

PENN STATE UNIVERSITY INTERCOLLEGIATE ATHLETICS

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

POLICIES & PROCEDURES MANUAL

(Revised 8-16-2021)

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PROGRAM OVERVIEW

Program Objective

The Penn State University Department of Intercollegiate Athletics (“Intercollegiate Athletics”) advocates for the development of a healthy and responsible lifestyle for its student-athletes during their college experience, as well as for the remainder of their lives. Education and counseling are the cornerstones of the program.

The goals of the program are:

- Educate student-athletes regarding substance abuse and the potential harm it can cause
- Protect the health and safety of student –athletes, coaches, and support staff involved in the care of student-athletes
- Detect and provide support to those affected by substance abuse
- Promote fair competition
- Promote appropriate standards of behavior for student-athletes and all coaches, and support staff involved in the care of student-athletes

Penn State Intercollegiate Athletics (ICA) under the direction of the **Drug and Alcohol Testing and Education Program Committee, which consists of the Director of Athletics or his/her designee, the Director of Athletic Medicine, the Medical Review Officer, the Assistant Athletic Director for Athletic Training, the Director of Athletic Compliance or his/her designee, and the Faculty Athletics Representative**, has established the following procedures and regulations in connection with its Drug and Alcohol Testing and Education Program. Amendments to these procedures and regulations may be issued, with or without notice, as ICA deems appropriate. Nothing in these procedures and regulations shall be construed to create a contract between student-athletes and Penn State University. However, signed consent and notification forms shall be considered affirmation of the student-athlete’s agreement to the terms and conditions contained in the procedures and regulations, and shall be regulatory obligations of the student-athletes. The operation of this program shall be consistent with NCAA regulations. Any applicable Federal or State laws will supersede anything contradictory within this policy. All policies within are subject to Penn State University policy and any individual team policies must comply with Penn State ICA policy, including those included in this document. The Drug and Alcohol Testing and Education Program Committee, as described above, will perform a yearly review of the program to make any needed updates to the policy. This Policy will also be reviewed after any changes made by The Drug and Alcohol Testing and Education Program Committee, and annually, by the Penn State University General Counsel and The Athletics Integrity Officer to assess for any potential conflicts.

Educational Component

Intercollegiate Athletics recognizes that drug and alcohol problems are prevalent in society today,

including on college campuses. Substance abuse, chemical dependency and misuse of alcohol are detrimental to one's health and can result in significant negative health consequences and safety hazards to both the individual and to society. Because of these risks and dangers, Intercollegiate Athletics (ICA) will not tolerate or condone the use of illegal drugs and illegal substances. Intercollegiate Athletics does recognize that some substances that are on the banned list can be used appropriately to treat medical conditions. Therefore, when there is a documented medical history demonstrating a need for the drug, an exception may be allowed. **Note that there must be supporting evidence for the drug's use. The documentation must be provided to the team physician prior to drug testing.** There will be no tolerance for misuse or abuse, or the sharing of these drugs or substances. To assist with this goal, there will be mandatory educational sessions (at minimum once per academic year) for each team and coaching staff. A qualified member of the University staff, which may include athletic trainers, team physicians, providers from Counseling and Psychological Services (CAPS), or a designee from the Intercollegiate Athletic Department will lead the discussion on the dangers of substance abuse, and the ICA policies designed to prevent them. These sessions will provide information on the effects of abuse of alcohol, a discussion of banned substances and their dangers, the logistics of our mandatory testing program and its sanctions, the appeals process after positives tests, and the voluntary and mandatory counseling services that are available. It should be noted that the Penn State ICA program is a separate entity from the Big Ten and NCAA (<http://www.ncaa.org/sport-science-institute/doping-and-substance-abuse>) testing programs, with different testing protocols and sanctions.

Counseling Component

Services are available through the University's Counseling and Psychological Services (CAPS), as treatment is needed. To the extent permitted by law, all counseling is confidential. However, consultation with other health care professionals can occur in cases of emergency, when continued athletic participation is deemed to be a health and safety risk by the counselor, or after obtaining expressed written consent from the student-athlete. Information on how student-athletes and coaches can contact CAPS for referrals will be included in the education program that was discussed in the previous section. The referral or self-referral for the evaluation of a substance abuse situation is undertaken because of concern for the health and welfare of our student-athletes. Evaluation of the student-athlete for alcohol and drug use is not intended or to be construed as a punitive sanction. The evaluation process should be performed by duly licensed and credentialed health care professionals and is STRICTLY CONFIDENTIAL. However, student-athletes are encouraged to allow multiple members of the sports medicine and athletics teams to be involved in their recovery. This allows for the maximum chance of success. The treatment recommendation will be reviewed with the athlete, his/her team physician and shared with the Medical Review Officer (MRO) whose role is to help determine continued safe participation by the student-athlete and development of a healthy and safe lifestyle for the athlete to develop for the student-athlete's life outside of athletics.

Early Identification Program-also referred to as 'Category Zero'

Pre-participation drug testing is designed to immediately address concerns and to facilitate early treatment. If a student-athlete tests positive for banned/illegal substances at enrollment 'early identification' screening, the student-athlete will not receive sanctions but will be required to meet with the team physician and schedule an assessment through Counseling and Psychological Services (CAPS) within 48-hours of receiving positive test notification. The assessment must be completed within 14-days of scheduling. Based on assessment results, participation in sport may be restricted due to health and safety reasons. This test is not considered a first positive for sanctions as outlined below. It is considered a screening program only.

1. Testing Component: General Description

- 1.1. Because of its concerns about substance abuse, Intercollegiate Athletics has established a Drug and Alcohol Testing and Education Program that includes year-round drug testing.
- 1.2. Each student-athlete who receives grant-in-aid, or is listed on an NCAA Squad list, and, therefore, who has signed the NCAA drug and alcohol policy consent form, is subject to and covered by the Penn State University Department of Intercollegiate Athletics' Drug and Alcohol Testing and Education Program

and is subject to mandatory testing.

1.2.1. Each year, every student-athlete listed on the NCAA Squad list, will have access to ICA's Drug and Alcohol Testing and Education Policy Manual and shall be required to sign a waiver/consent form which states that he/she: (1) has read and understands ICA's policies on drug testing and (2) is subject to and covered by the Drug and Alcohol Testing and Education Program.

1.2.2. Failure to sign the athletic department consent form will result in immediate suspension of a student-athlete's eligibility to practice or participate and may also lead to the immediate termination of all athletics financial aid to the extent permitted under NCAA rules.

1.1.1. 2. **Safe Harbor**

- 2.1. Any student-athlete may refer himself/herself for alcohol or substance abuse evaluation, education or counseling by contacting a coach, sport administrator, athletic trainer, team physician and/or psychologist for athletics, and by completing the Penn State Safe Harbor Policy and Procedures Acknowledgment Form (Appendix A) and providing it to their team physician upon receiving all signatures. While in Safe Harbor no team or administrative sanctions will be imposed upon the student-athlete who has made a personal decision to seek professional assistance (prior to notification of a scheduled drug test or prior to testing positive). NOTE: One will be permitted to remain in Safe Harbor for a **reasonable period** of time in order to complete program, but **not to exceed 60 days from the 1st of treatment program**.
- 2.2. The student-athlete may, however, be temporarily medically ineligible due to health and safety reasons if he/she is deemed medically unfit to continue participation as determined by the team physician. Should the treatment program exceeds 60 days as prescribed by the treating mental health specialist, then the MRO will determine student's ability to continue to participate in Safe Harbor.
- 2.3. The benefits available under this section may not be utilized as a means of avoiding the sanctions of a positive drug test and also may not be claimed after an athlete is notified of an impending drug test.
- 2.4. Under Safe Harbor the student-athlete will be referred to a treatment program or counseling at CAPS depending on the number of positive tests incurred at the time of entry into Safe Harbor. Student-athletes entering into Safe Harbor with zero or one positive tests will be referred to the University's Health Promotions and Wellness BASICS or MIP programs. If the student-athlete enters into Safe Harbor and has tested positive on two or more occasions, the student-athlete will be referred to CAPS, and the attending mental health provider and team physician will work together to prepare a Safe Harbor treatment plan.
- 2.5. Following a Safe Harbor declaration, the student-athlete will undergo periodic drug testing for baseline levels.
- 2.6. When appropriate, drug levels will be monitored, as determined by the MRO and according to the treatment plan to ensure the levels are decreasing. Failure to comply with the outlined plan, or testing indicates continued use, will result in revocation of Safe Harbor status. (Examples of failure to comply include but are not limited to failure to submit acknowledgement form Appendix A, missed and/or cancelled counseling appointments, failure to complete treatment program, increased drug levels).
- 2.7. Safe Harbor does not prevent the **NCAA or Big Ten Conference** from testing student-athletes and student-athletes will remain subject to those sanctions imposed by the **NCAA or Big Ten Conference** in the event of a positive test.
- 2.8. A student-athlete will be permitted to remain in Safe Harbor for a reasonable period of time, **not to exceed 60 days from the 1st session with treating therapist or 1st day of treatment program**. If student-athlete is required to complete a treatment program, they must enroll in the 1st available program

