

Chairman of the Board

RESOLUTION


concerning

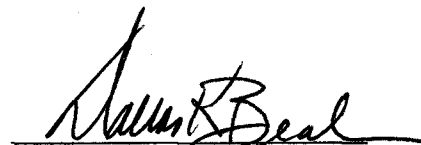
DRUG EDUCATION AND SCREENING PROGRAMS FOR THE
ATHLETIC DEPARTMENTS OF THE
CONNECTICUT STATE UNIVERSITY

June 16, 1989

- WHEREAS, The Board of Trustees for Connecticut State University agrees in principle with the necessity for conducting a drug education and screening program for students engaged in official athletic department programs in order to protect their health and well-being and also to maintain the safety and integrity of collegiate sport; and
- WHEREAS, The Board of Trustees for Connecticut State University is cognizant of the diversity and scope of the four CSU campuses and their respective athletic programs; and
- WHEREAS, The Board of Trustees has received the thoughtful recommendations of the four Athletic Directors to implement the proposed experimental drug education program during the academic year 1989-90; and
- WHEREAS, The drug education program will include a one-year notice of the probable implementation of a drug testing program for athletes; now therefore, be it
- RESOLVED, That following appropriate university consultation and review, the recommended experimental drug screening program based on compulsory random testing and/or testing for probable cause be implemented during the academic year 1990-91, pending an opinion by the Attorney General of the State of Connecticut; and be it further
- RESOLVED, That following appropriate university consultation and review, the President of Connecticut State University will submit to the Board of Trustees on or before June 1, 1991, a final drug education program including drug screening based on the evaluation of the experimental program, and one which is sufficiently broad to encompass the four campuses and also sufficiently flexible to permit implementation on the four campuses.

A Certified True Copy:


L. J. Davidson
Chairperson


Dallas K. Beal
President

EASTERN, WESTERN, SOUTHERN AND CENTRAL Attachment to BR# 89-137
STATE UNIVERSITIES
ATHLETIC DEPARTMENTS
RECOMMENDATIONS TO THE BOARD OF TRUSTEES
CONCERNING DRUG EDUCATION
AND SCREENING

June 16, 1989

This document proposes an experimental drug education and screening program designed to provide and maintain environments that will enhance the growth and well-being of all student-athletes. The program attempts to protect student-athletes from the scourge of drugs and substance abuse so prevalent in contemporary society. Towards this end, the program encourages, through educational programs, the avoidance of legal and/or illegal chemicals which have been demonstrated to be harmful to human beings. Furthermore, the program attempts to identify individuals who misuse and/or abuse legal and/or illegal chemicals. Finally, the program is designed to assist those individuals identified as misusers and/or abusers, through education and counseling, to lead productive lives free of substance abuse.

The program includes a statement to be signed by the students participating in athletic department programs agreeing to the provisions of the drug programs as well as a form indicating what prescription drugs the student is taking under a physician's care. The program provides drug testing procedures which safeguards both the students and specimens collected for testing. It also presents programs of sanctions for substance abuse for both street drugs and performance-enhancing drugs. These sanctions range from compulsory educational programs accompanied by retesting for the first offense to expulsion from athletic programs and loss of athletic grants-in-aid for testing positively a third time in the use of "street" drugs and testing positively a second time in the use of performance-enhancing drugs.

In brief, the screening program is based upon a combination of random compulsory testing and/or testing for reasons of probable cause. We propose drug testing based on probable cause for the following reasons, among others:

1. This method protects the University from the challenge of violating the fourth amendment. The "probable cause" clause is the main way to deal effectively with conducting what amounts to a warrantless search.
2. Utilizing this procedure would most likely result in a minimal cost for drug testing based on the assumption that few athletes will be identified as possible drug abusers.
3. This method avoids the possibility that by relying solely upon a random selection program that substance abusers might never be tested and identified, and would therefore lose the opportunity to receive assistance in eradicating the behavior.

