

**Policy and Procedures
for Random Urine Drug Testing
of Students Participating in Intercollegiate Sports**

**This suggested Policy and Procedure
has been drafted by**

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This document contains a separate Policy and Procedure. The reason is so that the procedure can be changed without redoing the policy.

Policy for Random Urine Drug Testing of Capital University Students Participating in Intercollegiate Sports

OVERVIEW

The procedure for random drug testing of athletes is accomplished in conjunction with an independent drug testing Vendor selected by Capital University. The Vendor is provided by the Athletic Director a list of eligible in-season student athletes and in turn randomly selects up to 20% of these students for drug testing at regular intervals. The Vendor will send qualified collectors to the school who will oversee the collection of all specimens as outlined in this document. The Vendor will provide Medical Review Officer (MRO) services for interpretation and verification of results. Results are reported to the Athletic Director by the MRO. Specimens are collected as split specimens. If the sample is positive, the student is offered options of participation in a drug assistance program with weekly drug testing until negative along with loss of athletic competition time.

1. A STATEMENT OF NEED AND PURPOSE

Recognizing that observed and suspected use of alcohol, illicit and performance enhancing drugs by Capital University student athletes is increasing, a program of deterrence will be instituted as a pro-active approach to a truly drug free school. Likewise, through participation in athletics, students using illegal drugs pose a threat to their own health and safety, as well as to that of other students. The purpose of this program is threefold: (1) to provide for the health and safety of all Student Athletes; (2) to undermine the effects of peer pressure by providing a legitimate reason for Student Athletes to refuse to use illegal drugs; and (3) to encourage Student Athletes who use drugs to participate in drug treatment programs. The program is non-punitive. It is designed to create a safe, drug free, environment for student athletes and assist them in getting help when needed. For the purpose of this Policy, the term "student athletes" shall be as defined from time to time by the National Collegiate Athletic Association (NCAA) or sanctioning organization. (4) While testing is one component of the Drug and Alcohol Program, education and other preventative measures form the core of the program both philosophically and procedurally.

2. SUPPORTING DATA

Random urine drug testing of a public school intercollegiate athlete is legal as determined by the **Buckley Amendment Consent Family Education Rights and Privacy Act of 1974**, and they may not be disclosed without your consent.

3. DEFINITIONS

Vendor - The medical office or company selected by the Capital University to carry out the policy and procedure.

Athletic Director - The individual hired by the school or district to oversee all athletic programs of the school or district.

Medical Review Officer (MRO) - A licensed physician trained and certified in the process and interpretation of drug testing results.

Illicit substance - A drug classified by the Drug Enforcement Administration (DEA) as being available only by prescription from a physician or classified as being controlled and having no therapeutic use.

Banned Substance - A substance defined by School policy as being banned from use by students.

Student Athlete - A qualified student participating on a sanctioned athletic team as defined by the National Collegiate Athletic Association.

SAMHSA - The Substance Abuse and Mental Health Services Administration; a governmental agency that certifies toxicology laboratories that perform drug testing following strict guidelines and constant quality assurance programs.

GC/MS - Gas Chromatography/Mass Spectroscopy; a scientific process to identify specific chemical compounds. A molecular fingerprint is obtained that identifies a chemical compound with 100% accuracy.

Quantitative Levels - The measurement levels of a specific chemicals in the urine reported usually in nanograms per milliliter (ng/ml).

Chain-of-custody Form - A preprinted form provided by the testing laboratory that records all contact with the provided specimen. The form is initiated by the collector and donor then follows with the specimen until the results are certified by the testing scientist and forwarded to the MRO for final certification.

Adulterant/Adulteration - Any attempt to alter the outcome of a urine drug test by adding a substance to the sample, attempting to switch the sample, or otherwise interfere with the detection of illicit or band substances in the urine, or purposefully over hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances..

4. PROCEDURES FOR STUDENT ATHLETES

a. Informed Consent for Testing

At the beginning of each sport season, student athletes and parent/guardian/custodian will complete and sign the **Capital University Consent to Perform Urinalysis for Drug Testing** (Exhibit A). No student may participate in practice or competition until this form is properly executed and on file with the Athletic Director.

b. Urine Drug Testing Frequency

All athletes wishing to participate in sports at Capital University may be subject to urine testing for illicit or banned substances as specified in Paragraph 9 below. Up to 20% of eligible student athletes will be randomly tested on up to a weekly basis anytime during the athletic year. Testing can also be done when there is reasonable suspicion. Any student who refuses to submit to urine drug testing will not be allowed to practice or participate in athletics at Capital University.

c. Sample Collection

Samples will be collected as outlined under Vendor Requirements, Paragraph 6 below. Any eligible student athlete selected randomly for urine drug testing who is not in school on the day of testing will be tested at the next available testing time. Any student unable to produce an adequate specimen of urine during the collection period, after consuming up to 16 ounces of water and waiting up to 60 minutes, will be suspected of not cooperating with the testing program and will not be allowed to compete in any scheduled competitions until the required testing is completed. Students not able to provide an adequate urine specimen at the next testing time will be viewed as **refusing to test** and subject to this Policy's actions in that regard. Arrangements may be made for special collections at a Vendor Collection site with prior approval of the Athletic Director.