immediately following notification of a positive test. Failure to do so will be considered failure to comply with program, and thus he/she will be immediately dismissed from Safe Harbor. Once the student-athlete has exited from Safe Harbor, he/she will again be subject to the testing and sanctions as outlined in this policy.

2.8.1. If a student-athlete fails to comply with the treatment plan or program, and he/she is removed from Safe Harbor, the student-athlete will be notified in writing by the Safe Harbor exit form (Appendix B).

1.1.1.2.8.2. The student-athlete may also exit the Safe Harbor Program by completing the program positively as determined by the attending mental health provider, team physician, and Director of Athletic Medicine. The student-athlete will be notified in writing by the Safe Harbor exit form (Appendix B).

2.8.3. There is no appeal from a denial of Safe Harbor status, or denial of extended Safe Harbor status, or the revocation of Safe Harbor status. In situations where the MRO is also the team physician, such decision would also require the approval of the Director of Athletic Medicine.

3. Regulated Substances

3.1. The substances, which are regulated by this Program, fall into three major classes: Alcohol, Illicit Substances, and Performance Enhancing Drugs. The prohibited substances are listed on the banned substances link on the NCAA website <http://www.ncaa.org/sport-science-institute/ncaa-drug-testing-program>. This list is subject to change at any time.

3.2. Alcohol is a part of our culture and is present at many social functions in society today. Alcohol is a mood-altering substance and poses specific threats to student-athletes. However, because its consumption is legal for those age twenty-one (21) and above, student-athletes should pay special attention to Intercollegiate Athletics' policy on alcohol, as set forth below.

3.2.1. Alcohol use is illegal in the state of Pennsylvania for anyone under the age of twenty-one (21) and is thus also prohibited under the Drug and Alcohol Testing and Education Program for those under this age.

3.2.2. Each Head Coach may impose team rules regarding alcohol use that may affect the student-athlete's eligibility for practice and competition.

3.2.3. A student-athlete may claim Safe Harbor for alcohol related problems.

3.2.4. Student-athlete sanctions for serious alcohol related offenses, include but are not limited to: DUI; public intoxication; or assaults while under the influence of alcohol shall require mandatory evaluation and assessment under the joint supervision of the team physician and attending mental health provider, and each incident may be treated as a positive test under the alcohol and illicit substance abuse section. (section 10) The failure to disclose a serious alcohol related offense pursuant to the student-athlete code of conduct to one's head coach may also be treated a violation of this section and may be treated as a positive test under the alcohol and illicit substance abuse section. (section 10)

3.3. Illicit Substances, such as narcotic pain medications or street drugs (e.g. heroin, marijuana, and T.H.C.), are present on college campuses today. The student-athlete sometimes faces additional stress and increased pressure in comparison to an individual in the broader student body. This increased stress and pressure may increase the risk that the student-athlete may use mood-altering substances.

3.3.1. These substances and their use fall within the Drug and Alcohol Testing and Education Program. Use of these substances is considered a violation of this program.

3.3.2. There are times when student-athletes or others may receive prescriptions to take drugs that contain substances that might be considered illicit (ex. Narcotics) or performance enhancing (ex. Antianxiety drugs) under program definitions. Simply because these drugs were prescribed and obtained legally by someone else, they are illegal for you to possess and take, and if you test positive for these substances the fact they were legally prescribed to someone else is not a defense to a positive test.

3.3.3. Student-athlete sanctions for serious offenses, verified by the student-athlete pleading guilty or found guilty in court or being found responsible by the Office of Student Conduct, of any action related to the improper possession of illicit or performance enhancing substances shall require mandatory evaluation and assessment under the joint supervision of the team physician and attending mental health provider, and each incident may be treated as a positive test under the alcohol and illicit substance abuse section. (Section 10) The failure to disclose a serious illicit substance or performance enhancing substance-related offense pursuant to the student-athlete code of conduct to one's head coach may also be treated a violation of this section and may be treated as a positive test under the alcohol and illicit substance abuse section. (Section 10). This section is not anticipated to deal with situations involving a finding of unlawfully selling illicit or performance enhancing substances are covered by Section 10.7.1

3.4. Performance Enhancing Drugs give student-athletes unfair advantages and are a form of cheating. The use of such drugs also has significant health risks. For purposes of this Program, the term "Performance Enhancing Drugs," shall mean all substances banned by the NCAA (see link to banned substances at <http://www.ncaa.org/sport-science-institute/ncaa-drug-testing-program>), but shall not include Alcohol and Illicit Substances such as narcotic pain medications or street drugs (e.g. heroin, marijuana, and T.H.C.). Stimulants or other drug types that may fall into either illicit use or athletic performance enhancing use will be subject to the sanction that most closely follows the intended purpose of the drug's use by the student-athlete. This will be determined by the MRO based on the specific facts, including consideration of whether use occurred 'in-season' versus 'out-of-season'.

3.4.1. The use of Performance Enhancing Drugs is prohibited under the Drug and Alcohol Testing and Education Program.

3.5. The NCAA list of banned-drug classes is subject to change by the NCAA Executive Committee. Contact NCAA education services or click on the link to the banned substances list at the website (<http://www.ncaa.org/sport-science-institute/ncaa-drug-testing-program>) for the current list. The term "related compounds" comprises substances that are included in the class by their pharmacological action and/or chemical structure. No substance belonging to the prohibited class may be used, regardless of whether it is specifically listed as an example on the NCAA's list.

3.6. Many nutritional/dietary supplements contain NCAA banned substances. In addition, the U.S. Food and Drug Administration (FDA) does not strictly regulate the supplement industry; therefore, purity and safety of nutritional/dietary supplements cannot be guaranteed. Impure supplements may lead to a positive drug test. The use of these types of supplements is at the student-athlete's own risk. Student-athletes should contact their team physician, athletic trainer or performance nutritionist for further information and advice on the efficacy and safety of nutritional/dietary supplements.

4. Types of Drug Testing

4.1. Team

4.1.1. All student-athletes may be subjected to team testing and may be notified of such by an institutional representative prior to such team test.

4.2. Random

4.2.1. All student-athletes are subject to unannounced random drug testing throughout the entire year

including post-season competition and summer sessions. Student-athletes will be selected for testing using a random number system run by a computer program. Little or no notice may be given for a forthcoming test. Every student-athlete shall be subject to every random test administered under this Program.

4.3. Reasonable Suspicion

4.3.1. A student-athlete may be subject to testing at any time when, in the judgment of the Director of Athletics or his/her designee, including coaches, administrators, and sports medicine personnel, there is a reasonable suspicion that the student-athlete is using a substance in violation of this policy. Such reasonable suspicion may be based on information from any source deemed reliable by any of the above-referenced individuals. Reasonable suspicion includes, but not limited to: observed possession of drugs or drug paraphernalia or substances appearing to be prohibited, arrest or conviction for a criminal offense related to the possession or transfer of prohibited substances, or observed abnormal appearance, conduct or behavior. Examples of such abnormal behavior may include, but not limited to: decline in academic or athletic performance, missing class, falling asleep in class, significant weight change, lethargy, agitation or nervousness, short temper, acts of violence, or loss of friendships.

