



## **ATHLETIC DRUG EDUCATION, TEST AND DETERRENCE PROGRAM**

### **I. Policy Statement**

The improper use of drugs is a matter of deep concern within our society and is particularly a focus of attention and importance at Winston-Salem State University (WSSU). Many lives are being damaged and in some cases, destroyed by drug use. In addition, the criminal behavior occurring simultaneously with such usage has reverberating consequences that damage and devastate family, colleagues and friends.

Of particular concern is drug use by student athletes. They are often subject to performance, social and personal pressures that may make them vulnerable victims of this dangerous activity. Particularly because they are involved in complex and demanding social activity, drug usage for them is a peril that must be avoided.

For these reasons, WSSU is committed and determined to help student athletes avoid these hazards and consequences. We establish here then a policy on drug education, testing and deterrence designed specifically for student athletes. It is based on the four purposes listed in II below and is structured on the four goals listed in III below. Finally, its efficacy is grounded in the mandate specified in IV below.

To meet these purposes, goals and mandate, the components are listed in V, with the descriptions of these components outlined in the following sections.

### **II. Guidelines**

#### **Purpose of the Programs**

Backed by our intention to deter the use of illegal drugs and the abuse of prescription drugs, there are four benchmark reasons for establishing this drug education and testing program.

#### **A. Preservation and Enhancement of an Athlete's Health**

Many drugs, when used in conjunction with athletic activities or physical conditioning programs pose serious risks to the health of the athlete. Periodic or sustained illness, temporary or permanent injury and even death can be caused by such drug usage.

#### **B. Preservation of the Health of Other Athletes and Members of the WSSU Community**

Drug usage by an athlete can cause physical and mental damage to the athlete which may endanger other persons in contact with the drug user. These other individuals include but are not limited to team members, residence hall neighbors, and faculty and staff in contact with the athlete.

The health and safety of these other persons are important concerns of WSSU.

#### **C. Avoidance of Unfair Advantage**

The use of certain drugs may temporarily or permanently improve some types of athletic performance and thereby create an unfair competitive advantage for the athlete using them. Such uses of drugs violate the basic principles of sportsmanship as well as the rules of this institution and the rules of the CIAA/NCAA and other associations dedicated to athletic competition.

#### D. Avoidance of Harmful Influence

Intercollegiate athletes frequently become highly publicized and emulated role models for both their college peers as well as numerous other young impressionable children and teenagers. The abuse of drugs by these athletes can negatively influence these young people as well as damage the reputation of their athletic program, the institution and the State of North Carolina. The avoidance of such damaging influence is an important objective of this institution.

### Program Goals

The goals of this drug education, testing and deterrence program are: (1) to provide and promote an educational program that informs student athletes about drugs and drug abuse; (2) to assist in identifying the athlete who is a substance abuser through a screening program based on periodic testing to reveal the use of drugs; (3) to deter athletes from misusing drugs; and (4) in appropriate cases, to discipline or remove from the athletic program any student who is found to have violated the requirements of this policy.

### Program Components

#### A. Education

A critical part of this program is education provided to student athletes concerning the effects of drug usage and the importance of avoiding all involvement in prohibited drugs. Each member of every athletic team (and every student involved in related activities: trainees, student coaches, cheerleaders, etc.) will be required to participate in specific drug education activities. These activities may be scheduled in large groups, teams, or small group settings. Student athletes are encouraged to ask questions about this drug program, its components, or specific drugs or their effects. WSSU staff will respond confidentially to an athlete's request to raise questions or seek answers in private. Failure to attend or participate in required education activities may result in the sanctions listed in Testing Consequences.

#### B. Testing

To participate in athletics at WSSU, each athlete must submit to drug screening tests designed to reveal the use of prohibited drugs. The particular drugs which are prescribed and which will be tested for are listed in Appendix A. The test itself will be a urinalysis or other drug screening exam and that test may occur on one or more of the occasions listed below. The urinalysis may be observed or unobserved. Prior to the testing, each athlete must sign a testing notification form.