5. CONFIDENTIALITY OF RESULTS

All drug test results are considered confidential information and will be handled accordingly. Those persons having results reported to them as set forth by this Policy must sign a Confidentiality Statement (Exhibit B).

6. VENDOR REQUIREMENTS

At a minimum, the Vendor must be able to provide the following services:

a. Random Selection of Student Athletes

Once provided a list of eligible student athletes, the Vendor must select the required number of students in a random and confidential manner. Up to weekly, the Vendor will arrange with the Athletic Director a day and time to do the collection of specimens. The schedule will not follow any recognizable pattern. The selected student names will be given to the Athletic Director at the school, who will arrange for these students to report to the collection area.

b. Collection of Urine Specimens

The Vendor will oversee the collection of urine specimens as outlined in the **Procedures for Random Urine Drug Testing of Capital University Students Participating in Intercollegiate Sports**. Chain of Custody forms will be provided by The Vendor that meet the criteria of this Policy and that of the testing laboratory. Students will be given as much privacy as possible in the obtaining of the specimen.

c. Testing of Urine Specimens

The Vendor will have all specimens tested for the specified illicit or banned substances by a qualified laboratory certified by the **Substance Abuse and Mental Health Services Administration (SAMHSA)** following the guidelines of the **Department of Health and Human Services (HHS)**.

The testing laboratory should have greater than 10 years experience in toxicology testing and chain-of-custody procedures. All specimens must be initially tested using a highly accurate immunoassay technique, with all presumptive positive results then confirmed by a **Gas Chromatography/Mass Spectroscopy (GC/MS)** confirmatory test

The testing laboratory must be able to test for the following drug classes, substances or their metabolites in collected urine specimens. The Athletic Director may specify specific classes or substances to be tested.

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
Methaqualone	Phedrine	Opiates
Phencyclidine	Propoxyphene	

d. Medical Review Officer (MRO) Services

The Vendor will provide MRO services by a licensed physician who is certified by the **Medical Review Officer Certification Council (MROCC)** or the **American Association of Medical Review Officers** as having proven by examination to have had the appropriate medical training to interpret and evaluate drug test results and thus qualified for certification as a Medical Review Officer. Additionally the MRO must demonstrate a willingness to abide by the **Procedure for Random Urine Drug Testing of Capital University Students Participating in Intercollegiate Sports** as to the evaluation of positive drug tests and reporting findings to the Athletic Director in a timely and confidential manner. All results will be kept on file for a period of seven years.

e. Reporting of Random Urine Test Results by Vendor

The MRO will certify all urine drug screens as negative or positive and report by telephone positive findings in a confidential manner to the Athletic Director. The MRO will also notify the Team Physician, by phone, that a drug test returned positive giving only the dates of the collection and reporting.

f. Statistical Reporting and Confidentiality of Urine Drug Test Results

The Vendor, testing laboratory, or MRO may not release any statistics on the rate of positive drug tests to any person, organization, news publication or media without expressed written consent of the Capital University. However, the Vendor will provide the Athletic Director with an annual report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens.

7. PROCEDURES IN THE EVENT OF A POSITIVE RESULT

a. Whenever the MRO reports that a student athlete's test result indicates the presence of illegal drugs or banned substances, the following will occur:

(1) The Athletic Director, within 24 hours, will notify the student of any positive results. The Athletic Director may keep all test results for a period up to one year.

- (2) The student and Head Coach (in case of two sport athlete both Head Coaches) will be notified and be required to submit weekly urine specimens, via the Vendor, until two consecutive tests are negative..
- (3) If the student wishes to contest the results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory approved by the Capital University for testing. This is done at student expense. Such a request must be made to the Athletic Director in writing withing five working days from first notification of positive test results.
- (4) The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative results may be reported.

b. First Positive Result

For the first positive result, the student athlete will be:

- (1) It is under the discretion of the Head Coach to adhere additional policies
- (2) Mandatory counseling through Student Health Services;
- (3) Weekly urine drug testing until two subsequent weeks are negative.

Student is responsible for all expenses after initial/random testing.

c. Second Positive Result

For a second positive result, during the academic year as a student athlete at Capital University, the student athlete will be:

- (1) denied participation in a minimum of 50% of athletic competition (or more if dictated by the head coach of that sport). Practice status determined by the coach.
- (2) Mandatory counseling through Student Health Services;
- (3) Weekly urine drug testing until two subsequent weeks are negative.
- (4) Mandatory retest following semester.