4.4. NCAA and Big Ten Conference Testing

4.4.1. Any student-athlete on a University squad list may be tested in accordance with the NCAA testing policy or the Big Ten Conference testing policy.

4.4.1.1. Any Penn State testing does not protect the athlete from the possibility of being tested by the NCAA or Big Ten Conference. In the event a student-athlete tests positive under an NCAA or Big Ten Conference drug test, such positive result will be considered a positive test in the internal PSU ICA drug testing policy and the student-athlete will be subject to the treatment, education, and sanctions as outlined in this document. As discussed above, participation in the PSU ICA Safe Harbor does not preclude testing by the NCAA or Big Ten Conference.

4.5. Follow-up Testing

4.5.1. Any student-athlete who has had a previous positive test result is subject to increased follow-up testing. The frequency of testing will be determined by the MRO with input from other professionals as felt to be appropriate.

4.5.2. Advance notice of follow-up testing will not be provided and collections will be observed.

4.6. Testing

4.6.1. At the discretion of the Medical Review Officer, drug testing may be conducted by observed collections or unobserved collection.

4.6.2. In an observed collection, the athlete will be directly observed by collector(s) while providing the sample. The collector(s) will be the same gender as the athlete being tested. The refusal of the student-athlete to have an observed collection, or to follow the directions of the collector, will be treated as refusal to test and will be counted as a positive test with a cheating violation (See Section 16).

4.6.3. In an unobserved collection the athlete will not be directly observed by collector(s) but is charged with providing a sample. The refusal to provide a valid sample, or an attempt to evade or manipulate a test will be treated as a positive test with a cheating violation (See Sections 6 and 16).

5. Guidelines of Drug Testing

- 5.1. Site and time of testing is determined by the Medical Review Officer and/or Drug and Alcohol Program Committee.
- 5.2. Computer random sample programming will generate a list of student-athletes to be tested. All student-athletes, including fifth year seniors with no remaining eligibility, medical waivers, etc. are eligible if still receiving grant in aid or on the active roster list. This list is in addition to any student-athletes tested under reasonable suspicion or follow-up testing.
- 5.3. A certified athletic trainer will receive the list of names to be tested and will notify the student-athletes and head coach or his/her designee. This may allow for up to 24 hours advance notice, but such advance notice is not required. Testing may occur with no advance notice.
 - 5.3.1. To protect the integrity of the testing process the student-athletes and/or coaches shall not be informed earlier than 24 hours before the test commences.
 - 5.3.2. Any student-athlete who does not report at the given testing time will be placed under immediate suspension and will not be able to participate in practice or competition until the requirements of this policy are met. All student-athletes who do not report, and do not have a valid reason, as determined by the MRO, will be considered to have refused to undergo testing and will be treated under this Program as having tested positive with a cheating violation (See Section 16).
- 5.4. The testing site shall be set up to allow for control by the testing staff of entrance and exit from the testing site.
 - 5.4.1. The site shall be inspected for alternative sources of contaminants (water, soap, etc.) and shall be secured as is reasonably practicable.
- 5.5. The student-athlete will report to the testing site within the time frame of the test which has been reported to the student-athlete.
- 5.6. The student-athlete will be accurately identified by photo ID or by the coach identifying the athlete.
- 5.7. The student-athlete will sign in and select an individually sealed coded specimen bottle.
- 5.8. The collector will visually observe while the student-athlete provides the sample. Pre-determined volumes and temperature guidelines for sample acceptance will be followed.
 - 5.8.1. If a student-athlete cannot produce at least 60 mL of urine immediately, then the following procedures are followed.
 - 5.8.1.1. The student-athlete must stay in the collection area until the sample is obtained.
 - 5.8.1.2. If the student-athlete leaves the collection site without permission, or the student-athlete refuses to attempt another collection, then he or she will be considered to have refused to undergo testing and shall be treated under this Program as having tested positive with a cheating violation (See Section 16).
 - 5.8.1.2.1. If during the testing process an athlete is unable to produce a specimen, they will stay in the drug test location through their athletic practices.
 - 5.8.1.2.2. The only time an athlete will be able to be dismissed from the collection site will be for class, and they will report right back after class until they are able to produce a urine sample.
 - 5.8.1.3. If the athlete is unable to get 60mL but is able to get 45mL the sample will still be complete

and sent, if they get less than 45mL the specimen will be discarded.

5.8.2. After the collection has been completed, the sample will be split between the two drug test vials, filling each to the 30mL. Left over specimen will be discarded back into the toilet.

5.8.2.1. If there is 45mL, the A sample will have 30mL and the B sample will have 15mL. This will be noted on the drug test collection form.

5.8.2.2. If the athlete is unable to provide 45 mL of urine, the athlete will submit a saliva sample at the time of the testing and will return within 24 hours for urine testing.

5.8.2.3. If still unable to provide a urine sample before 24 hours, the athlete should have a physical exam performed by a team physician to determine if there is a justifiable medical reason for failure to provide urine (e.g. prostatitis, renal disease, etc.).

5.8.2.4. The physical exam must be performed as soon as reasonably possible. The physical exam should occur within 24 hours after being requested.

5.8.2.5. When the student-athlete is unable to provide urine after following the above procedures, the student-athlete may be tested by alternative means as determined by the Medical Review Officer. The alternative testing methods may include additional saliva or blood testing.

5.9. The specimen bottle will be resealed in the presence of the student-athlete.

5.10. The student-athlete will then sign the chain of custody form and supply a daytime phone number where they may be reached.

5.11. A student-athlete's refusal to sign the form will be noted by the collector. The specimen will remain a valid collection.

5.12. The collector then will sign the chain of custody form and give the student-athlete the student-athlete copy of the form.

5.13. The copy A of the chain of custody form (the lab copy) must not contain any name or phone number of the student-athlete.

5.14. The specimen shall be considered the property of Penn State University.

5.15. All sealed specimens and lab documentation of the chain of custody form will be placed into shipping containers and sent to the lab.

5.15.1. The lab shall be selected by the MRO and will be a SAMSHA certified laboratory.

5.16. Copy B of the chain of custody form will be mailed, faxed or electronically submitted to the MRO for the Penn State University Department of Intercollegiate Athletics' Drug and Alcohol Testing and Education Program.

6. Abnormalities of Specimen Collection

6.1. Any witnessed substitution, adulteration or attempt to add substances (including water) to a specimen container will be noted and the specimen will still be processed. This attempted alteration will count as a positive test with a cheating violation (See Section 16) regardless of the outcome of the specimen testing. In order to attempt to identify the substance the student-athlete may be trying to hide, and the collector must then begin another collection immediately.

7. Laboratory Procedures and Reporting

- 7.1. Bottle A will be used by the laboratory to test for illicit and banned substances.
- 7.2. The testing process will consist of a screening immunoassay and a confirmatory Mass Spectrometry/ Gas Chromatography or such other testing processes as may be developed and which are determined to be appropriate by the MRO. The laboratory director will review all results and forward the results of all samples to the MRO.
- 7.3. The MRO will review all results.
 - 7.3.1. In the case of a positive result, the MRO will contact the student-athlete to interview the student-athlete to see if a reasonable alternative medical explanation exists for the testing result, including appropriately prescribed prescription drugs.
 - 7.3.2. The MRO shall disclose the test result to the student-athlete.
 - 7.3.3. The MRO will discuss with the student-athlete the option for Sample B Testing as described in 8.1 to 8.5.
- 7.4. The cumulative test results will be given to the team physician primarily responsible for medical coverage of the student-athlete.
 - 7.4.1. The cumulative negative results may be forwarded to the individual's coach if requested.

8. Sample B Testing

- 8.1. Any student-athlete who tests positive under sample A testing will be given the option to request the Sample B bottle to be tested.
- 8.2. The student-athlete will be responsible for the cost of: (1) testing, (2) transfer of the specimen from the initial laboratory to a second SAMSHA approved laboratory and (3) any costs associated with the handling of Sample B.
- 8.3. The student-athlete must request the Sample B testing within three days (72 hours) of being notified that the Sample A bottle tested positive. The request must be submitted in writing by the student-athlete to the MRO.
- 8.4. If requested, The MRO will authorize Sample B bottle to be sent from the storage at the initial SAMSHA approved laboratory to another SAMSHA approved laboratory and Sample B testing.
- 8.5. The student-athlete's request for Sample B testing will not delay the results of Sample A being verified by the MRO and the sanctions listed from being initiated.
- 8.6. If the Sample B testing is negative, the Sample A test will be considered invalid and will not count as a positive test.

