



# CUMBERLAND UNIVERSITY

## ATHLETIC DEPARTMENT

### POLICIES REGARDING SUBSTANCE ABUSE

Cumberland University is committed to providing drug information and testing program consistent with conference and national regulation of intercollegiate athletics.

It is the purpose of the Department of Athletics to encourage student-athletes to become knowledgeable about drugs, as they may interfere with the athlete's health and performance. Athletes are encouraged to seek out such information through the Substance Abuse Program established by the Athletic Department. Drug testing and screening has as its primary intent the well-being of the Cumberland University student-athlete. Cumberland University is interested in the prevention and control of drug abuse and in helping student-athletes with drug abuse problems. The drug testing and screening program is regarded as a preventive measure for a potentially serious illness. If and when a student-athlete tests positive for improper drug use, acceptable methods of treatment are to be administered.

**Individuals found to be involved in the illegal distribution of drugs (transfer or sale), through any means, will be immediately dismissed from all athletic teams and their athletic financial aid cancelled.**

#### Purpose of the Athletic Drug Policy

The purpose of the Athletic Department's Substance Abuse Policy is:

1. To prevent use of illicit drugs by student-athletes before, during, and after the official season in each sport.
2. To educate all student-athletes regarding usage and its effect on the individual athlete and his/her team and teammates.
3. To insure the health and safety of the student-athlete.
4. To educate student-athletes about problems associated with drug use.
5. To see that any chronic dependency is treated and addressed properly.
6. To encourage discussion about any questions student-athletes may have, either specifically or generally about usage of drugs.

#### Education and Counseling on Substance Abuse

Drug abuse in its many forms is a deep concern to the university community. The Athletic Department will promote information and discussion sessions concerning the use of illicit drugs and alcohol with the various teams throughout the year. Information, literature, and counseling are available to the student-athlete through the Athletic Department, Athletic Training Department, Department of Student Counseling Services, and outside agencies. The Athletic Department urges students and their families to utilize these services and materials. Drug abuse cannot be handled alone. Any call or contact made seeking help or private counseling assistance will be held in strictest confidence, except as otherwise stipulated by this or other policy.

Cumberland University will take a comprehensive view of drug abuse, because drug abuse, in its several forms, lies close to us all. Alcoholism is the number one drug abuse problem in the United States today and the number three killer after heart disease and cancer.

The Department of Athletics will inform the student-athlete about the Substance Abuse Policy (requirements and procedures) of Cumberland University.

Athletes must sign, indicating understanding of/and agreement to comply with the policy in order to participate in intercollegiate athletics. Failure to do so will result in immediate ineligibility and discontinuation of any athletic-related financial aid.

### **Prohibition on the Use of Illicit Substances**

Use of any illegal, illicit, or controlled substance by a student-athlete at Cumberland University (except as may be prescribed by a qualified physician in treating an individual's medical condition) is expressly prohibited, whether such use occurs before, during, or after the competitive season of the particular sport. This may include, but is not limited to:

1. Amphetamine
2. Barbiturates
3. Cocaine
4. Codeine
5. Heroin
6. Methaqualone
7. Methamphetamine
8. Morphine
9. Marijuana
10. Phencyclidine (PCP)
11. Anabolic Steroids

### **Substance Abuse Testing**

Testing shall be both “random” and “selective.”

Random tests shall be conducted on the student-athlete population in each sport. These tests shall be administered on a regular basis, either announced or unannounced. The population selected may include all in a generalized group (i.e. position, offense or defense, etc) or may include the entire team. Individual student-athletes may also be chosen randomly through the use of a random number process.

\*\*In addition to the randomly chosen individuals to be tested, athletes may be selectively chosen based on previous positive test results, and/or reasonable suspicion.

### **Reasonable Suspicion is defined as:**

“A good faith belief, based on specific articulated facts or evidence, that a student-athlete may have violated the university’s drug abuse policy and that drug testing may provide evidence relating to that violation.”

A student/athlete is subject to reasonable suspicion testing when after review of the specific facts and circumstances in a particular student/athlete’s case, a representative of Cumberland University concludes that there exists a reasonable suspicion that a student-athlete has engaged or is engaging in conduct prohibited under this policy. The representative of Cumberland University must document these conclusions. The appointing authority or his/her designee will review this documentation and any other pertinent information. If the designated authority agrees with the documented findings of the representative of Cumberland University, the student-athlete shall submit to a controlled substance test.

### Drugs to Be Tested For

Tests may be conducted for amphetamines, barbiturates, benzodiazepines, cocaine metabolite, marijuana metabolites, methadone, methaqualone, opiates, phencyclidine, and anabolic steroids. Other substances banned by the NAIA, Cumberland University, or State of Tennessee laws and regulations may also be selected.

### Testing Procedures

Any student-athlete found guilty of altering the results of the collection sample will be considered to have a positive test result.

Any student-athlete found guilty of tampering or attempting to tamper the testing procedure will be considered a positive test result.

### Technique:

1. Once the student-athlete is notified that they have been selected for drug testing, they will not be allowed to leave the supervision of the monitor or the collector.
2. If the student-athlete leaves the monitored area before they are dismissed they will be considered to have a positive drug test.
3. If a student-athlete refuses or fails to provide a urine sample within ninety (90) minutes of their initial attempt the drug test will be considered a positive test.
4. The student-athlete will be allowed to consume up to 40 oz. of water in order to help them provide a urine sample.
5. Urine collection will be monitored at the site by the collector, who will be E & A Solutions Inc. or Cumberland University staff member of the appropriate gender.
6. The individual(s) selected for urinalysis will submit one (1) sample of urine (at least 45 ml).
7. At the time of collection the authorized monitor will request a list of medications prescribed to the student-athlete submitting the urine sample. The legitimacy of the list provided may be verified by confirmation from the prescribing physician.
8. The name and identifying information of the student-athlete being tested will be recorded on drug testing custody and control form.
9. The urine sample will be packaged into a 30 ml specimen and a 15 ml specimen. Each specimen will be packaged together along with a drug testing custody and control form and then transported to the laboratory for testing.
10. The 30 ml specimen will be tested.
11. If the results of the drug test are positive the student-athlete has the right to have the 15 ml sample tested a drug testing laboratory of his/her choice at their expense.