Student is responsible for all expenses.

d. Third Positive Result

For the third positive result during the academic year as a student athlete at Capital University, the student athlete will be denied the

privilege of participation for one full academic year from the finding of a positive, as consistent with NCAA Drug Testing Policy.

e. Fourth Positive Result

For the fourth positive result anytime as a student athlete at Capital University, the student athlete will no longer be eligible for participation.

8. NON-PUNITIVE NATURE OF POLICY

No student athlete will be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the Capital University will not solicit. In the event of service of any such subpoena or legal process, the student will be notified at least 72 hours before response is made by the Capital University, to the extent permitted by such subpoena or legal process.

9. ILLICIT OR BANNED SUBSTANCES

For the purpose of this Policy, the following drug classes, substances or their metabolites that can be tested for are considered illicit or banned for Capital University student athletes:

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
Methaqualone	Phedrine	Opiates
Phencyclidine	Propoxyphene	

END OF POLICY

Procedures for Random Urine Drug Testing of Capital University Students Participating in Intercollegiate Sports

1. LIST OF ELIGIBLE STUDENT ATHLETES

The Athletic Director will prepare a list of eligible student athletes participating in sports. This list will be forwarded to the Vendor for the random selection of student athletes who will submit urine specimens for testing.

2. RANDOM SELECTION OF STUDENT ATHLETES FOR TESTING

The Vendor will use a system to assure that students are selected in a random fashion. This system will utilize a computer based system designed specifically for the purpose of randomly selecting individuals for drug testing.

3. SCHEDULING OF URINE DRUG TESTING

Urine drug testing is unannounced. The day and date are selected by the Athletic Director and confirmed with the Vendor. Random testing may be done weekly.

4. INFORMED CONSENT

At the beginning of each season, the Head Coach is responsible for seeing that all student athletes properly sign the **Capital University Consent to Perform Urinalysis for Drug Testing** (*Policy Exhibit A*) prior to testing.

5. ATHLETIC YEAR

The athletic year begins the date the first official physical examination for that sport and continues for 365 days thereafter.

6. FORM COMPLETION

The Vendor is responsible for seeing that proper drug testing custody and control forms are used that satisfy the needs of the **Policy for Random Urine Drug Testing of Capital University Students Participating in Intercollegiate Sports** and the testing laboratory. A student number will be used for identification with the student's name only appearing on the copies that go to the donor, MRO, and School Official.

7. COLLECTION PROCESS

Selected student athletes are notified to report to the collection site. A specimen of urine is collected following this process:

- a. Student first is asked to wash their hands with soap and water and dry them.
- b. No purses, bags or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
- c. The drug testing custody and control form is completed by the Student and collector.
- d. The collector opens the collection kit while the student watches and hands the collection cup to the student while indicating the volume of urine needed for the testing (45 ml). The student is instructed to void directly into the cup and hand it to the collector before flushing the toilet or washing their hands.
- e. The collector verifies that the toilet water is blue from the blueing agent.
- f. The student enters the stall to collect the specimen, then hands the container to the collector.
 1. If the student is unable to produce a specimen, they may drink up to 16 ounces of water provided by the collector or Athletic Director and wait up to 1 hour. They will not be allowed to be out of direct view of the collector or Athletic Director. If after 1 hour the student is unable to produce an adequate specimen of at least 30 ml, they will be referred to the Athletic Director for explanation and application of policy.
- g. The collector checks the volume, reads and records the temperature within four minutes of collection, and looks for evidence of tampering. If tampering is suspected, a second specimen will be requested. A second suspected tampered specimen will be considered **refusal to test** and the Athletic Director notified.
- h. With the student watching, the collector will pour the specimen into the two bottles and recap the specimen bottles tightly.
- i. The collector takes the properly signed and initialed bottle seals and places them over the caps and sides of the bottles.
- j. The sealed bottles are placed inside the transport bag and the top sealed as directed.
- l. The top lab copies of the drug testing custody and control form are folded with the top portion visible to the outside and placed in the Requisition Pouch. This pouch is then sealed as indicated. The student is given the donor copy of the form.
- m. The Student is then sent back to practice.
- n. The collector distributes the remaining copies of the form as required, being responsible for getting the appropriate copy of the form to the MRO in a timely manner.
- o. The Athletic Director will be notified immediately of any student who refuses to give a urine sample.

