

CLEMSON UNIVERSITY

Clemson University Athletic Department Substance Use / Misuse Program

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A. CUAD PROGRAM OVERVIEW

i. Philosophy

The Clemson University Athletic Department (“CUAD”), its coaching staff, physicians, athletics trainers and administrators strongly believe that the use of illegal drugs, misuse of prescription drugs, use of performance enhancing drugs, and the misuse of alcohol (collectively “substance misuse”) are detrimental to the physical and mental well-being of its student-athletes (“students”). Substance misuse poses health and safety risks to the student, may be against the law and constitute a violation of Clemson University Student Regulations, CUAD Standard of Conduct/Discipline Policy and/or team rules. Therefore, CUAD has implemented a mandatory program of education, drug testing and counseling/rehabilitation to protect the health and safety of students and other students associated with Clemson Athletics. This program, known as the Substance Use/Misuse Program, is separate from, but supplements and complements, the National Collegiate Athletic Association (“NCAA”) Drug-Testing Program and the Clemson University Alcohol and Other Drug Use policies as well as the Clemson University Athletic Department Standard of Conduct/Discipline Policy, team rules, and federal, state and local laws and regulations.

ii. Goals of the Program

The goals of the CUAD Substance Use/Misuse Program are to inform students of the dangers associated with substance misuse, mitigate improper drug and alcohol use in athletics and, where detected, to positively impact use behavior, preferably through medical treatment, education, and imposition of corrective actions where appropriate. This Substance Use/Misuse Program seeks:

- To educate individuals regarding the dangers associated with drug and alcohol use and misuse;

- To identify through, among other avenues, testing those individuals who may be currently using, misusing or are otherwise involved in illegal and/or improper drug use;
- To recommend and refer to confidential treatment those individuals with substance /misuse-related problems; and,
- To provide corrective actions for those individuals who have engaged in substance misuse.

iii. **Program Process**

CUAD considers education to be an important part of its drug and alcohol policy. Mandatory educational sessions will be periodically conducted to outline the risks associated with substance misuse. The NCAA Drug-Testing Program and the CUAD Substance Use/Misuse Program will be reviewed with all students at the beginning of each year. Each student will receive information concerning the NCAA and CUAD programs and testing guidelines. They will also be required to sign separate consent forms for the NCAA Drug-Testing Program and the CUAD Substance Use/Misuse Program.

Students from all teams may be screened for drug use (a) on a random basis throughout the year, (b) based on good cause, as defined in the next subsection, and (c) prior to their participation in NCAA championship contests or bowl games. In addition, students who test positive for a banned/impermissible substance, as defined in Section D below, will be subject to frequent follow-up testing. Compliance with all drug testing is required. At the discretion of the designated CUAD administrator¹, members of spirit squads may be subjected to testing under any and all of the situations that are listed above and references below to teams and students shall include the spirit squads and their members, as appropriate.

¹ All references in this Program to the designated CUAD administrator shall include any person designated by the Director of Athletics to handle the particular item.

The designated CUAD administrator shall have the sole discretion in determining how often and when each team shall be tested and what percentage of the team shall be tested during each session of random testing. Rosters for each session of random testing are generated from NCAA squad lists. The participants' names will not be communicated until the day of the test. Compliance with all drug testing is required.

iv. **Drug Testing for Cause**

In addition to random testing, students are also subject to drug testing if there is cause to believe that they may be using prohibited substances. Circumstances which constitute cause include, but are not limited to, the following: a violation of Clemson University Student Regulations, a violation of the CUAD Standard of Conduct/Discipline Policy that involves drug-related activities, admission of a current drug problem, a pattern of aberrant behavior, or observation of substance misuse by a CUAD staff member. Any coach, CUAD administrator / athletic staff member who has cause for concern may request that a student undergo testing. These requests may be submitted to the designated CUAD administrator who shall have the sole discretion in deciding whether cause exists.