We propose random compulsory testing for the following reasons among others:

1. "Someone;" i.e., coach, athletic trainer, director, etc. is placed in a position of making an extremely subjective judgment, perhaps with limited training or experience, particularly in the case of part-time coaches.
2. Identification of an athlete as a possible substance abuser has the potential to destroy the coach/athlete, athlete/trainer, trainer/coach, etc. relationship. Of particular concern is the question of timing and notification of appropriate individuals of the suspicion of substance abuse; i.e., is it likely a coach or trainer will identify an athlete as a suspected substance abuser a week prior to a pivotal contest? This question must be faced directly despite the obviously desired response.
3. The threat of drug testing is the most effective way to prevent drug usage among athletes.

The constitutionality of compulsory drug testing of student-athletes is unclear at the present time. On one hand, a court decision in California invalidated the NCAA suspension of a Stanford University athlete who refused to be tested; while on the other hand, the U.S. Court of Appeals, Seventh Circuit, upheld the U.S. (Indiana) District Court's ruling in favor of the Tippecanoe County School Corp. (Illinois) which initiated a program to randomly test athletes for drug use by urinalysis. We recommend using random compulsory testing pending the Attorney General's legal opinion concerning its constitutionality in the State of Connecticut.

It is clear that initiating a meaningful program of drug education and screening will necessitate considerable additional expense which none of the respective athletic department budgets can withstand presently. For example, Central Connecticut State University recently tested four members of the wrestling team who participated in the NCAA Championship at a cost of \$325 for each test. Funding is critical to the success and credibility of any drug education and screening program. We welcome your assistance along these lines in establishing this important program.

Finally, we view the proposed program before you as a tentative program which may or may not be applicable as designed to four diverse campuses conducting equally diverse athletic programs. Therefore, we recommend that we implement the proposed educational program during the academic year 1989/90 and the proposed testing program in 1990/91 and report back to you in June 1991 with a final proposal which will be based on common principles yet individually tailored to the resources and athletic programs of each campus.

CONNECTICUT STATE UNIVERSITY
DRUG EDUCATION AND SCREENING PROGRAM

The Connecticut State University is committed to providing and maintaining an environment that will enhance the growth and well-being of all student-athletes. Student-athletes occupy a special position in the University community and are subject to demands not made upon most other students, i.e., they must maintain a high degree of physical fitness and alertness to perform to their peak athletic potential; they must conform to the highest standards of ethical behavior because of their visibility as representatives of the University; they must be prepared to be regarded as role models not only by their peers but also by unknown others. Because contemporary American society is presently in the grip of a complex scourge of abuse and misuse of drugs and alcohol, and because student-athletes are representative of the society at-large, the Connecticut State University deems it essential that student-athletes not only exist in a drug-free environment but also learn to use alcohol in a legal and responsible manner. Towards these ends the Connecticut State University proposes:

1. To encourage, through educational programs, the avoidance of legal and/or illegal chemicals.
2. To identify through a combination of drug testing programs, individuals who misuse and/or abuse legal and/or illegal chemicals.
3. To assist identified misusers and/or abusers, through education and counseling, to live a productive life, free of substance abuse problems.

I. EDUCATIONAL PROGRAMS

It is the intention of the Connecticut State University that all students including: athletes, cheerleaders, athletic trainers and managers will participate in an education program designed to acquaint them with the risks and hazards associated with the use of both street drugs, including alcohol and performance-enhancing drugs. Furthermore, the program will identify community and university resources available to assist students who experience symptoms resulting from drug use/abuse to live a life free from the problems arising from either drug or alcohol abuse. Attendance and participation in these educational programs will be a condition of continuing as a member of a University athletic team.

Additionally, Athletic Department personnel including all full and part-time coaches, administrators, training staff and others will participate in an education program designed to identify the signs of drug or alcohol dependency among students and to clarify the procedures through which students may be referred to appropriate personnel for evaluation, and if necessary, treatment.

II. DRUG TESTING PROGRAMS

The Connecticut State University's program of drug testing for student participants in athletic events is designed to enhance and safeguard their overall health and well-being by determining, through probable cause or individualized reasonable suspicion and random testing, those individuals who are in need of assistance because of a possible reliance on addictive substances. The drugs for which testing may be conducted include, but are not limited to:

1. Street Drugs, including amphetamines, barbituates, benzodregepines, cannabinoids (marijuana), cocaine, methaqualone, opiates, and pencycline (PCP).
2. Anabolic Steroids, including oxymetholane, methandrostenolone, oxandrolone, ethylstrenol, stanozolol, and nadrolone. It is the intention of the Connecticut State University to minimally test for all controlled substances identified and tested by the National Collegiate Athletic Association.