9. Positive Drug Test and/or Substance Abuse Occurrence

- 9.1. positive test may result from any of the following:
 - 9.1.1. Student-athlete's refusal to provide specimen (cheating – Refer to section 16)
 - 9.1.2. Student-athlete's refusal to sign consent form at beginning of year (cheating – Refer to section 16)

- 9.1.3. Student-athlete's refusal to show for test (cheating – Refer to section 16)
- 9.1.4. Adulteration or substitution of a sample by student-athlete and witnessed by test observer/ collector, or failure to comply with the collector's instructions (cheating – Refer to section 16).
- 9.1.5. Laboratory testing through screening and confirmatory methods that shows the presence of an illicit and/or banned substance (including testing administered by the NCAA). Section 10 or 11 sanctions depending on substance and intended use.

9.2. The above list contains examples of positive tests and is not intended to be all inclusive.

10. Implications of a Positive Drug Test for Alcohol or Illicit Drugs

The following is a list of sanctions resulting from the use of Alcohol or Illicit Substances such as narcotic pain medications or street drugs (e.g. heroin, marijuana, T.H.C). For the sanctions resulting from the use of Performance Enhancing Drugs, please see Section 11. Stimulants or other drug types that may fall into either illicit use or athletic performance enhancing use will be subject to the sanction that most closely follows the intended purpose of the drug's use by the student-athlete. This will be determined by the MRO. In general, this will follow an 'in-season' versus 'out-of-season' pattern. For example, an athlete using a stimulant in season will generally be regarded as using the drug for a performance enhancing benefit.

10.1. Alcohol and Illicit drug use positive test sanctions are outlined by Categories. Category definitions are included in Appendix C.

10.2. Category I Positive

- 10.2.1. The Director of Athletics, Director of Athletic Medicine, the Assistant Athletic Director for Athletic Training, the team physician and team athletic trainer primarily responsible for the student-athlete's sport, the Sport Administrator for the student-athletes sport and the head coach will be informed, confidentially, in writing, of a positive test and/or substance abuse occurrence. The student-athlete will be notified verbally of the positive test by the MRO.
- 10.2.2. The team physician will perform a physical exam for the purpose of determining whether the student-athlete is engaging in substance abuse or is suffering from a substance addiction.
- 10.2.3. The team physician will coordinate an additional evaluation by an attending mental health provider approved by the Penn State Department of Intercollegiate Athletics within 7-days of the student-athlete receiving a positive.
 - 10.2.3.1. The attending mental health provider in collaboration with the team physician for that student-athlete's sport will recommend a treatment and education plan within 14-days of being evaluated.
- 10.2.4. The athlete may be temporarily medically ineligible due to health and safety reasons if he/she is deemed medically unfit to continue participation as determined by the team physician.
- 10.2.5. The student-athlete must participate in and complete the Substance Abuse treatment program.
- 10.2.6. The student-athlete must participate in and complete community service requirement coordinated through Student-Athlete Welfare and Development.
- 10.2.7. The student-athlete will be subject to reasonable suspicion testing and follow-up testing. Initial follow-up testing will be at the discretion of the MRO, with input from the Attending

Mental Health Provider and team physician.

10.3. Category II Positive

- 10.3.1. The Director of Athletics, Director of Athletic Medicine, the Assistant Athletic Director for Athletic Training, the team physician and team athletic trainer primarily responsible for the student-athlete's sport, the Sport Administrator for the student-athletes sport and the head coach will be informed, confidentially, in writing, of a positive test and/or substance abuse occurrence. The student-athlete will be notified verbally of the positive test by the MRO.
- 10.3.2. The team physician will perform a physical exam for the purpose of determining whether the student-athlete is engaging in substance abuse or is suffering from a substance addiction.
- 10.3.3. The team physician will coordinate an additional evaluation by an attending mental health provider approved by the Penn State Department of Intercollegiate Athletics within 7-days of the student-athlete receiving a positive.
 - 10.3.3.1. The attending mental health provider in collaboration with the team physician for that student-athlete's sport will recommend a treatment and education plan within 14-days of being evaluated.
- 10.3.4. The athlete may be temporarily medically ineligible due to health and safety reasons if he/she is deemed medically unfit to continue participation as determined by the team physician.
- 10.3.5. The student-athlete must participate in and complete the Substance Abuse treatment program.
- 10.3.6. The student-athlete must participate in and complete community service requirement coordinated through Student-Athlete Welfare and Development.
- 10.3.7. The student-athlete will be subject to reasonable suspicion testing and follow-up testing. Initial follow-up testing will be at the discretion of the MRO, with input from the Attending Mental Health Provider and team physician.
- 10.3.8. From the date following the positive test, the student-athlete will be suspended from traditional season and/or post-season championship competitions for the next consecutive 10 percent of traditional season and/or post-season championship competitions, or the next 3 consecutive traditional season and/or post-season championship competitions, whichever is less. The approved traditional season competition schedule will be used in the calculation to determine the number of contests lost, and normal mathematical rounding of the percentages will apply. For example, 10% of a 21 traditional season competition schedule is 2.1 competitions, and as based on the rule the suspension will be 2 competitions. Depending on where the team is in the season, post-season competition shall count towards the sanction even though post-season competition is not used in the calculation to determine the number of contests lost.
- 10.3.9. Head coach in consultation with team Sport Administrator and the Director of Athletics may discontinue athletic financial aid.

10.4. Category III Positive

- 10.4.1. The Director of Athletics, Director of Athletic Medicine, the Assistant Athletic Director for Athletic Training, the team physician and team athletic trainer primarily responsible for the student-athlete's sport, the Sport Administrator for the student-athletes sport and the head coach will be informed, confidentially, in writing, of a positive test and/or substance abuse occurrence. The student-athlete will be notified verbally of the positive test by the MRO.
- 10.4.2. The team physician will perform a physical exam for the purpose of determining whether the

student-athlete is engaging in substance abuse or is suffering from a substance addiction.

10.4.3. The team physician will coordinate an additional evaluation by an attending mental health provider approved by the Penn State Department of Intercollegiate Athletics within 7-days of the student-athlete receiving a positive.

10.4.3.1. The attending mental health provider in collaboration with the team physician for the student-athlete's sport will recommend a treatment and education plan within 14-days of being evaluated.

10.4.3.2. A panel consisting of the head coach, the Attending Mental Health Provider, the team physician, the sport Athletic Trainer, with the Sport Administrator when appropriate, will meet with the student-athlete within 31 days from the mental health provider assessment to review the treatment plan with the student-athlete. This meeting must be coordinated/scheduled by the sport Athletic Trainer.

10.4.4. The athlete may be temporarily medically ineligible due to health and safety reasons if he/she is deemed medically unfit to continue participation as determined by the team physician.

10.4.5. The student-athlete must participate in and complete the Substance Abuse treatment program.

10.4.6. The student-athlete must participate in and complete community service requirement coordinated through Student-Athlete Welfare and Development.

10.4.7. The student-athlete will be subject to reasonable suspicion testing and follow-up testing. Initial follow-up testing will be at the discretion of the MRO, with input from the Attending Mental Health Provider and team physician.

10.4.8. From the date following the positive test, the student-athlete will be suspended from traditional season and/or post-season championship competitions for the next consecutive 30 percent of traditional season and/or post-season championship competitions. The approved traditional season competition schedule will be used in the calculation to determine the number of contests lost, and normal mathematical rounding of the percentages will apply. For example, 30% of a 21 traditional season competition schedule would be 6.3 competitions, and as based on the rule the suspension will be 6 competitions. Depending on where the team is in the season, post-season competition shall count towards the sanction even though post-season competition is not used in the calculation to determine the number of contests lost.