v. **Follow-up Testing**

Any student who tests positive for a banned/impermissible substance shall be subject to follow-up drug testing upon such frequency and for such length of time as the designated CUAD administrator shall determine. In addition to being subjected to follow-up testing, a student who has previously failed a drug test shall be eligible for selection for random drug testing, pre-NCAA championship contest or bowl game testing and for cause drug testing.

vi. **One-Time Self-Referral Process**

Self-referrals play a significant role in the educational aspect of the CUAD Substance Use/Misuse Program for those students who are honest and desire to make a positive life change. If a student makes the decision to self-report substance use/misuse, prior to

providing a sample for testing, a drug test will be scheduled but a positive drug test will not be charged against the student for purposes of the corrective actions described below. Individuals utilizing the self-referral option will enter the *Intervention Program* for assessment as to the severity of the problem, and for an appropriate program of treatment, which may include frequent drug testing.

Parameters of Self-Referral Process:

- Self-referrals are a one-time opportunity, and can only be utilized prior to the student providing a sample for a drug test.
- The student will undergo a drug test shortly after the self-referral, but no positive test will be charged and no penalty will be assessed for positive test.
- The student will immediately be entered into the *Intervention Program* (defined in Section E, i below).
- The student must satisfactorily complete the recommendations /treatment prescribed by the *Intervention Program*, the failure to do so may be treated as a failed drug test in the discretion of the designated CUAD administrator.
- During the course of treatment, the student may be subjected to frequent drug screening. The outcome from the screening should be consistent with the counselor's expectations according to the treatment plan. Upon official release from the *Intervention Program*, the student will be subject to frequent drug testing. If any prohibited substance is detected, the result will be counted as a positive test, unless the presence of the prohibited substance is attributable to prior self-reported usage that had not been fully metabolized.
- Self-referral is not an option for use of performance enhancing drugs.
- Self-referral is not an option for NCAA administered testing.

vii. **Results of Drug Testing/Confidentiality**

- Maintaining confidentiality and protecting the privacy interest of the student is an important factor in drug testing.
- Except as provided in the attached consent form or unless expressly authorized by the CUAD Director of Athletics, under no circumstances should any CUAD personnel or any individual associated with the Substance Use/Misuse Program be permitted to disclose publicly or allude publicly to any information acquired in their official capacity concerning the performance or results of any drug test, any self-referrals, any elections under the *First Semester Enrollment Plan* (as outlines in Section E, iii) any counseling, or any consequences that occur or are imposed under this Program. The foregoing applies to disclosures regardless of whether they identify particular students or teams.
- Any violation of this confidentiality clause may be grounds for disciplinary action.
- Further, unauthorized disclosures of certain confidential information may violate state and/or federal laws and could subject the individual to criminal prosecution and/or civil liability.
- Finally, CUAD personnel are also prohibited from providing advance notice of any drug test outside of the approved procedure that is set forth below. Providing unauthorized advance notice of a drug test may result in disciplinary action.
- The President of the University and the faculty athletic representative receive an annual report summarizing the results of the drug-testing program. More frequent disclosure may occur as the University deems necessary.
- For purposes of determining whether CUAD has complied with the Program, disclosure of testing, counseling, and/or treatment records may need to be made to, among others, University administrative, athletics and compliance personnel, inside and outside counsel to the University, and/or the NCAA.

B. PROHIBITED SUBSTANCES

Individuals are prohibited from the actual or attempted use of any of the substances outlined below.²

Amphetamines	Opiates
Barbiturates	Phencyclidine (PCP)
Benzodiazepines	Steroids
Cannabinoids (Marijuana)	NCAA Banned Substances (see Section G(v) below)
Cocaine Metabolites	

A student taking a prohibited substance under the prescription of a physician based upon a documented medical history necessitating the use of the banned/impermissible substance must notify the team physician and obtain prior approval from the team physician in order to avoid a charged positive result for that substance. The student needs to provide the team physician with the information and documentation that the team physician deems necessary in order to obtain approval. The decision whether to approve of the student's participation in contests and practices while using a prescribed banned/impermissible substance, even if the substance is medically necessary, shall be in the sole discretion of the designated CUAD administrator in consultation with the team physician. Further, approval by the team physician does not satisfy the NCAA's requirements for obtaining a medical exception under the NCAA Drug-Testing Program. Where appropriate, CUAD will assist students who seek to obtain a medical exception from the NCAA, although the ultimate responsibility for obtaining an exception from the NCAA rests on the student.