A. IDENTIFICATION PROCEDURES

1. Probable Cause

This aspect of the University's drug-testing program is the identification of possible drug-users through what is known as "probable cause" or a reasonable suspicion, based upon the observation of certain symptoms (see Attachments A and B), that an individual is using either "street drugs" or performance-enhancing drugs. The determination of probable cause may be made by: 1) a physician who identifies specific symptoms during the course of a routine or special physical examination, or 2) a coach or trainer who identifies symptoms in a student-athlete which indicate possible drug use. If the identification of symptoms is made by a physician, then testing (as described below) may take place immediately. If the identification of symptoms is made by a coach or trainer, then the student-athlete will be referred to appropriate personnel immediately for possible testing. Any testing procedure for probable drug use will be done immediately following the determination by a physician that a reasonable suspicion exists that the student-athlete is using either street or performance-enhancing drugs. The student-athlete must be informed of the reasons for such testing procedures prior to being tested.

2. Random Testing

The Connecticut State University's departments of athletics shall periodically collect urine samples

from student-athletes, student athletic trainers, student managers and cheerleaders. The samples to be screened shall be selected at random with no more than 24 hours notice to the individuals mentioned above. Also, the Director of Athletics, in consultation with the sports medicine staff, may order testing of specific individuals in circumstances where such testing may be warranted. In this case, the Director of Athletics shall notify the Drug Program Administrator who shall advise the individual(s). For example, all student-athletes who qualify to participate in NCAA competition could be tested prior to the onset of such competition.

B. DRUG SCREENING

1. A qualified testing laboratory will be utilized.
2. Protocol

The following procedures will be adhered to as part of the chain of custody involving the collection of urine samples for testing.

Step 1

The student will proceed to the testing site where a log number will be assigned. All testing and subsequent communication will refer to the log number in order to ensure security and protect confidentiality. The student will sign the custody log verifying the number assigned and at that time list any prescription or non-prescription medicines currently being taken and/or any pertinent medical history.

Step 2

Student will list age, log number, and date on on the test requisition form.

Step 3

Student will select a urine specimen collection bottle.

Step 4

Student will provide a urine specimen under direct supervision of a member of the screening staff.

Step 5

Specimen collected from the student will be split into two samples "A" and "B" at time of collection.

Step 6

Student will be provided a security tape, then student signs log number, seals the bottles, places the specimen bottles in the courier case and signs log number over the security tape on the bottles.

Step 7

The testing laboratory will test specimen "A" from from the student-athlete, using an immunoassay technique. If by immunoassay a student-athlete's urine specimen is found to contain any of the drugs mentioned above or other recreational or performance-enhancing substances, a second confirmatory test will be performed by gas chromatography/mass spectrophotometry. If this second test is positive, specimen "B" will be retained for possible later evaluation.

Additional Information

1. Screening results will be reported to the Drug Program Administrator within 24-28 hours.
2. Student will be notified of test results by the Drug Program Administrator. If no notification is forthcoming within seven days, student may assume the test results were negative.

III. SANCTIONS FOR SUBSTANCE ABUSE

The primary purpose of Connecticut State University's substance abuse program is educational rather than punitive and is designed to assist student-athletes in their desire to remain drug-free. However, in order for the program to serve as a deterrent to the continued use of either street drugs or performance-enhancing drugs, a system of sanctions must be developed for those student-athletes who test positively for the proscribed drugs and/or persist in the use of banned substances. These sanctions should not be viewed simply as retribution against the drug user but as means of aiding the user to free himself from the harmful effects of drugs.