10.4.9. Head coach in consultation with team Sport Administrator and the Director of Athletics may discontinue athletic financial aid.

10.5. Category IV Positive

10.5.1. The Director of Athletics, Director of Athletic Medicine, the Assistant Athletic Director for Athletic Training, the team physician and team athletic trainer primarily responsible for the student-athlete's sport, the Sports Administrator for the student-athletes sport and the head coach will be informed, confidentially, in writing, of a positive test and/or substance abuse occurrence. The student-athlete will be notified verbally of the positive test by the MRO.

10.5.2. The team physician will perform a physical exam for the purpose of determining whether the student-athlete is engaging in substance abuse or is suffering from a substance addiction.

10.5.3. The team physician will coordinate an additional evaluation by an attending mental health provider approved by the Penn State Department of Intercollegiate Athletics within 7-days of

the student-athlete receiving a positive.

10.5.3.1. The attending mental health provider in collaboration with the team physician for that student-athlete's sport will recommend a treatment and education plan within 14-days of being evaluated.

10.5.3.2. A panel consisting of the head coach, the Attending Mental Health Provider, the team physician, the sport Athletic Trainer, with the Sport Administrator when appropriate, will meet with the student-athlete within 31 days from the mental health provider assessment to review the treatment plan with the student-athlete. This meeting must be coordinated/scheduled by the sport Athletic Trainer.

10.5.4. The athlete may be temporarily medically ineligible due to health and safety reasons if he/she is deemed medically unfit to continue participation as determined by the team physician.

10.5.5. The student-athlete must participate in and complete the Substance Abuse treatment program.

10.5.6. The student-athlete must participate in and complete community service requirement coordinated through Student-Athlete Welfare and Development.

10.5.7. The student-athlete will be subject to reasonable suspicion testing and follow-up testing. Initial follow-up testing will be at the discretion of the MRO, with input from the Attending Mental Health Provider and team physician.

10.5.8. From the date following the positive test, the student-athlete will be suspended from traditional season and/or post-season championship competitions for the next consecutive 50 percent of traditional season and/or post-season championship competitions. The approved traditional season competition schedule will be used in the calculation to determine the number of contests lost, and normal mathematical rounding of the percentages will apply. For example, 50% of a 21 traditional season competition schedule would be 10.5 competitions, and as based on the rule the suspension will be 11 competitions. Depending on where the team is in the season, post-season competition shall count towards the sanction even though post-season competition is not used in the calculation to determine the number of contests lost.

10.5.9. Head coach in consultation with team Sport Administrator and the Director of Athletics may discontinue athletic financial aid.

10.6. Category V Positive

10.6.1. The Director of Athletics, Director of Athletic Medicine, the Assistant Athletic Director for Athletic Training, the team physician and team athletic trainer primarily responsible for the student-athlete's sport, the Sports Administrator for the student-athletes sport and the head coach will be informed, confidentially, in writing, of a positive test and/or substance abuse occurrence. The student-athlete will be notified verbally of the positive test by the Medical Review Officer.

10.6.2. From the date following the positive test, the student-athlete will be suspended from the traditional/championship and post-season competition the entire season or may be dismissed from program.

10.7. Selling or Providing Illicit Drugs

10.7.1. Any student-athlete found guilty of selling or providing an illegal drug to another person may be subject to immediate and permanent dismissal from any team on which the student-athlete participates, as well as the termination of any athletic financial aid to the extent permitted under NCAA rules.

10.8. Failure to Follow Treatment Plan

10.8.1. Failure of the student-athlete to comply with a treatment and/or education plan mandated under this Program will result in immediate suspension from all practices, games and athletic department functions and may result in increased category sanctions.

10.8.1.1.1. Reinstatement may occur following a negative follow-up drug test and upon approval of the MRO in consultation with the Director of Athletics or his/her designee, and the Director of Athletic Medicine in consultation with the treating medical providers.

11. Implications of a Positive Drug Test for Performance Enhancing Drugs (see Section 10 for determining illicit versus performance enhancing use for certain drugs).

11.1. Category I for Performance Enhancing Drugs

11.1.1. The Director of Athletics, Director of Athletic Medicine, the Assistant Athletic Director for Athletic Training, the team physician and team athletic trainer primarily responsible for the student-athlete's sport, the Sport Administrator for the student-athletes sport and the head coach will be informed, confidentially, in writing, of a positive test and/or substance abuse occurrence. The student-athlete will be notified verbally of the positive test by the MRO.

11.1.2. The team physician will perform a physical exam for the purpose of determining whether the student-athlete is engaging in substance abuse or is suffering from a substance addiction.

11.1.3. The team physician will coordinate an additional evaluation by an attending mental health provider approved by the Penn State Department of Intercollegiate Athletics within 7-days of the student-athlete receiving a positive.

11.1.4. The attending mental health provider in collaboration with the team physician for that student-athlete's sport will recommend a treatment plan within 14-days of being evaluated.

11.1.5. The student-athlete must participate in and complete the Substance Abuse treatment program.

11.1.6. The student-athlete will be subject to reasonable suspicion testing and follow-up testing.

11.1.7. The student-athlete will be suspended from all competitions for a minimum of one calendar year (365 days). Head coach in consultation with team Sport Administrator and the Director of Athletics may discontinue athletic financial aid.

11.2. Category II for Performance Enhancing Drugs

11.2.1. The Director of Athletics, Director of Athletic Medicine, the Assistant Athletic Director for Athletic Training, the team physician and team athletic trainer primarily responsible for the student-athlete's sport, the Sport Administrator for the student-athletes sport and the head coach will be informed, confidentially, in writing, of a positive test and/or substance abuse occurrence. The student-athlete will be notified verbally of the positive test by the MRO. The 365-Day Good Behavior Program cannot be used for positive drugs tests for PEDs.

11.2.2. A student-athlete who tests positive for the second time for the use of Performance Enhancing Drugs, shall be declared permanently ineligible to represent Penn State University in intercollegiate competition. Head coach in consultation with team Sport Administrator and the Director of Athletics may discontinue athletic financial aid.

12. Follow-up after positive tests

- 12.1. The form included as Appendix D will be used to track notification, treatment and sanctions compliance. The Sports Administrator for each team will have responsibility for filling out and filing the form.

13. Coaches' Use of Positive Results.

- 13.1. Head coaches of varsity intercollegiate athletic teams have the exclusive prerogative and authority to determine which medically and academically qualified individuals trying out for a varsity team will become and/or remain members of the team. Exercise of this prerogative is based on consideration of a number of factors. Coaches are fully aware of the educational and rehabilitative focus of this Policy, and they are also aware of the impact that the use of alcohol, performance enhancing drugs and illicit drugs may have on an individual's ability to perform in practice or competition. Student-athletes should understand that positive test results will be made known to their respective head coach and that the coach will consider such positive test result(s) in assessing which individuals should be afforded the privilege of becoming and remaining members of varsity athletic teams representing Penn State University. Nothing contained in this Policy, except for Safe Harbor, shall be construed as preventing a head coach from imposing a more severe sanction than those provided in this policy.

14. Drug Testing Appeal Process

- 14.1. A student-athlete shall have the right to appeal the testing result and/or the sanction imposed as a result of the positive test.
- 14.2. To file an appeal, the student-athlete must submit his or her appeal in writing, accompanied by supporting evidence, to the Director of Athletics or his/her designee for review by the Drug and Alcohol Testing and Education Program Committee (refer to page #2 for committee composition), along with the Athletics Integrity Officer (AIO). The appeal must be filed within seven (7) days of notification of the test result for the sanction imposed.
- 14.3. The appeals committee will be chaired by the AIO.
- 14.4. As part of any appeal, the student-athlete may request a meeting with the Committee to state his or her
- 14.5. basis for the appeal. Every effort will be made to schedule the meeting within a reasonable time frame, typically within three to five days of the student-athlete's submission of his or her appeal. Coaches will not be permitted to attend the appeals meeting, but they may submit written documentation as part of the appeals process. The student-athlete may request to have other mentors present at the appeals meeting. These requests will be considered on a case by case basis.
- 14.6. A final decision on the appeal will be made by the Committee and will be made available in writing to the student-athlete from the MRO within fourteen (14) days of the above-referenced appeal meeting, or if no meeting is requested, within fourteen (14) days of the filing of the written appeal.