If a student tests positive for a banned/impermissible substance as a consequence of using prescription medication prescribed to another it is a violation of this Program and constitutes a positive result for purposes of this Program.

² In addition, under the CUAD Standard of Conduct/Discipline Policy, students are prohibited from the use or attempted use as well as the purchase, possession, manufacture, distribution and/or sale; or aiding and abetting the use, purchase, possession, manufacture, distribution and/or sale of any prohibited substance.

Students are further advised that nutritional dietary supplements are not well regulated and may contain prohibited substances that could cause a positive drug test result. Students should consult with CUAD medical, nutrition, and/or training staff prior to using any dietary supplement. However, regardless of any such consultation, students bear the ultimate responsibility for using any product that contains a prohibited substance.

C. PROCEDURAL GUIDELINES

The drug testing procedures to be followed will be explained to all students at the beginning-of-year meetings that are held for each team.

i. Notification

There will be no advance notification provided to students regarding drug testing. Drug testing may be conducted on any day of the week, including weekends. If legitimate academic, athletic or personal circumstances require a student to miss a testing session, a referral will be made for testing at a later unannounced date. The designated CUAD administrator shall have sole discretion in deciding whether to excuse a student from attending a scheduled testing session. A request to reschedule a testing session shall be made by the student prior to the scheduled test except in extraordinary circumstances, as determined by the designated CUAD administrator.

ii. Expectation of Compliance

Failure or refusal to appear for a scheduled drug test may be treated as a positive drug test. Students shall report to the testing site at the required time. Failure to report within the scheduled timeframe may be treated as a failed test. Typically, one hour will be allotted for collecting specimens. Students who are unable to produce usable specimens during the announced testing period may be charged with a positive test for failing to comply with the Program's requirements or they may be rescheduled for testing at the discretion of the designated CUAD administrator, depending upon the circumstances.

Students are not permitted to leave the collection site once they have reported for testing. They must remain within sight of the lab technician(s) and CUAD personnel at all times. The students may leave when they are dismissed after completing their testing requirements.

iii. Collection and Processing of Specimens

Certified lab technicians will collect urine samples.³ Each individual sample will be coded to provide confidentiality.

Specimens are collected using the direct-observation method. For urine samples, male students must not wear a shirt once they enter the stall and must have their shorts pulled down to their knees when providing specimens. Female students may wear a sports bra in the stall and must have their shorts pulled down to the knees when providing urine specimens.

An on-site screening will take place for urine samples. Specimens will be measured for appropriate temperature, volume, and specific gravity. Only those specimens that fall within industry standards will be accepted for testing. Specimens that do not meet these standards will be discarded and the testing process must be restarted. All specimens that show the presence of a prohibited substance during the initial screening process will be sent to an off-site laboratory for confirmation. In addition, a percentage of random samples from each session will be sent directly to the laboratory for confirmatory testing regardless of the result from the screening test. Confirmatory testing will quantify the amount of the prohibited substance in the student's urine. The cutoff standard that determines whether or not the sample is positive is consistent with that cutoff utilized by the NCAA. The results of positive drug test results, both the screening test and the confirmation test, may be shared with the designated CUAD administrator and the student's head coach, the sports medicine staff, and the Director of Athletic Communications.

³ In the event that there are difficulties with the collection of urine samples, CUAD and the lab technicians have the discretion to collect and test hair and/or saliva samples.

D. CIRCUMSTANCES LEADING TO A CHARGED POSITIVE / FAILED DRUG TEST

i. Positive Test Results, Admission of Guilt, and/or Conviction by any Legal Authority.