#### C. Testing Occasions

##### 1. Random Testing Procedure

Every student athlete will be subject to periodic random testing. The testing occasion may be announced or unannounced and athletes to be tested will be selected by a blind drawing from the athletic department roster. Student athletes who are to be tested will be notified in writing as to the time and location of the test. The student athlete must sign this notification and present it to a WSSU athletic trainer at the testing site. The protocol for the test is listed in Appendix B.

##### 2. Reasonable Suspicion Testing

###### A. Basis for Testing:

A student athlete may be subject to testing at any time when, in the judgment of athletic officials, there is a reasonable basis to suspect the student is engaging in the use of any drugs or substances prohibited by this policy (see Appendix B for the list of prohibited drugs and substances). This reasonable suspicion may be based on information from any source deemed reliable by athletic officials including but not limited to:

- i. Observed possession or use of substances that reasonably appear to be those prohibited by this policy.
- ii. Conviction of criminal offense related to the possession, use or trafficking of drugs or substances prohibited by this policy.
- iii. Arrest for a criminal offense as specified above where these are a factual basis for arrest.
- iv. Observed abnormal appearance, conduct or behavior reasonably interpretable as being caused by the use of drugs or substances prohibited by this policy; such behavior can include repeated absences from training or competition.
- v. Credible reports of usage or possession of drugs or substances prohibited by this policy.
- vi. Prior positive test results for drugs or substances prohibited by this policy.

#### B. Notice of Testing

If reasonable suspicion exists, athletic officials will notify the student of the need for testing. The specifics of the notice and the testing protocol will be those steps specified in Appendix A.

C. Consequences of failure to participate, failure to produce a specimen or for a positive test result will be those specified in Testing Consequences. The procedure for imposition of these sanctions will be those specified in Procedures for Imposing Serious Sanctions.

### 3. Follow-up Testing

#### A. Basis for Test:

When a student athlete has tested positive for drugs or substances prohibited by this policy, athletic officials may require the student athlete to be tested again at any time.

#### B. Notice of Testing and Protocol:

For follow-up test, the specifics of the notice and the testing protocol will be those steps specified in Appendix A.

C. Consequences for failure to participate, failure to produce a specimen or for a positive test result will be those specified in Testing Consequences. The procedure for imposition of these sanctions will be those specified in Procedures for Imposing Serious Sanctions.

### Procedures for Imposing Serious Sanctions

Before the imposition of a sanction of suspension longer than one week, removal from participation intercollegiate athletic activities, removal from the athletic team, loss of eligibility or cancellation of an athletic scholarship, the procedures below will be provided to the student athlete.

#### 1. Written Notice:

Before the imposition of any of the penalties listed above, the student will be given written notice of the intention to impose such penalty. The notice must contain the following statements:

- a. The intention to impose a specific penalty(s);

- b. The reasons for the proposed action; and
  - c. The right of the student to request a hearing on the proposed sanction and the time for making this request.
2. Exception to the Notice of Requirement:  
If the proposed sanction is based on a preliminary determination of improper drug use or other behavior that may threaten the health of the student athlete, other student athletes or other members of the WSSU community, all athletic participation shall be stopped immediately. (Athletic participation includes training, practice and competition.) A medical determination designed to protect the health of the student athlete, other student athletes or other members of the athletic community, shall be conducted to determine whether the athlete is fit and able to resume safe participation in athletic activities. This medical determination shall be made as promptly as possible. Any information supplied by the student athlete to medical personnel shall not be admissible in any WSSU disciplinary process.
3. Request for Hearing; Waiver of Hearing:  
To obtain a hearing, the student athlete must submit a request to the Athletic Director within five (5) business days after receiving the written notice specified in paragraph 1 above. If the student athlete does not request a hearing within this five (5) business day time or if the student wishes to waive the hearing and so signifies in writing, the proposed sanctions may be imposed immediately. No institutional hearings or appeals will be allowed following a written waiver of hearing or failure to request a hearing within the required five (5) business days.