15. Confidentiality

Every reasonable attempt will be made to maintain confidentiality in connection with this Drug and Alcohol Testing and Education Program. By consenting to the drug testing process, the student-athlete understands that the Director of Athletics and his/her designees, the team physicians, athletic trainers for the sport in which the student-athlete participates, the Sport Administrator for the student-athlete's sports, and the head coach will have access to test results and all information of the Drug and Alcohol Program. It should be stressed that the Program is in place as a deterrent to substance abuse and is not a law enforcement program. It is designed to protect the safety of the student-athlete and his or her fellow athletes and supporting staff.

16. Implications for attempting to cheat on drug tests

Cheating refers to things such as student-athletes who attempt to provide altered samples, failure to comply

with the collector's instructions, the refusal to provide a specimen, failing to show up for a test, or doing anything else to intentionally alter or evade providing a sample of their own urine. Any student-athlete that is caught cheating will be required to test or re-test immediately and will be immediately suspended from participation in sport until test results return. The student-athlete will automatically be charged with a positive test for penalties consistent with illicit drugs (Refer to Section 10) for attempting to cheat on a drug test, and based on the outcome of the drug test, if positive, the student-athlete will be charged an additional positive drug test, and the penalties charged will be dependent upon the type of substance. The sanctions applied will be based on the total number of positive tests accumulated **and carry a mandatory suspension from competition. This suspension from competition will be the greater of (a) suspension from the next scheduled regular or post season competition or (b) the competition loss called for in Section 10, based on program violation level.** Positive tests as a result of cheating will remain on the student-athlete's record for the duration of their career at Penn State, and will not be eligible to be erased from the student-athlete's record through the 365-Day Good Behavior Program. These infractions are also subject to sanctions outlined in the Athletics Code of Conduct.

PENN STATE UNIVERSITY INTERCOLLEGIATE ATHLETICS

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

POSITIVE DRUG TEST ACKNOWLEDGEMENT FORM

(APPENDIX A)

**Penn State University Intercollegiate Athletics
Drug and Alcohol Testing and Education Program
Student-Athlete Positive Test Acknowledgment Form**

Please complete and return signed copy to your team physician immediately following your 1st appointment with a treating mental health provider (CAPS) or at the conclusion of 1st day of a treatment program (BASICS, MIP), whichever is required based on the number of positive tests.

Contact information for Health Promotions and Wellness (BASICS & MIP)- 814-863-0461
Student-athletes can also register for HPW programs via the student affairs website/myUHS
Contact information for CAPS referral-814-863-0395

Student-Athlete _____ PSUID #

I _____ understand that, according to the Penn State University Department of Intercollegiate Athletics Drug and Alcohol Testing and Education Program policies, I am responsible for completing all requirements of the program, and failure to comply will result in additional penalties and disciplinary action.

I acknowledge that I am still subject to reasonable suspicion testing and follow-up testing per program policy. I also understand that I am too subject to **sanctions by the Big Ten Conference and NCAA per their policies.**

In addition:

- 1) Penn State will work with me to establish an initial contact with Counseling and Psychological Services or Health Promotions and Wellness based on program requirements.
- 2) I may be suspended from play or practice if it is medically warranted because of health and safety concerns. Otherwise, I will be allowed to participate in team activities, including competitions, so long as I am complying with all requirements of the program.
- 3) My compliance with this program does not preclude me from being selected for drug testing by the **NCAA and/or Big Ten Conference** and I am aware that I will be subject to all sanctions outlined in their respective testing programs.

I fully understand that I will receive further sanctions if I fail to comply with the requirements of this program and/or I fail to comply with the agreed upon treatment plan.

Signature: _____ Date: _____
(Student-Athlete)

Signature: _____ Date: _____
(Attending Mental Health Provider) or
(*Program Director)

Signature: _____ Date: _____
(Team Physician)

***Program Director** is defined as the facilitator of the MIP, BASICS, or other treatment programs based on the requirements of the Penn State Intercollegiate Athletics Testing and Education Program and the number of positive tests.

Health Promotions and Wellness, 001P Intramural (IM) Building. Hours: Monday-Friday 8:00 a.m. - 5:00 p.m. Phone: 814-863-0461

Counseling and Psychological Services--Student Health Center, 501. Monday-Friday 8:00 a.m. - 5:00 p.m. Phone: 814-863-0395

PENN STATE UNIVERSITY INTERCOLLEGIATE ATHLETICS

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

SAFE HARBOR POLICY & PROCEDURES

(APPENDIX B)

**Penn State University Intercollegiate Athletics
Drug and Alcohol Testing and Education Program
Student-Athlete Safe Harbor Acknowledgement Form**

Please complete and return signed copy to your team physician immediately following completion of your counseling or treating (BASICS, MIP) program, whichever is required based on the number of positive tests.

Contact information for Health Promotions and Wellness (BASICS & MIP)- 814-863-0461.
Student-athletes can also register for HPW programs via the student affairs website/myUHS
Contact information for CAPS referral-814-863-0395

Circle which program you are signing up for: BASICS MIP CAPS

Date of 1st appointment: _____ Program/Counseling Completion Date

Student-Athlete _____ PSUID #

I _____ understand that, according to the Penn State University Department of Intercollegiate Athletics Drug and Alcohol Testing and Education Program policies, I may self-refer into the Penn State Safe Harbor Program for voluntary evaluation and treatment of substance use concern.

I understand that I am not eligible for Penn State Safe Harbor after being informed of an impending drug test and my involvement in the program does not impact Big Ten conference or NCAA substance use testing programs.

I understand that if I test positive for an impermissible substance while in the Penn State Safe Harbor program, the test result will not result in any disciplinary action under the Penn State University Department of Intercollegiate Athletics Drug and Alcohol Testing and Education Program policies, but I acknowledge that I am still subject to **sanctions by the Big Ten Conference and NCAA per their policies.**

I also understand that:

- 4) Penn State will work with me to establish an initial contact with Counseling and Psychological Services or other appropriate services as based on the requirements of the Safe Harbor Program and the number of positive tests assessed upon entry into the safe harbor program.
- 5) Penn State University will work with me to develop a treatment plan which may include confidential substance testing to aid in treatment.
- 6) I may be suspended from play or practice if it is medically warranted because of health and safety concerns. Otherwise, I will be allowed to participate in team activities, including competitions, so long as I am successfully participating in the Penn State Safe Harbor program.
- 7) My participation in the Penn State Safe Harbor program will be kept confidential unless the team **physician, athletic trainer, and/or medical review officer** determines that notifying a particular person(s) is medically indicated for health and safety reasons or if I fail to comply with the treatment plan. Examples of failure to comply include but are not limited to failure to submit acknowledgement form (Appendix A), missed and/or cancelled counseling appointments, failure to complete treatment program, increased drug levels).
- 1) **8) While in the Penn State Safe Harbor program I may be selected for drug testing by the NCAA and/or Big Ten Conference and I am aware that I will be subject to all sanctions outlined in their respective testing programs.**
- 9) I understand that I am **voluntarily** entering into the safe harbor program, because I am concerned about my health and wellbeing, and thus I will fully comply with all aspects of this program. I understand that I will be permitted to remain in Safe Harbor for a **reasonable period** of time in order to complete program, but **not to exceed 60 days from the 1st day of treatment program**. Any requests to extend participation in safe harbor beyond 60 days will be determined by clinical judgment of the team physician and the attending mental health provider.

I fully understand that I will be removed from the Penn State Safe Harbor program if I fail to comply with the requirements of this program and/or I fail to comply with the agreed upon treatment plan.

Signature: _____ Date:

(Student-Athlete)

Signature: _____ Date:

(Team Physician)

Signature: _____ Date:

(Attending Mental Health Provider) or
(*Program Director)

***Program Director** is defined as the facilitator of the MIP, BASICS, or other treatment programs based on the requirements of the Penn State Intercollegiate Athletics Testing and Education Program and the number of positive tests.