A positive test (i.e., a failed drug test) may be recorded for a student under any of the following circumstances:

1. A laboratory-confirmed positive test for a prohibited substance.
2. Admission of use of a prohibited substance (other than as part of a self-referral, as described in Section B above, or the *First-Semester Enrollment Plan*, as described below).
3. Refusal to provide a sample for analysis or participate in the Program.
4. Failure to appear for testing (including appearing late).
5. Production of an adulterated sample.
6. Observed attempts to interfere with sample.
7. Any student failing to follow through on assigned counseling or treatment, and/or other sanctions imposed under this Program as a result of a positive test, may be charged with an additional positive test.
8. The designated CUAD administrator shall have the sole discretion in determining whether to treat a particular situation as a failed drug test.

NOTE: Where there are charges/convictions of criminal activity, the student may also be subject to the sanctions under the University Student Code of Conduct policy and/or under the CUAD Standard of Conduct/Discipline Policy.

ii. Other Issues Pertaining to a Positive / Failed Drug Test

1. A student having a positive test will be tested as often as is deemed necessary by the designated CUAD administrator.
2. A student's drug testing results will be cumulative throughout their career. However, for substance use violations (other than those for performance enhancing violations), a student who has completed the *Intervention Program*, will be subjected to frequent

testing. Should that student not have a positive test within a year (365 days) timeframe (measured from their last negative sample result), one charged positive result may be removed from their cumulative record. Through successive yearly periods (365 days) of no further violations, a student may remove more than one violation. The purpose of this adjustment to their record is to reinforce positive lifestyle behavior choices.

3. Sanctions will be levied according to the schedule outlined in Section E of this Program.
4. Sanctions for subsequent positive tests will be levied according to the class of drug detected.
5. A head coach, in consultation with the designated CUAD administrator, may impose sanctions in addition to those outlined in this program.

E. CONSEQUENCES / SANCTIONS OF A CHARGED POSITIVE / FAILED DRUG TEST

While this policy clearly outlines various failed drug test scenarios and their related sanctions, which are primarily educational- and health-focused, there may be compelling reasons that would warrant the student's head coach recommending a student's immediate suspension from practice and/or competition, or dismissal from the program. If so, the head coach should present such reasons to the designated CUAD administrator for consideration before proceeding with any suspension/dismissal. In addition, the impact, if any, on playing time of a failed drug test (beyond that described below) is the primary decision of the head coach in consultation with the designated CUAD administrator.

i. Intervention Program

A student who fails a drug test, will be entered into the CUAD *Intervention Program* that requires the student attend a mandatory assessment/counseling session with a qualified counselor ("Counselor") within the *Intervention Program*. During that initial meeting, the clinician will perform a diagnostic interview (DI) and from the information obtained, develop either an educational or an appropriate treatment plan ("Plan") according to DSM-V and ASAM PPC-2 criteria. The Counselor will advise the designated CUAD administrator if the student has not adhered to the Plan, in which case the designated CUAD administrator may, in their sole discretion, determine whether to treat the lack of adherence to the plan as an additional failed drug test. During the course of the plan, the student may be subjected to frequent drug screening. The student will not be assessed a positive charge *as long as the* outcome from the screening is consistent with the counselor's expectations according to the plan. The student will be considered discharged from the *Intervention Program* upon the written recommendation of the Counselor.⁴ [Note: A student already enrolled in the *Intervention Program*, testing positive for an NCAA-administered test, *will* be subject to NCAA sanctions.]

⁴ In order to inform the designated CUAD administrator whether the student has or has not adhered to and/or completed the treatment plan, the Counselor may disclose treatment and counseling records and information to the

Note: A student may be recommended for entrance to the *Intervention Program* in situations where there is a presence of any prohibited substance, even if the level is not enough to confirm a positive test, or at the discretion of the designated CUAD administrator or head coach.

ii. Consequences of Positive Test for a Prohibited Substance other than Marijuana and Performance-Enhancing Drugs.

First Positive

Student will participate in a conference telephone call with their head coach, designated CUAD administrator and parent(s) or legal guardian(s) at which time the consequences of a positive test result will be reviewed.