## The Hearing

1. The Hearing Committee:  
Upon receiving a request for a hearing, the Athletic Director will notify the Vice Chancellor for Student Affairs. The Vice Chancellor for Student Affairs will appoint a committee of three persons from the Student Judicial Code Committee and shall appoint a chair. No officer, administrator, employee or agent of the Athletic Department shall be eligible to serve on such committee. No other student athlete shall be eligible to serve on such committee.
2. Hearing Procedure:
  - a. The hearing will be convened within seven (7) business days after it is requested.
  - b. A transcript or other verbatim record shall be made of each hearing and preserved by the vice chancellor of student affairs.
  - c. The hearing will be closed to the public.
  - d. The student may be accompanied by an advisor of his or her choice.
  - e. The Athletic Director or his designee will attend the hearing and may be accompanied by a person of his or her choice.
  - f. No attorneys may participate in the hearing.
  - g. The Athletic Director or his designee shall present evidence in support of the alleged violation.
  - h. The student athlete must be given an opportunity to question this evidence and to present witnesses and/or documentary evidence, provided that the evidence is relevant to the alleged violation.
  - i. The Athletic Director shall have the burden to prove by a preponderance of the evidence that a violation of this policy did in fact occur.
  - j. At the conclusion of the evidence, the committee will excuse all parties and witnesses and then deliberate to determine whether the violation occurred. This determination must be based solely on the evidence presented at the hearing.
  - k. Within three (3) days after the conclusion of the hearing, the committee shall report its recommended findings of fact and evidence as to sanction to the Vice Chancellor (VC) for Student Affairs.

- l. The VC for Student Affairs shall make the final determination of whether a violation occurred and if so, what sanction should be imposed.
- m. The student athlete shall be provided one level of appeal to the Chancellor. No further appeals are permissible.

### III. Applicability

This policy applies to all Winston-Salem State University student athletes.

### IV. Compliance

#### Program Mandate

All student athletes must comply with the terms and requirements of this policy and program. To become and remain a student athlete at WSSU, the student athlete must agree to abide by all provisions of the drug education, testing, and deterrence program. To signify agreement, an athlete must sign this policy in Consent. Failure to sign the policy will result in a denial of athletic participation

#### Testing Consequences

1. Failure to submit to the required random testing, failure to sign the written notification, or intentional avoidance of the test may result in sanctions including but not limited to suspension of eligibility or cancellation of eligibility for the balance of the academic year. The student athlete may also be required to undergo additional drug testing, required counseling or required education programs. The procedures specified in Procedures for Imposing Serious Sanctions will be followed prior to the imposition of sanctions exceeding a one week suspension.
2. Failure to produce a urine specimen in a reasonable period of time may be considered a violation of this policy and may result in the following sanctions: suspension of eligibility until the specimen is produced under conditions prescribed by the WSSU head athletic trainer; suspension of eligibility for one week; or indefinite suspension for continual failure to produce a specimen. Failure to produce a urine specimen may also result in required additional urine testing, required counseling or required educational programs. The procedures specified in Procedures for Imposing Serious Sanctions will be followed prior to any suspension longer than one week.
3. Production of an adulterated sample is considered to be a violation of this policy and may result in the following sanctions: suspension of eligibility until an unadulterated specimen is produced under conditions prescribed by the WSSU athletic trainer; suspension of eligibility for one week; or indefinite suspension for continual failure to produce an unadulterated specimen. Failure to produce a urine specimen may also result in required additional urine testing, required counseling or required educational programs. The procedures specified in Procedures for Imposing Serious Sanctions will be followed prior to any suspension longer than one week.
4. Production of a diluted sample may be considered a violation of this policy and may result in the following sanctions: suspension of eligibility until an unadulterated specimen is produced under conditions prescribed by the WSSU athletic trainer; suspension of eligibility for one week; or indefinite suspension for continual failure to produce an unadulterated specimen. Failure to produce a urine specimen may also result in required additional urine testing, required counseling or required educational programs. The procedures specified in Procedures for Imposing Serious Sanctions will be followed prior to any suspension longer than one week.
5. Drug usage as verified by a positive test from the urinalysis will result in one or more of the following sanctions:
  - a. For a first positive drug test, one or more of the following sanctions may be imposed:
    - i. Confidential meeting: the student athlete will be required to attend and participate in a meeting with the head coach, [Director of Athletics, and Athletics Trainer](#) in

which the nature, extent and history of drug usage will be discussed forthrightly and completely. The student athlete may also be required to notify his or her parents or guardians by telephone or other means and to inform them of the positive test results. Verification of this notification may be required. In lieu of this notification, athletic officials may notify the parents of the student athlete. All information from this meeting will be maintained confidentially and will not be released unless necessary to preserve the identity of the testing program or the integrity of WSSU.