Health Promotions and Wellness, 001P Intramural (IM) Building. Hours: Monday-Friday 8:00 a.m. - 5:00 p.m. Phone: 814-863-0461

PENN STATE UNIVERSITY INTERCOLLEGIATE ATHLETICS

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

SAFE HARBOR POLICY & PROCEDURES

(APPENDIX C)

Penn State University Safe Harbor Policy and Procedures EXIT Form (Appendix C)

Student-Athlete _____ PSUID #

I _____ understand that, according to the Penn State University Department of Intercollegiate Athletics Drug and Alcohol Testing and Education Program policies, I am no longer part of the Penn State Safe Harbor Program. At this time, I am subject to substance abuse testing and disciplinary action as outlined in the Penn State Intercollegiate Athletics Drug and Alcohol Testing and Education Program policy manual, and I am also subject to all Big Ten Conference and NCAA testing and any subsequent sanctions outlined in their policies.

The reason for exit from the Penn State Safe Harbor Program is checked below. An outline of the individualized Safe Harbor treatment plan, as provided by the attending mental health provider, will be attached to this form.

The student-athlete has completed the program positively as determined by the attending mental health provider, and team physician.

The student-athlete has failed to comply with the outlined treatment.

Signature: _____ Date:

(Student-Athlete)

Note here if student-athlete refuses to sign the form, but they are given copy of the completed form.

Signature: _____ Date:

(Attending Mental Health Provider)

Signature: _____ Date:

(Team Physician)

Team physician will work with student-athlete to complete form and return to MRO. MRO will notify all appropriate personnel of student-athletes exit from the Safe Harbor Program.

PENN STATE UNIVERSITY INTERCOLLEGIATE ATHLETICS

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

IMPORTANT DESCRIPTIONS & DEFINITIONS

COACH DISCRETION

It is fully expected that student-athletes comply with the policies and education requirements outlined in the Drug and Alcohol Testing and Education Program policy manual in order to remain in good standing as a Penn State Student-Athlete. At any point in time, a student-athlete tests positive for Alcohol (including violations of team rules), Illicit Substances, or Performance Enhancing Drugs, the head coach has discretion to impose harsher sanctions which may result in removal of scholarship or full dismissal from team. However, it is strongly encouraged that if a coach plans to remove aid or dismiss a student-athlete from the team that they consult with the sport administrator, the athletic compliance office, and the Director of Athletics prior to doing so.

SAFE HARBOR

The Drug and Alcohol Testing and Education Program is aimed to provide assistance to those individuals affected by substance abuse. Student-athletes who recognize they have substance abuse issues may enter into the Safe Harbor Program. This will trigger the ability to participate in a treatment program or receive a thorough assessment by a mental health counselor who will work with the team physician to prescribe an intensive treatment plan to begin working towards recovery. A student-athlete will be permitted to remain in Safe Harbor for a **reasonable period** of time in order to complete program, but **not to exceed 60 days from the 1st day of treatment program**. While in Safe Harbor, there will be no team or administrative sanctions imposed if treatment plan is successfully completed. Note: *Safe Harbor must be enacted prior to notification of a scheduled drug test or prior to testing positive*. Talk with your team athletic trainer or physician to learn more about the Safe Harbor Program.

ILLICIT DRUGS

Illicit drugs include street drugs such as marijuana, cocaine, PCP, heroin, stimulants, prescription narcotic abuse, etc. Note the above discussion that some stimulants or other drugs may fall into either illicit or performance enhancing use. For these drugs, a determination will be made on the likely intended use, generally based on whether the use is 'in-season' versus 'out-of-season'.

CALCULATING LOSS OF COMPETITION

The total number of contests listed on the approved traditional season competition schedule will be used to determine the number of contests lost based on the sanction percentage. Normal mathematical rounding of the percentages will apply. For example, if the sanction results in a 50% loss of competition as based on a 21-contest traditional season competition schedule, then the number of contests lost will be 11 contests (50% of 21 contests= 10.5). Refer to 'Application of Sanction' for the inclusion of post-season competition.

APPLICATION OF SANCTION—LOSS OF COMPETITION

From the date following the positive test, the student-athlete will be suspended from the next traditional season and/or post-season championship competitions. The loss of competitions must occur consecutively and while post-season competition is not factored in the calculation to determine the number of lost competitions, post-season competition will count towards fulfilling the sanction requirements, if applicable. Any activities, e.g. travel for competition, dressing for competition, attending team functions in preparation for competition, or any other activity associated with competition will be prohibited. The sanction period will begin immediately (next contest) if in the traditional/championship season. If positive test occurs in the non-traditional season the competition sanction and suspension from activities associated with competition will begin with the 1st contest of the traditional/championship season. If the positive test occurs after the traditional/competition season has started and fulfillment of the sanction cannot be achieved, then the suspension will begin the 1st competition of the next traditional/championship season.

15-HOUR VALUES-BASED SERVICE-LEARNING PROGRAM

Student-athlete who fall in categories requiring community service will be participate in 15- hours of service designed to optimize self-reflection and values congruent behavior. Student must coordinate through Student-Athlete Welfare and Development (SWD) within 14-days of receiving positive test results. SWD will specify deadlines for which this program must be completed.

COUNSELING ASSESSMENTS & TREATMENT PLAN- Student-Athletes will meet with attending mental health provider to assess and understand the student-athlete's current needs, substance use history, and circumstances with which the substance use occurred. The student-athlete and mental health provider will collaborate to develop a customized treatment program to best meet the student-athlete's health and well-being needs.

MIP - Marijuana Intervention Program

A personalized and confidential one-on-one service to help students explore their marijuana use and reduce risky behavior and negative consequences. Provides education by staff members using a non-judgmental approach. Free for students who do not have a violation.

BASICS- BASICS - Brief Alcohol Screening & Intervention for College Students

A personalized and confidential one-on-one service to help students explore their alcohol use and reduce risky behavior and negative consequences. Provides education by staff members using a non-judgmental approach. Free for students who do not have a violation.

PENN STATE UNIVERSITY INTERCOLLEGIATE ATHLETICS

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

POSTIVE DRUG TESTS FOR ALCOHOL & ILLICIT DRUGS

Category Definitions

Category definitions for positive tests for **alcohol** and **illicit drugs**. This does not apply to performance enhancing drugs

Category 0 (Early Identification): No history of positive tests or violation of this drug testing and education program, as defined in the Program policy manual. A positive test, either illicit or performance enhancing, at the student-athlete enrollment screening will also keep the student-athlete in this category, but they will be required to undergo assessment and treatment. All student-athletes begin in Category 0 upon enrollment.

Category I:

- At least one positive test, as defined in the Program policy manual.
A student-athlete may revert to category 0 by repeated negative tests, and compliance with the treatment plan (as determined by the attending mental health provider and team physician), over a 365-day period. Students are only allowed to use the 365-Day Good Behavior Program twice in their Penn State career.

Category II:

- Any student-athlete who tests positive, as defined in the Program policy manual, while in Category I; or Failure of a student-athlete to comply with treatment requirements (as determined by the attending mental health provider and team physician) while in Category I.
A student-athlete may revert to Category I by repeated negative tests, and compliance with the treatment plan (as determined by the attending mental health provider and team physician), over a 365-day period. Students are only allowed to use the 365-Day Good Behavior Program twice in their Penn State career.

Category III:

- Any student-athlete who tests positive, as defined in the Program policy manual, while in Category II; or Failure to comply with treatment requirements (as determined by the attending mental health provider and team physician) while in Category II.
A student-athlete may revert to Category II by repeated negative tests, and compliance with the treatment plan (as determined by the attending mental health provider and team physician), over a 365-day period. Students are only allowed to use the 365-Day Good Behavior Program twice in their Penn State career.

Category IV:

- Any student-athlete who tests positive, as defined in the Program policy manual, while in Category III; or Failure to comply with treatment requirements (as determined by the attending mental health provider and team physician) while in Category III.
A student-athlete may revert to Category III by repeated negative tests, and compliance with the treatment plan (as determined by the attending mental health provider and team physician), over a 365-day period. Students are only allowed to use the 365-Day Good Behavior Program twice in their Penn State career.