Student will be required to enter the *Intervention Program*. Upon discharge from the *Intervention Program*, the student will be subject to frequent unannounced retesting as determined by the designated CUAD administrator.

Second Positive

Student will participate in a conference telephone call with their head coach, designated CUAD administrator and parent(s) or legal guardian(s) at which time the consequences of a positive test result will be reviewed.

In consultation with the designated CUAD administrator, the coach will suspend the student for 10% of the team's regular season contests (or dates of competition) not including exhibition or post-season contests. Contests (or dates of competition) used to satisfy this penalty must be part of the championship segment of the team's season and do not include

designated CUAD administrator. Further, in order to process any appeal and to determine if there has been compliance with the Program, there may need to be disclosure of testing, counseling and treatment records and information to, among others, persons hearing an appeal, University administrative, athletics, and compliance personnel, inside and outside University counsel and the NCAA. The students consent to such disclosure by signing the consent form relating to this Program.

exhibition contests. Postseason competition may be used to satisfy this requirement and the suspension will carry over to the following season if necessary. In cases where 10% results in a fraction of a contest (or dates of competition), standard rounding practices will be used to determine the sanction (e.g., 1.7 is rounded up to 2).

Student will be required to re-enter and comply with the *Intervention Program*. Upon discharge from the *Intervention Program*, the student will be subject to frequent unannounced retesting as determined by the designated CUAD administrator.

Third Positive

A third positive drug test will result in the student's suspension from competitive activities. Unless the student enrolls in and is actively progressing to completion in, or has completed, an intensive drug treatment program, as determined by the Counselor, within the academic year that the third positive was charged, the student will be dismissed from the program with non-renewal of their financial aid for their future academic years.

While actively enrolled in the intensive drug treatment program, at the discretion of the head coach in consultation with the designated CUAD administrator, the student may be permitted limited access to athletic team activities, excluding participation in practice and competition.

Upon successful completion of the intensive drug treatment program, and approval by the CUAD psychological services team, the student may request from their head coach to be fully re-instated with the team. The head coach will take this request to the designated CUAD administrator who has sole discretion in deciding whether to grant the request or not. Normal drug-testing procedures will resume.

Failure to actively progress to completion of the intensive drug treatment program or a subsequent charged positive in the normal drug testing procedures will result in permanent dismissal and non-renewal of financial aid with no option for reinstatement.

iii. Consequences of Positive Test for Marijuana

First Semester Enrollee Plan

The purpose of this plan is to: (1) permit first semester enrollees who are transitioning to stricter behaviors than those to which they may have been accustomed, and (2) facilitate early intervention for those who are struggling with substance use behavior change.

First semester enrollees (i.e. first-time enrollees, including during summer session) will be subject to a drug screen within the first month of their enrollment, and before participation in competitive activities. A student who tests positive for **marijuana** will be entered into the *Intervention Program* for assessment and education. The student will not be charged with a positive test, as long as they comply with the recommended plan, but educated on the consequences of continuing to make behavioral decisions that can trigger both CUAD and NCAA sanctions. Parents/guardians and the head coach will be notified.

No student may be eligible for this plan more than once. A subsequent positive test will be charged as a positive.

Upon successful completion of the *Intervention Program*, the student will be subject to random testing for banned /impermissible substances according to the schedule established by the _designated CUAD administrator.

First Recorded Positive

Student will participate in a conference telephone call with their head coach, designated CUAD administrator and parent(s) or legal guardian(s) at which time the consequences of the first recorded positive test result will be reviewed.

Student will be required to enter and comply with the *Intervention Program*. Upon discharge from the *Intervention Program*, the student will be subject to frequent unannounced retesting as determined by the designated CUAD administrator .

Second Recorded Positive

Student will participate in a conference telephone call with their head coach, designated CUAD administrator and parent(s) or legal guardian(s) at which time the consequences of the second recorded positive test result will be reviewed.