- ii. Counseling, education and rehabilitation: depending on the nature and extent of the drug usage, the student athlete ~~will~~may be required to attend counseling sessions, educational programs and/or rehabilitation activities.
  - ~~iii.~~ iii. Additional drug testing: the student athlete may be required to undergo additional testing.
  - ~~iii.~~iv. Suspension from participation in intercollegiate athletic activities: Suspension ten (10) percent of competitions (championship season) or fifteen (15) day suspension (non-championship season). Any suspension in excess of one week will be imposed in accordance with the procedures set out in Procedures for Imposing Serious Sanctions.
  - ~~iv.~~v. The failure to comply with any of these sanctions may result in the imposition of additional sanctions including but not limited to removal from intercollegiate athletic activities, dismissal from the athletic team and/or loss of eligibility. These additional sanctions will be imposed in accordance with the procedures set out in Procedures for Imposing Serious Sanctions.
- b. For a second positive drug test, one or more of the following five sanctions may be imposed:
- i. Confidential meeting: the student athlete will be required to attend and participate in a meeting with the head coach, Director of Athletics, and Athletics Trainer.
  - ~~ii.~~ ii. Notification of parents: the student may be required to notify his parents or guardians by telephone or other means and to inform them of the positive test results. Verification of this notification may be required. In lieu of this method of notification, athletic officials may notify the parents of the student athlete.
  - iii. Counseling, education and rehabilitation: the student athlete ~~will~~may be required to attend counseling sessions, education programs and/or rehabilitation activities.
  - ~~iii.~~iv. Mandatory Community Service (at the discretion of the head coach) must be completed prior to return to the team.
  - ~~iii.~~v. Additional drug testing: the student athlete may be required to undergo additional testing.
  - ~~iv.~~vi. Suspension ~~from~~ participation in intercollegiate athletic activities. Suspension fifty (50) percent of competitions (championship season) or thirty (30) day suspension (non-championship season). Any suspension in excess of one week will be imposed in accordance with the procedures set out in Procedures for Imposing Serious Sanctions ~~below.~~
  - ~~v.~~ Dismissal from the athletic team and/or loss of eligibility. Any dismissal or loss of eligibility will be imposed in accordance with the procedures set out in Procedures for Imposing Serious Sanctions below.
  - ~~vi.~~vii. Failure to comply with any of these sanctions may result in the imposition of additional sanctions including but not limited to removal from the intercollegiate activities, dismissal from the athletic A team and/or loss of eligibility. These additional sanctions will be imposed in accordance with the procedures set out in Procedures for Imposing Serious Sanctions below.
- c. For a third positive drug test, one or more of the following five sanctions may be imposed:
- i. Removal from all intercollegiate activities

- ii. Dismissal from the athletic team
- iii. Permanent loss of eligibility
- iv. Cancellation of any athletic scholarship
- v. Notification of parents

The first four sanctions above, will be imposed in accordance with the procedures set out in Procedures for Imposing Serious Sanctions below.

### Consent

The student athlete shall receive, read, and consent to this policy prior to participation in athletic activities. This consent will be signified by the statement below.

**I have received and read WSSU's Drug Education, Intervention and Testing Program. I have been given the opportunity to ask questions about this policy. I understand this policy, its important basics and my responsibilities under its provisions. I agree to abide by all of the requirements listed above and this decision is voluntary on my part. I further understand that my participation in intercollegiate athletics is contingent on my adherence to this policy.**

Printed Name of Student Athlete	Date of Birth
Signature of Student Athlete	Date
WSSU Student ID Number	
Signature of Parent if Student is Minor Under N.C. Law	Date

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William U Harris  
Chairman, Board of Trustees  
Winston-Salem State University

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Scott F. Wierman  
Secretary, Board of Trustees  
Winston-Salem State University

Responsible Division: Athletics  
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