### Effect of Positive Test Results

#### First Positive:

1. If a student-athlete has a positive test result for the first time, the individual will meet with the Head Athletic Trainer, Head Coach, and the Director of Athletics to discuss the test results.
2. The Team Physician shall also be notified.
3. The athlete will be deemed medically ineligible to participate in athletic activity until such time as the level of substance dependency has been determined, drug education and counseling has been successfully completed, and the athlete has been deemed medically eligible to participate in athletic activity by the Team Physician and/or Director of Student Counseling Services. *This period shall not be less than 50% of eligible competitions in the current season of competition. Should there less than 50% of eligible competitions remaining in the season of competition and/or during the off-season, the difference shall be completed in the following season of competition. If the athlete is being red-shirted during the season in which they test positive the 50% suspension will be effective during the next season of competition.*
4. The athlete's parent(s), legal guardian(s), or spouse may be notified of the positive test result as a means of obtaining parental assistance in the prevention of further illicit drug use.
5. The cost of evaluation and counseling/education and any follow-up testing will be the sole responsibility of

the athlete.

6. Failure to participate in evaluation or counseling or meet any other provisions as established by the Team Physician and/or Director of Student Counseling Services will be treated as a second positive.
7. The student-athlete will be subject to selective testing for the remainder of their athletic eligibility and/or as long as he/she is receiving athletic-related financial aid. This testing may be conducted by an outside agency or lab, as determined by the Team Physician and/or Head Athletic Trainer.

Second Positive:

1. If a student-athlete has a second positive test result or is declared a second positive by any provision of this policy, the individual will meet with the Head Athletic Trainer, the Head Coach, and Director of Athletics to discuss the test results.
2. The individual will be declared medically ineligible to participate in athletic activity for one calendar year and will lose all athletic-related financial aid at the end of the current semester and non-renewal of all athletic-related financial aid for the ensuing academic year.
3. The student-athlete will not be reconsidered for eligibility until a long-term in-patient or out-patient substance abuse program has been successfully completed, as determined by the Team Physician and/or Director of Student Counseling Services.
4. The cost of evaluation and counseling/education and any follow-up testing will be the sole responsibility of the athlete.
5. The student-athlete shall be informed of their right to a hearing prior to imposition of these penalties.

### **Hearing Procedures**

1. The student-athlete must submit to the Director of Athletics a written request for a hearing within 5 days after notification of a second positive. Failure to request the hearing will result in a waiver of the right to a hearing. The penalties will be imposed after the 5 day period has elapsed.
2. The Director of Athletics, or designee, will act as a hearing officer.
3. The student-athlete will be provided written notice of the test results, the penalties to be imposed, and notification to the time, place, and date of the hearing.
4. Only the student-athlete, a representative from the Athletic Department, the Dean of Students and the Director of Athletics may be present for the hearing.
5. The student-athlete will be provided an opportunity to present his/her position regarding the test results and penalties, as well as any related documentation which will assist the hearing officer in determining whether the student-athlete should be suspended from athletic-related activity and be subject to cancellation of athletic-related financial aid.
6. Following the hearing, Dean of Students will prepare a brief summary of the hearing, including:
  - 6.1. The names of those persons present at the hearing.
  - 6.2. The date, time, and place of the hearing.
  - 6.3. The test results.
  - 6.4. The position of the student-athlete.
  - 6.5. The position of the Athletic Department representative.
  - 6.6. A ruling that the penalties should or should not be imposed and the reasons therefore. In the event the Dean of Students rules that penalties should not be imposed, the Dean of Students may impose other sanctions or alternatives.
  - 6.7. The report of the Dean of Students should be completed and forwarded to the student-athlete, Director of Athletics, and President of the University within 10 days after the conclusion of the hearing.

### **Selling/Distributing Drugs**

A student-athlete convicted of selling drugs according to the laws of Tennessee will be suspended from the team and athletic-related aid will be immediately cancelled and not renewed for the following year.

### **Self-Referral**

If an athlete voluntarily confesses to substance abuse, the athlete will be entered into the Program as a “first

positive” without the mandatory suspension of 50% of eligible competitions and will be required to meet any and all other terms/obligations associated with a first positive.

The individual will be given one self-referral during their college career with no penalties. Subsequent self-referrals will be treated as a second positive and will be treated as previously outlined. The self-referral is designed to help individuals who recognize they have a problem with substance abuse. With the announcement of a substance abuse test, the self-referral may not be used to avoid penalties associated with a positive test result.

### **Confidentiality of Test Results**

All information and records under the athletic substance abuse policy, including test results, will remain confidential and will be released only to the following persons:

1. Team Physician
2. Head Athletic Trainer
3. Head Coach
4. Director of Athletics
5. Team Member's Parents, Legal Guardian, or Spouse
6. Director of Student Counseling Services
7. Dean of Students
8. President of the University

### **Education Program**

Group sessions for student-athletes will meet throughout the year. Attendance is mandatory with record taken. Any excuses from attending must be approved by the Director of Athletics.