In consultation with the designated CUAD administrator, the coach will suspend the student for 10% of the team's regular season contests (or dates of competition) not including exhibition or post-season contests. Contests (or dates of competition) used to satisfy this penalty must be part of the championship segment of the team's season and do not include exhibition contests. Postseason competition may be used to satisfy this requirement and the suspension will carry over to the following season if necessary. In cases where 10% results in a fraction of a contest (or date of competition), standard rounding practices will be used to determine the sanction (e.g., 1.7 is rounded up to 2).

Student will be required to re-enter and comply with the *Intervention Program*. Upon discharge from the *Intervention Program*, the student will be subject to frequent unannounced retesting as determined by the designated CUAD administrator.

Third Positive

A third positive drug test will result in the student's suspension from competitive activities. Unless the student enrolls in and is actively progressing to completion in, or has completed, an intensive drug treatment program, as determined by the Counselor, within the academic year that the third positive was charged, the student will be dismissed from the program with non-renewal of their financial aid for their future academic years.

While actively enrolled in the intensive drug treatment program, at the discretion of the head coach in consultation with the designated CUAD administrator, the student may be permitted limited access to athletic team activities, excluding participation in practice and competition.

Upon successful completion of the intensive drug treatment program, and approval by the CUAD psychological services team, the student may request from their head coach to be fully re-instated with the team. The head coach will take this request to the designated CUAD administrator who has sole discretion in deciding whether to grant the request or not. Normal drug-testing procedures will resume.

Failure to actively progress to completion of the intensive drug treatment program or a subsequent charged positive in the normal drug testing procedures will result in permanent dismissal and non-renewal of financial aid with no option for reinstatement.

iv. **Consequences of Positive Test for Performance-Enhancing Drugs**

Students who choose to take performance-enhancing drugs such as anabolic steroids are making a conscious decision to cheat and engage in an impermissible and unlawful activity that may irrevocably impair their health.

First Offense

Student will participate in a conference telephone call with their head coach, designated CUAD administrator and parent(s) or legal guardian(s) at which time the consequences of the positive test result will be reviewed.

Student will be required to enter and comply with the *Intervention Program*. Student will be subject to frequent unannounced retesting as determined by the designated CUAD administrator.

Student will be suspended from 50% of the team's regular season contests (or dates of competition) that are conducted in the championship segment, not including exhibition and post-season contests. Contests (or dates of competition) used to satisfy this penalty must be part of the championship segment of the team's season and do not include exhibition contests. Postseason competition may be used to satisfy this requirement and the suspension will carry over to the following season if necessary. Where 50% results in half of a contest (or a date of competition), the penalty will be rounded up to the next whole number.

Second Offense

The student will be dismissed from the team and financial aid will not be renewed for future academic years at the discretion of the designated CUAD administrator.

v. Additional/Different Responses to a Failed Drug Test

Depending upon the circumstance of the violation, other or different steps may be taken to address the issue, and sanctions may be levied. The imposition of any additional or different steps or sanctions shall be in the sole discretion of the designated CUAD administrator.

vi. Other Consequences

Students are reminded that many of the drugs and most of the behaviors addressed in this Substance Use/Misuse Program are illegal. Conduct involving illegal drug use or misuse may subject a student to criminal prosecution and to disciplinary action pursuant to the University's student code of conduct and/or the CUAD Standard of Conduct/Discipline Policy. Those consequences are separate and apart from any corrective action taken under this Program.

Association with drug-related activity in a manner detrimental to the best interests of CUAD is strictly forbidden. Moreover, involvement in the criminal justice system for a drug-related offense will be taken into account in disciplinary action imposed by the CUAD. Such involvement may also serve as an independent basis for discipline, outside the substance use /misuse policies outlined above.

F. ALCOHOL POLICY

i. Philosophy

The use of alcohol impedes the ability of a student to achieve optimal performance levels. The CUAD does not support underage drinking, irresponsible use of alcohol or alcohol-related behavior that leads to involvement with the criminal justice system. Clemson University, Clemson University Housing, and South Carolina law restrict the use of alcohol. Students should refer to the Clemson University Code of Conduct for further information on these restrictions.

