

The Director of Sports Medicine will schedule a confidential meeting with the student-athlete, the Director of Athletics or his/her designee and the appropriate head coach to review the positive result. The student-athlete is deemed permanently ineligible to participate as a student-athlete on any intercollegiate team at Saint Joseph's University. Consistent with all University and NCAA regulations, the student-athlete may be subject to cancellation of athletic financial aid for the subsequent semester, if any, in the current academic year and non-renewal of the athletic financial aid for the ensuing academic year(s). The Director of Athletics or his/her designee will notify the student-athlete's parent(s) or legal guardian(s) by telephone and in writing of such decision. The student-athlete will be required to schedule a meeting with a WADE staff member. The WADE staff member shall determine the appropriate form(s) of education and intervention needed by the student-athlete, based on the circumstances of the case.

Calculation of Suspension: When the sanctions required include a suspension from intercollegiate competition for a percentage of the championship segment in the student-athlete's sport, the calculation shall be based on the number of contests or dates of competition in the regular season of

that sport and shall be rounded up to the next whole number. The ban shall run from the expiration of the time for appeal, or the denial of a timely filed appeal, until the requisite number of championship segment contests or dates of competition have elapsed. If the student-athlete cannot satisfy the ban in one championship segment, the ban shall continue through all subsequent intercollegiate competitions (including post-season) until the requisite number of championship segment contests or dates of competition have elapsed. If the athletic team completes its competition schedule before the student-athlete satisfies the condition of the sanction, the sanction will be carried over into next season's competition. If a student-athlete has a positive result during a "red-shirt year," or after the completion of a season, the student-athlete's suspension will begin during the next season's competition.

Health & Safety Discretion: Notwithstanding anything herein to the contrary, a team physician, in his/her sole discretion, reserves the right to withhold a student-athlete from practice or competition if such practice or competition would pose a threat to the health and safety of the student-athlete or his/her competitors. Any decision to restrict a student-athlete from practice or competition for health and safety concerns must be based on credible evidence. In such case, only the team physician may release a student-athlete to resume competition and/or practice.

16. Voluntary Disclosure and Safe Harbor

- Safe Harbor. On one occasion during the student-athlete's eligibility for intercollegiate athletics at Saint Joseph's University, a student-athlete who has used an **illicit drug or a stimulant** such as Adderall, Ritalin and Vyvanse may seek safe harbor under the Program by disclosing their use of the illicit drug or stimulant to the Director of Sports Medicine. The safe harbor does not apply to the NCAA drug testing program.
- Eligibility. To be eligible for the safe harbor, the student-athlete must not have previously tested positive for any illicit drug or stimulant under the NCAA drug testing program or this Program. A disclosure made after the student-athlete receives notification of a random test or other test under this Program shall not create safe harbor with regard to such test.
- Consequences of Safe Harbor Request.
 - (a) The Director of Sports Medicine shall arrange to have the student-athlete tested to establish a baseline for re-testing purposes. If the baseline test results in a positive test for the illicit drug or stimulant disclosed by the student-athlete, the result shall not be treated as a positive result under the Program. If the baseline test results in a negative test, the one-time safe harbor opportunity is not returned to the student-athlete.
 - (b) The student-athlete will be required to undergo a brief assessment by a WADE staff member. The WADE staff member shall determine the appropriate form(s) of education and intervention needed by the student-athlete, based on the circumstances of the case. The WADE staff member will provide confirmation of session attendance and recommendations to the Director of Athletics. Failing to complete the treatment recommended by the counselor, or having a positive result test for any banned substance that indicates new use after entering the Safe Harbor Program will be deemed a positive result under this Program.

(c) A student-athlete's request for safe harbor shall not result in sanctions affecting the student-athlete's participation in team conditioning, practice, and/or competition, except that the Director of Sports Medicine may notify the Director of Athletics if he/she is concerned about the health and safety of the student-athlete based on the safe harbor disclosure or circumstances related thereto. In such cases, the Director of Athletics may suspend the student-athlete from conditioning, practice, and/or competition until the Director of Athletics is satisfied that the student-athlete is physically and mentally fit to resume such activities.

17. Appeal

Any student-athlete who has a positive result under the Program may appeal to a three-member Appeals Committee (which shall include at least two individuals outside the Department of Athletics) prior to the final imposition of any sanction. Appeals must be submitted in writing to the Director of Athletics or his/her designee within five (5) business days of notification of a positive result.

A student-athlete may appeal any aspect of the positive result, including but not limited to collection or chain of custody issues, procedural defects, and the assigned sanction. In challenging the assigned sanction, a student-athlete may present mitigating circumstances such as use prior to enrollment, unintentional use of a performance enhancing drug, and/or other circumstances surrounding the substance use.

The Appeals Committee shall conduct a hearing on a student-athlete's appeal within five (5) business days after the appeal is submitted. The student-athlete or the Appeals Committee may submit a request for an extension of time to the Director of Athletics or his/her designee, who will grant the extension upon a showing of good cause. The hearing shall include an opportunity for the student-athlete to present relevant evidence regarding the positive result, as well as to review the results of the drug test (if applicable). The student-athlete may have an advocate or other representative present at the hearing; however, the student-athlete must present his or her own case. The proceedings shall be confidential. The decision rendered by the Appeals Committee regarding the sanction to be imposed shall be final.