A. Pre-Sanction Appeal

A student-athlete who contests a laboratory finding that he/she has a proscribed substance in his/her urine sample may, within five (5) days following receipt of notice of said laboratory finding, present evidence of the inaccuracy of said finding to the Drug Program Administrator. Upon request from the student-athlete the Drug Program Administrator shall provide him/her with the names of laboratories determined by his/her university to be capable of analyzing samples for the presence of proscribed

substances. The student-athlete may authorize the transmission of his/her urine sample from the laboratory retained by the University to any one of the laboratories identified by the Drug Program Administrator, and shall further authorize the transmission of test results from the laboratory of his/her choice to the Drug Program Administrator.

If the laboratory selected by the student-athlete presents to the Drug Program Administrator a finding that the student-athlete does not have proscribed substances in his/her urine sample, the Drug Program Administrator must rely upon those test results and shall conclude that the student-athlete's urine does not contain proscribed substances.

The student-athlete shall be responsible for paying the chosen laboratory if he/she elects to have his/her sample retested. The University shall reimburse the student-athlete for the expenses of such retesting in the event that the chosen laboratory determines that the student-athlete's urine sample does not contain proscribed substances.

It must be noted, however, that the occurrence of a negative test following an appeal does not eliminate the student-athlete from any further testing based upon the random selection or probable cause procedure described above. All student-athletes, irrespective of initial test results, may be subject to further selection for subsequent testing based upon random selection, probable cause or a reasonable suspicion that drug use exists.

B. Sanctions - "Street" Drugs

1. First Positive Test - Tier I

A student whose urine is found to contain the presence of any of the listed or other street drugs will meet with the Drug Program Administrator to review the test results. The student will participate in an education program, and will be retested up to a maximum of three (3) times within 90 days from the date of the first positive test. If the result of any retest proves to be positive with respect to the proscribed substance identified in a prior test he/she will enter Tier II automatically. In addition, if a student's urine is found to contain proscribed substances in two (2) separate tests at any time during the course of his/her matriculation, he/she will enter Tier II.

Retests shall be scheduled in consultation with a drug testing laboratory and his/her University's Drug Program Administrator to assure that all traces of the proscribed substances identified in a prior test have passed through the student's system, as determined by established laboratory standards. All test results

will remain confidential in Tier I. If, at any time during this 90 day period, the student refuses evaluation or treatment by appropriate personnel, sanctions equivalent to those in Tier II will be levied.

2. Second Positive Test - Tier II

A student-athlete whose urine (a) is found to contain proscribed substances in any of the retests, as set forth in the previous section, or (b) whose urine is found to contain proscribed substance in two (2) separate tests during the course of his/her matriculation at Connecticut State University shall enter Tier II. A student who tests positively for street drugs use for the second time during his or her career at the University will be barred from practice and competition for the remainder of the academic year in which the second positive test result was obtained. Following a second positive test, the same procedures to be followed subsequent to a first positive test will be carried out and the student must again be seen by appropriate personnel for treatment. Refusal to participate in this procedure will result in sanctions equivalent to those applied for a third positive test.

3. Third Positive Test - Tier III

Any student who tests positively for recreational drugs upon a third occasion at any time during his or her career at the University will lose his/her grant-in-aid and will be permanently barred from practice and competition in his/her sport or any other athletic event sponsored by the University (including intramural competition). Continued treatment of the drug-abuse problem will be offered to the student during the time he/she remains as a student at the Connecticut State University. Prior to the application of these final sanctions following a third positive test for street drugs, the student shall have five (5) days within which to request a meeting with the Athletic Director for the purpose of establishing reasons why this sanction should not be applied. At any such meeting, the student shall have the right to bring a representative.

C. Sanctions - Performance Enhancing Drugs
(including Anabolic and Androgenic Steroids)

Educational programs on performance-enhancing drugs, including steroids, will be conducted during the academic year 1989/90 and thereafter in the first semester of each succeeding academic year. Initial testing based upon random selection, probable cause or a reasonable suspicion of the use of steroids may be conducted as early as 30 days following the initial education program. Students testing positively for steroid or other performance-

enhancing drugs at the time of these initial or any subsequent tests will be subject to the sanctions described below.

1. First Positive Test

A student who tests positively for the presence of anabolic or other steroids, or other performance-enhancing drugs, shall be barred from the competing in University-sponsored athletic events (including intramural competition) for the balance of the academic year in which the positive test results were obtained. Whether or not the student-athlete shall be allowed to practice with his/her athletic team will be left to the discretion of the coach and the Athletic Director. In addition to being barred from competition in intercollegiate or intramural athletic events, the student will be required to participate in an education and counseling program with the appropriate personnel.