Students who consume alcohol will be held accountable for any alcohol-related incident in which they are involved on or off campus. In such cases, the student may be subject to CUAD or team disciplinary action. If the alcohol-related incident does not result in legal action, the head coach of that student's team will recommend to that team's sports supervisor the appropriate course of action. If the student is charged, convicted or pleads guilty to an alcohol-related incident, the course of action will follow CUAD's protocol for addressing violations of the department's Standard of Conduct/Disciplinary Policy, which are set forth in the Student Handbook. The student may also be subject to University sanctions as outlined in the Student Code of Conduct.

ii. Examples of Alcohol Incidents Involving the Legal System

- Driving under the influence (DUI/DWI) or other motor vehicle violations involving alcohol.
- Public Intoxication.
- Drunk and disorderly conduct (DD/DDC).
- Minor in possession (MIP).
- Possession of a false identification card.

Students are subject to university sanctions for conduct associated with the irresponsible use/possession of alcohol. If an incident is reported to the University, and sanctions are

subsequently imposed, CUAD will review and determine whether further sanctions/requirements will be imposed.

iii. Possible Sanctions/Requirements in Response to Alcohol Violations

- Education
- Counseling
- Suspension of team privileges
- Suspension/separation from the team

NOTE: Parents/legal guardians of the student will be informed of all incidents involving irresponsible or illegal use of alcohol pursuant to the Standard of Conduct/Discipline Policy.

iv. Clemson University Medical Alcohol Amnesty Policy (MAAP)

Clemson University's MAAP states: "Anyone who receives emergency medical attention for alcohol consumption, or seeks assistance for someone in an alcohol-related emergency will not be charged with violations of university alcohol-related policies. No one may receive protection under this policy more than once in a two-year period." CUAD acknowledges, and supports this policy, however, the student's head coach may use their judgment in how to address the incident, particularly with regard to the health/safety/performance of the student. However, since the Department's alcohol policy focuses upon education and support, those aspects of the offense schedule related to counseling, and informing parents/guardians will be retained. Students should note that the University policy does not provide a defense from criminal charges that may ensue from the alcohol-related behavior.

The University offers early-intervention and other counseling programs for students using alcohol inappropriately. Contact Dr. Jackson (864-637-8181) for a referral, or contact Redfern Health Center directly (864-656-2415).

G. APPEAL PROCESS

Any student disciplined under the CUAD substance Use/Misuse Program, whether for prohibited substance misuse or under the alcohol policy has the right to appeal and to the Director of Athletics. A request for appeal must be made in writing within five calendar days after notification of discipline. The Director of Athletics shall have the sole discretion whether to modify any of the actions or sanctions imposed under this Program.

H. **NCAA DRUG TESTING PROGRAM**

i. **NCAA Drug Tests**

The NCAA conducts tests for steroids and “street drugs” at bowl games and NCAA championship events. The NCAA also conducts year-round testing, which generally does not include testing for “street drugs” or stimulants. As part of the year-round testing, the NCAA has instituted a summer drug testing policy where students may be tested wherever they are spending their summer. The failure to do so may be treated as a failed drug test under this Program. It is the responsibility of their university to provide the NCAA with contact information. Therefore, students must provide CUAD with accurate information about their living arrangements during the summer. A positive test during an NCAA drug test will result in the loss of eligibility for the remainder of the current year and will end no sooner than one calendar year after the student’s positive drug test. If a student- athlete tests positive, eligibility must be restored by the NCAA, which includes, among other things, passing an exit drug test prior to reinstatement. A second positive test during an NCAA drug test will result in a loss of all remaining eligibility for all sports. More detail regarding the NCAA’s Drug-Testing Program, including details pertaining to the notification process, the sample collection procedures, the testing protocols, notification of the results, the imposition of penalties, and the appeals process, is available at www.ncaa.org/drug testing.

ii. **NCAA Mandate on Documentation in Support of Medical Exceptions, such as ADHD Medications**