8. MEDICAL REVIEW OFFICER (MRO) RESPONSIBILITIES

The MRO will review all results of urine drug testing. Any urine specimen testing positive for illicit or banned substances will be handled in the following manner:

- a. The MRO determines if any discrepancies have occurred in the **Chain of Custody**.
- b. Depending on the substances found in the urine, if necessary the MRO will contact the student to determine if the student is on any prescribed medication from a physician.
- c. If the student is on medication, the student will be asked to provide a copy of the prescription label, within five working days, to document what medications the student is currently taking. Failure to provide such requested information will be considered a positive result.
- d. The MRO will then determine if any of the prescribed medications resulted in the positive drug screen.
- e. Finally, the MRO, based on the information given, will certify the drug test results as positive or negative and reports this to the Athletic Director, initially reporting positives results by phone. The MRO will also notify the Team Physician that a drug test returned positive giving only the dates of the collection and reporting.
 - (1) For example, a drug screen positive for codeine may be ruled negative by the MRO when he receives a letter from the treating physician that the student has been prescribed Tylenol© with codeine as a pain medication following tooth extraction.
 - (2) Or, if the student has a positive drug screen for codeine and has no documented physician order for the medication (maybe a friend gave the student one of their pills), this would likely be ruled a positive drug test by the MRO.
 - (3) Drug screens positive for illicit drugs (marijuana, heroin, cocaine or alcohol, etc.) would automatically be considered positive by the MRO.
- f. The MRO may use quantitative results to determine if positive results on repeat tests indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

9. PICK-UP PROCESS

The Vendor is responsible for seeing that specimens are delivered to or picked up by the laboratory courier and the Chain of Custody form properly annotated.

10. PROCEDURES IN THE EVENT OF A POSITIVE RESULT

- a. Whenever the MRO reports that a student athlete's test result indicates the presence of illegal drugs or banned substances, the following will occur:
- (1) The Athletic Director, within 24 hours, will notify the student of any positive results. The Athletic Director may keep all test results for a period up to one year.
 - (2) The student and Head Coach (in case of two sport athlete both Head Coaches) will be notified and be required to submit weekly urine specimens, via the Vendor, until two consecutive tests are negative..
 - (3) If the student wishes to contest the results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory approved by the Capital University for testing. This is done at student expense. Such a request must be made to the Athletic Director in writing withing five working days from first notification of positive test results.
 - (4) The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative results may be reported.

b. First Positive Result

For the first positive result, the student athlete will be:

- (1) It is under the discretion of the Head Coach to adhere additional policies
- (2) Mandatory counseling through Student Health Services;
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Student is responsible for all expenses after initial/random testing.

c. Second Positive Result

For a second positive result, during the academic year as a student athlete at Capital University, the student athlete will be:

- (1) denied participation in a minimum of 50% of athletic competition (or more if dictated by the head coach of that sport). Practice status determined by the coach.
- (2) Mandatory counseling through Student Health Services;
- (3) Weekly urine drug testing until two subsequent weeks are negative.
- (4) Mandatory retest following semester.

Student is responsible for all expenses.

d. Third Positive Result

For the third positive result during the academic year as a student athlete at Capital University, the student athlete will be denied the privilege of participation for one full academic year from the finding of a positive, as consistent with NCAA Drug Testing Policy.

e. Fourth Positive Result

For the fourth positive result anytime as a student athlete at Capital University, the student athlete will no longer be eligible for participation.

CAPITAL UNIVERSITY

Consent to Perform Urinalysis for Drug Testing

I understand that when I participate in any athletic program, I will be subjected to random urine drug testing, and if I refuse, I will not be allowed to practice or participate in any athletic activities.

I understand this is binding while a student at Capital University.

I hereby consent to undergo urinalysis testing for the presence of illicit drugs or banned substances in accordance with the **Policy and Procedure for Random Urine Drug Testing of Capital University Students Participating in Intercollegiate Sports**.

I understand that the collection process will be overseen by a qualified vendor.

I understand that any urine samples will be sent only to a certified medical laboratory for actual testing, and that the samples will be coded to provide confidentiality.

I hereby give my consent to the medical vendor selected by the Capital University, their laboratory, doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected medical vendor to perform urinalysis testing for the detection of illicit drugs or banned substances.

I further give permission to the medical vendor selected by the Capital University, its doctors, employees, or agents, to release all results of these tests to the Medical Review Officer (MRO) working for the medical vendor. We understand these results will be forwarded to the Athletic Director and will also be made available to me.

I understand that consent pursuant to this **Informed Consent Agreement** will be effective for all athletic sports in which I might participate during the current school year.

Signature

Date

Policy EXHIBIT B

CAPITAL UNIVERSITY

Confidentiality Statement for Random Urine Drug Testing Program

I, _____, acknowledge that I will be privileged to hear and see sensitive information related to results of random urine drug testing performed on student athletes of Capital University. I pledge to keep any information given to me in strict confidence, and will only release this information to others as dictated by University policy or with properly obtained permission of the student.

Signature

Date