Category V:

- Any student-athlete who tests positive, as defined in the Program policy manual, while in Category IV; or Failure to comply with treatment requirements (as determined by the attending mental health provider and team physician) while in Category IV.
 - A student-athlete may revert to Category III by repeated negative tests, and compliance with the treatment plan (as determined by the attending mental health provider and team physician), over a 365-day period. Students are only allowed to use the 365-Day Good Behavior Program twice in their Penn State career.

Safe Harbor Participant:

- The Drug and Alcohol Testing and Education Program is aimed to provide assistance to those individuals affected by substance abuse. Student-athletes who recognize they have substance abuse issues may enter into the Safe Harbor Program. This will trigger the ability to participate in a treatment program or receive a thorough assessment by a mental health counselor who will work with the team physician to prescribe an intensive treatment plan to begin working towards recovery. A student-athlete will be permitted to remain in Safe Harbor for a **reasonable period** of time in order to complete program, but **not to exceed 60 days from the 1st day of treatment program**. While in Safe Harbor, there will be no team or administrative sanctions imposed if treatment plan is successfully completed. Note: *Safe Harbor must be enacted prior to notification of a scheduled drug test or prior to testing positive.* Talk with your team athletic trainer or physician to learn more about the Safe Harbor Program.

• **PENN STATE UNIVERSITY
INTERCOLLEGIATE ATHLETICS**

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

POSTIVE DRUG TESTS FOR PEDS

Category Definitions

CATEGORY DEFINITIONS

Category I:

- Student-athlete who tests positive for performance enhancing drugs will be suspended from all competitions for a minimum of one calendar year (365 days).
- Head coach in consultation with team Sport Administrator and the Director of Athletics may discontinue athletic financial aid.

Category II:

- Student-athlete who tests positive for the second time for the use of performance enhancing drugs, shall be declared permanently ineligible to represent Penn State University in intercollegiate competition.
- Head coach in consultation with team Sport Administrator and the Director of Athletics may discontinue athletic financial aid.

PENN STATE UNIVERSITY INTERCOLLEGIATE ATHLETICS

DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

FREQUENTLY ASKED QUESTIONS

for Student-Athletes

PENN STATE INTERCOLLEGIATE ATHLETICS DRUG AND ALCOHOL TESTING AND EDUCATION PROGRAM

FREQUENTLY ASKED QUESTIONS for STUDENT-ATHLETES

Where can I find the Drug and Alcohol Program Policy Manual?

The Penn State Intercollegiate Athletics Drug and Alcohol Program Policy Manual can be accessed by clicking on the following link: http://grfx.cstv.com/photos/schools/psu/genrel/auto_pdf/2013-14/misc_non_event/PSU_POLICY_DRUG_TESTING.pdf

What substances will I be tested for?

The substances regulated by the drug and alcohol program fall into three major categories: alcohol, illicit substances, and performance enhancing drugs. You can find a list of banned substances via the following link: <http://www.ncaa.org/2018-19-ncaa-banned-drugs-list>

Why would I be tested for alcohol?

Alcohol use is illegal in the state of Pennsylvania for anyone under the age of twenty-one (21) and is thus also prohibited under the Drug and Alcohol Testing and Education Program for those under this age. Each Head Coach may impose team rules regarding alcohol use that may affect your eligibility for practice and competition if tested positive. DUI; public intoxication; or assaults while under the influence of alcohol shall require mandatory evaluation and assessment under the joint supervision of the team physician and attending mental health provider, and each incident may be treated as a

positive test under the alcohol and illicit substance abuse section. Failure to disclose a serious alcohol related offense pursuant to the student-athlete code of conduct to your head coach may also be treated as a positive test under the alcohol and illicit substance abuse section.

What laws and other policies am I required to follow?

Any applicable drug and alcohol laws, Federal or State, will supersede anything contradictory within the Intercollegiate Athletics Drug and Alcohol Program policies. Additionally, you will be required to follow all Federal and State laws, and University and team policies. Violation of these policies may result in additional ramifications including dismissal from the athletics program and University.

How often can I be drug tested?

As a Penn State student-athlete, you are subject to mandatory testing for the substances mentioned above at any time during your time as a Penn State student-athlete. Drug tests are random per Big Ten and NCAA testing requirements. Penn State conducts year-round testing to promote appropriate standards of behavior for our student-athletes and protect the health and safety of all our students.

What counts as a positive drug test?

In addition to testing positive for illicit or performance enhancing drugs, you can also test positive for non-compliance with the program testing policies. Non-compliance includes, but it is not limited to your refusal to sign the drug testing consent form upon your arrival to Penn State, refusal to provide a urine sample, refusal to show for test, or if you attempt to alter or substitute the urine sample in any as witnessed by the observer/collector, or you fail to comply with the collector's instructions.

What happens if I attempt to cheat on a drug test?

If you are caught cheating on a drug test, you will be required to test or re-test immediately and you will be immediately suspended from participation in sport until test results return. You will automatically be charged with a positive test for penalties consistent with illicit drugs as described in section 10 of the policy manual for attempting to cheat on a drug test and there is a mandatory competition loss penalty. Based on the outcome of the drug test or re-test, if positive, you will be charged an additional positive drug test, and the penalties charged will be dependent upon the type of substance. The sanctions applied will be based on the total number of positive tests accumulated. Positive tests as a result of cheating will remain on your record for the duration of your career at Penn State, and they cannot be erased from your record through the 365-Day Good Behavior Program. These infractions are also subject to sanctions outlined in the Athletics Code of Conduct.

What are the ramifications for testing positive?

A positive test will result in an examination by the team physician, evaluation by an Attending Mental Health Provider through Counseling and Psychological Services (CAPS), and participation in and completion of the treatment plan prescribed by the CAPS counselor. Your education and treatment plan may differ based on the number of positive tests and the type of drug and/or intended use for illicit or performance enhancement. Additional expectations will be required including loss of competition in some cases as described in the Drug and Alcohol Program Policy Manual.

Who is notified if I test positive?

If you receive a positive drug test, the Medical Review Officer will notify the Director of Athletics, Director of Athletic Medicine, Assistant Athletic Director for Athletic Training, team physician and team athletic trainer primarily responsible for the student-athlete's sport, Sports Administrator for your team, and your head coach. When appropriate, the Assistant Athletic Director for Student-Athlete Welfare and Development will be made aware of your positive test if community service is required.

What is the Safe Harbor Program?

If you recognize you have an alcohol or substance abuse issue, you can request an evaluation or seek counseling by contacting your coach, athletic trainer, team physician and/or psychologist for athletics, and by completing the Penn State Safe Harbor Policy and Procedures Acknowledgment Form and submit the form to your team physician or Medical Review Officer (MRO). Entry into the Safe Harbor Program must

be approved by the MRO. This is called Safe Harbor because it is a confidential and no team or administrative sanctions will be imposed upon you if you make a personal decision to seek professional assistance. You will be permitted to remain in Safe Harbor for a reasonable period of time, **not to exceed 60 days from the 1st session with treating therapist or 1st day of treatment program.**

What is the 365-Day Good Behavior Program?

It is our hope that you will take full advantage of the resources available to assist you in addressing issues that impact your ability to make good decisions. In effort to assist student-athletes with significant drug and alcohol issues, we have established the 365-Day Good Behavior Program that allows students-athletes to work through challenges that may contribute to consuming alcohol and illicit drugs. If you are a student working through these challenges, the 365-Day Good Behavior Program will provide you the opportunity to demonstrate your desire to correct your behavior by successfully completing your treatment plan and producing negative tests for a period of 365 days. When you remain clean for 365-days, but for some reason test positive after that period, your positive test will revert to a lesser consequence to reflect one less positive test than the actual total number of positive tests assessed. You will only be allowed to use the 365-Day Good Behavior Program twice in your Penn State career.

Can the use of CBD Oil result in a positive drug test?

Yes. Cannabidiol--CBD as a medication has only been approved to treat two rare forms of epilepsy. CBD is otherwise obtained as a nutritional/dietary supplement which has no certainty regarding its purity. If a student-athlete should test positive for tetrahydrocannabinol (THC) as a result of CBD contamination they are subject to loss of eligibility. There is no medical exception review for substances in the cannabinoids class.