Effective August 1, 2009, the NCAA requires strict documentation procedures for students seeking a medical exception due to their regular use of a medication that contains a banned/impermissible substance, that could lead to a failed drug test (such as those medications taken to treat ADHD). Failure to have the appropriate documentation on file can lead to the student being charged with a positive drug test. Students must contact Clemson University Disability Services for documentation requirements (<http://www.clemson.edu/sds/>). Students are also encouraged to discuss this with their athletic trainer and academic advisor.

iii. NCAA Tobacco Products

The use of tobacco products is prohibited in all sports during practice and competition for all students, coaches and game personnel. A student who uses tobacco products during practice or competition will be disqualified for the remainder of that practice or competition (NCAA Bylaw 17.1.8).

The CUAD program is consistent with applicable NCAA policies. To the extent permitted by law, information obtained in the operation of the program is confidential.

iv. NCAA's View on Nutritional Supplements

The NCAA Drug Education and Drug Testing subcommittee (DEDT) has issued numerous memorandums to NCAA members regarding the risks involved with the use of nutritional supplements. Despite these efforts, the DEDT notes a significant number of positive drug tests. The DEDT has issued the following advisory to reemphasize the warning about the risks involved in the use of nutritional supplements.

The environment for today's student is filled with easy access to products which are legally available over-the-counter but contain substances banned by the NCAA. Many students assume if these products can be purchased at a health food store, they must be allowed under NCAA rules. THIS IS NOT TRUE! Reliance on the advice of the clerk at the store, the distributor at the gym, or anyone who is not with the student's athletic program, has resulted in erroneous information about whether the product contains any NCAA-banned substance. This false information sometimes results in a positive drug test for banned ingredients contained in the product. Appeals based on this argument

have not been successful in overturning a positive drug-test penalty. Some common nutritional supplements are creatine, DHEA, androstenedione, 19- norandrostenedione glucosamine, ma huang (ephedrine), amino acids and ginseng. Many fat burners and weight-gain products contain nutritional supplements. Nutritional supplements can come in pill, powder, liquid and bars. Some are NCAA-banned substances and some are not. Most are legal and may be obtained at grocery stores, pharmacies, health food stores, on the Internet and almost anywhere. Students who test positive for illegal supplements are subject to a one-year suspension and loss of eligibility.

v. NCAA Nutritional/Dietary Supplements Warning

Dietary supplements are not well regulated and may cause a positive drug test result. As a result, before consuming any nutritional dietary supplement product, review the product with CUAD staff. The student, however, bears the ultimate responsibility for using prohibited substances and, therefore, any product containing a dietary supplement ingredient is taken at your own risk.

vi. NCAA Banned Substances

Classes of Drugs Banned by the NCAA

- Stimulants
- Anabolic Agents
- Diuretics and Other Masking Agents
- Street Drugs
- Peptide Hormones and Analogues
- Anti-estrogens
- Beta-2 Agonists

NOTE: Any substance chemically related to these classes is also banned by the NCAA. The institution and the student shall be held accountable for all drugs within the banned class regardless of whether they have been specifically identified. There is no complete list of banned substances, however, examples of each class of banned substances are listed at www.ncaa.org/drug testing or <http://www.ncaa.org/sites/default/files/2014-15%20Banned%20Drugs%20Educational%20compliance.pdf>.

Drugs and Procedures Subject to Restrictions

Blood Doping

Local Anesthetics (under some conditions)

Manipulation of Urine Samples

Beta-2 Agonists permitted only by prescription and inhalation

Caffeine in concentrations in urine exceed 15 microns/ml

I. EFFECTIVE DATE

This policy and its administration / operation are subject to change or modification at any time. Any change or modification will be implemented only by action of the Director of Athletics, and will not be applied retroactively if such change would adversely affect the rights of the student.

The *First Semester Enrollee Plan* is not available retroactively.

To take advantage of the opportunity to drop a charged positive result (as outlined in Section D,ii,2), on or after the year anniversary date of their last positive test, the student will be required to take, and pass a drug test, confirmed by laboratory testing.