2. Second Positive Test: Sanctions

A second positive test for steroids or other performance-enhancing drugs at any time during a student's athletic career at the University will result in sanctions equivalent to those applied for a third positive test for street drugs; i.e., the student will lose his or her athletic grant-in-aid and will be permanently barred from competition in any University-sponsored athletic event.

IV. AMENDMENTS

This program may be amended from time to time at the discretion of the Director of Athletics. Amendments shall be distributed to all students participating in athletic department programs. No amendment shall be applied retroactively if such application will adversely effect a student-athlete's right to prior notice of standards of conduct or discipline.

V. CONCLUSION

All student-athletes should remember that the intent and purpose of this substance abuse program is not punitive. Rather, it is educational and preventative. It is designed to insure that all student-athletes will remain drug-free and will continue to enjoy benefits of being student-athletes at the Connecticut State University. It is also intended to provide the assurance that student-athletes will continue to enjoy the mental and physical health and well-being which is such an important consequence of participation in intercollegiate athletics.

INFORMED CONSENT/RELEASE OF LIABILITY

I, _____, a student-athlete, athletic trainer, student-manager, cheerleader, at Connecticut State University, acknowledge that I have received a copy of the Connecticut State University Drug Screening and Education Program. I have read the Policy Statement, have been given the chance to ask questions about it, and fully understand its provisions.

I understand that drug use is a violation of team rules for all intercollegiate athletics at Connecticut State University. Accordingly, I hereby consent to have samples of my urine collected at various times during the course of my matriculation at Connecticut State University, and tested for the presence of performance-enhancing drugs and proscribed substances. I understand that my urine samples may be submitted for analysis of the above-referenced performance-enhancing drugs and proscribed substances, and that this analysis will be conducted by qualified laboratory personnel. The purpose of this analysis will be to determine the presence or absence of proscribed substances in my urine.

I authorize the individual or organization designated by Connecticut State University to collect urine samples and determine test results to make a confidential release of the results to the Drug Program Administrator appointed by the University and, under the guidelines and circumstances set forth in this Policy Statement, to other individuals, including my parents and/or guardian, my head coach, the Director of Athletics and the Dean of Students.

I further understand that signing this consent form and agreeing to participate in the Drug Screening and Education Program is a mandatory prerequisite to my participation in intercollegiate athletics at Connecticut State University.

To the extent set forth in this document I hereby waive any privilege I may have in connection with the information that may be obtained as a result of my participation in the Drug Screening and Education Program.

I hereby release Trustees of Connecticut State University and its trustees, officers, employees and agents from legal responsibility for any action related to the implementation of the Drug Screening and Education program or the release of information and records as authorized by the terms of the Program.

Student-athlete: _____

Date of Birth: _____

Date: _____

Parent/Guardian of minor: _____

Date: _____

CONNECTICUT STATE UNIVERSITY

For prescription and non-prescription medications

Please list all prescription and non-prescription drugs taken in the last six months. Be sure to include the name of the drug, the amount taken (mgrs. or mls.), date, the length of time the drug(s) were taken and why.

PLEASE PRINT

Athlete's Name _____ Today's Date _____

Prescription Drugs:
(include birth control)

<u>Drug's Name</u> (prescribed by our doctors, through the training room or by your own doctor)	<u>Dosage</u> (amt. taken in milligrams or milliliters)	<u>Duration & Reason</u>	<u>Date</u>
e.g. Ampicillian	250 mgs.	1 cap. 4x/day for 2 wks-sore throat	February, 1986
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Non-prescription Drugs:
(mylanta, cold medication, pain killers, caffen products - e.g. "no-doze", etc.--purchased over the counter)

<u>Drug's Name</u>	<u>Dosage</u>	<u>Duration & Reason</u>	<u>Date</u>
e.g. Aspirin	1 tablet	1 tab. 3x/day for 1 wk-tendonitis	March 10-15, 1986
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Athlete's Signature _____ Date _____

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COMMENTS: