

CLEMSON UNIVERSITY DRUG TESTING, EDUCATION AND COUNSELING
POLICY

I. Philosophy

The Clemson University Athletic Department, its coaching staff, physicians, athletic trainers, and administrators strongly believe that the use of illegal drugs, abuse of prescription drugs, or the abuse of alcohol are detrimental to the physical and mental well being of its student-athletes. Improper drug use poses a risk of health and safety to the student-athlete, is against the law, and a violation of team rules. Therefore, the Athletic Department has implemented a mandatory program of drug testing, education, and counseling/rehabilitation efforts to protect the health and safety of the student-athletes associated with the Clemson University Athletic Department.

II. Drug Education Policy

The Athletic Department considers education to be an important part of its drug policy. The National Collegiate Athletic Association and Clemson University Athletic Department drug policies and testing guidelines will be reviewed at a mandatory orientation for all student-athletes at the beginning of each year. Each student-athlete will receive written copies of the policies and testing guidelines and will sign consent forms for drug testing for both organizations.

Regular educational in-services will be offered to both student-athletes and athletic staff throughout the year. These programs will be offered in the areas of drug abuse prevention, drug and alcohol education and drug testing. The Associate Athletic Director for Administration, Wellness Program Coordinator, and our sports medicine staff will coordinate this. All Athletic Department personnel, particularly head coaches, will cooperate in making sufficient time available during team meetings for any athletic department sponsored lectures.

III. Purpose of the Program

The purpose of the Clemson University Athletic Department drug testing, education, and counseling program is to inform student-athletes of the dangers associated with drug and alcohol abuse. The central goal of the Clemson Athletic Department drug policy is to prevent improper drug and alcohol use in athletics and where detected, to eliminate it, preferably through medical treatment and education. Specific goals of the Clemson University Athletic Department program are:

1. To educate individuals of the dangers associated with drug and alcohol use and abuse;

- 2. To identify through random testing those individuals who may be involved in illegal drug or alcohol abuse;
- 3. To recommend and provide confidential counseling for those individuals with drug related problems; and,
- 4. To provide corrective actions through remedial guidelines for those student-athletes where drug use presents a hazard to their physical health and well being.

IV. Drug Testing

All teams are screened for drug use as a group prior to their season, on a random basis throughout the year, and at the request of the Head Coach and/or other Athletic Department officials. In addition, the NCAA conducts tests at championship events. Cheerleaders, mascots, student athletic trainers and student equipment managers may be included in the testing program.

Drug Testing for Reasonable Cause

Any student-athlete participating in the intercollegiate athletic program is subject to drug testing upon request if there is reasonable cause to believe that the student-athlete may be using illegal drugs. Circumstances which constitute reasonable cause include, but are not limited to, the following: current or past involvement with the criminal justice system for drug-related activities, prior treatment for drug problems, admission of a current drug problem, prior positive test for any of the illegal drugs, or a pattern of aberrant behavior. Any coach, athletic administrator or athletic staff member concerned with a particular student should express this information confidentially to either the Associate Athletic Director for Administration and/or the Athletic Director.

Results of Drug Testing/Confidentiality

Maintaining confidentiality and protection of the rights of the student-athlete is a critical factor in drug testing.

Under no circumstances, will any Athletic Department personnel or any individual associated with the drug testing program be permitted to disclose publicly or allude publicly to any information acquired in their capacity, whether or not it relates to identified students, individual teams, or the Athletic Department.

V. Prohibited Substances

Individuals are prohibited from use, purchase, possession, manufacture, distribution and/or sale or the attempted use, purchase, possession,

manufacture, distribution and/or sale or aiding and abetting the use, purchase, possession, manufacture, distribution and/or sale by any of the following:

- | | |
|--------------------------|---------------------|
| Amphetamines | Opiates |
| Barbiturates | Phencyclidine (PCP) |
| Benzodiazepines | Steroids |
| Cannabinoids (Marijuana) | NCAA Banned Drugs* |
| Cocaine Metabolite | |

VI. Procedural Guidelines

1. Each year a drug presentation will outline the dangers of drug use and the department's testing and education programs. The drug testing procedures to be followed will be explained in detail at our mandatory orientations.
2. All student-athletes will be required to sign a consent form giving the Athletic Department permission to test the student at any time.
3. Student-athlete will be notified of drug testing by the Head Coach or his designee.
4. Failure or refusal to appear for a scheduled drug test will be treated as a positive drug test.
5. Certified lab technicians will collect urine and/or hair samples. Each individual sample will be coded to provide confidentiality.
6. Positive tests will be repeated and confirmed.
7. If a student-athlete has a positive drug test, repeat drug testing will be performed as often as deemed necessary by the Associate Athletic Director for Administration in consultation with the Wellness Program Coordinator, Medical Staff members and Head Coach.
8. If a student-athlete makes the decision to self report this behavior, a positive drug test will not be charged against the student-athlete. Self-referrals play a significant role in educational aspect of our program for those student-athletes who are honest and attempting to adhere to the Athletic Drug Policy. It must be clearly understood that self-referrals are a one-time opportunity.

VII. Classification of a Positive Drug Test

Specimens are examined by state-of-the-art technology. All specimens that show the presence of a prohibited substance are retested. A positive drug test for marijuana is when a student-athlete is in excess of fifteen (15) nanograms. These levels are the same as a positive test for the NCAA.

Mandatory counseling can be recommended in situations where there is a presence of any illegal drug or at the discretion of the Associate Athletic Director for Administration, Head Coach, or Athletic Director.

A student-athlete having a positive test will be tested as often as is deemed necessary. Testing is quantified in order to ascertain the exact amount of the prohibited substance in the student-athlete's system. The student will continue to test on a regular basis until such time as the student tests negative for the prohibited substances. If during the repeat testing process the test contains an increased amount of prohibited substance, this will constitute another offense, and the student will follow the remedial guidelines for the second or third offense, as applicable.

VIII Athletic Department's response to positive test results, admission of guilt, and/or conviction by any legal authorities.

The following are conditions that are implicit to the drug testing policy:

1. A student-athlete's resting results will be cumulative throughout their career.
2. Alcohol is considered as part of this process.
3. If a student-athlete admits either the use of alcohol or drugs, this will constitute a first offense (unless it is a self-referral).
4. There may be compelling reasons that would warrant a head coach recommending outright suspension and/or reduction or withdrawal of scholarship. If so, the head coach would be required to present such reasons in writing to the Athletic Director for consideration. This must be done prior to any punitive actions. Punitive action can only occur after the head coach receives a written notice to proceed from the Athletic Director.
5. Community service work assigned to an athlete will run concurrently with any community service work hours assigned by the University, federal, state or local legal system for the same offense.

A positive test result or admission to using drugs or alcohol and the three-step plan for dealing with these issues is pertinent only to the reduction or withdrawal of scholarships. The issue of playing time or being a member of the team is the sole decision of the head coach in agreement with the Athletic Director.

First Offense:

A positive test result or admission of use (drugs or alcohol) will have the following consequences:

1. Student-Athlete will participate in a conference telephone call with coach and parent(s) or legal guardian(s) at which time the consequences of a positive test result will be reviewed.
2. Student-Athlete will be subject to frequent retesting as determined by the Athletic Administration and/or Head Coach.

- 3. Student-Athlete will be required to attend mandatory evaluation and counseling sessions. Associate Athletic Director for Administration will coordinate duration and type based on needs of student-athlete.
- 4. Student-Athlete will be required to perform community service work for a minimum of 15 hours to a maximum of 40 hours. The Wellness Program Coordinator will oversee this component.

Second Offense:

Same procedure as outlined above will be implemented. Additionally, the student-athlete will have the following consequences:

- 1. Student-Athlete must attend six (6) mandatory counseling and evaluation sessions. The Associate Athletic Director for Administration could require more counseling if necessary.
- 2. Student-Athlete will be required to perform community service work for a minimum of 30 hours as arranged by the Wellness Program Coordinator.

Third Offense:

If a third positive test or admission of guilt occurs, it must be assumed that the student-athlete has a very significant problem or has made some conscious value judgment as to their behavior. The third offense will dictate a dismissal from the team and cancellation of financial aid.

IX. Possession of Steroids and Illegal Drugs

The unauthorized possession of any steroid and the possession of any illegal drug by a student-athlete will be treated as a positive test result. This action will be in addition to actions taken by law enforcement and the institution.

X. Alcohol Policy

The Athletic Department endorses a healthy lifestyle and considers the illegal use and/or the abuse of alcohol to also be a concern for student-athletes. Those who repeatedly test positive or admit to the head coach or other athletic administrators that they abuse alcohol, and/or is convicted by any legal authority will be subjected to the same mandatory three-step plan as outlined above.

XI. Discipline and the Appeal Process

Any student-athlete who violates the drug and alcohol policy is subject to the corrective action and remedial guidelines of the policy. Any student disciplined under the drug policy has the right to appeal and a hearing before the Athletic Director.

Students are reminded that many of the drugs and most of the behavior concentrated in the drug policy are illegal. Association with drug-related activity in a manner detrimental to the best interests of Clemson University Athletic Department 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 Athletic Department. Such involvement may also serve as an independent basis for discipline, outside the drug policy outlined above.

NCAA DRUG POLICY

I. NCAA Drug Tests

The NCAA conducts random tests for steroids and street drugs at bowl games and NCAA championship events. A positive test will result in the loss of eligibility for the remainder of the current year and will end one calendar year after the student-athlete's positive drug test. The NCAA also makes random campus visits to test member institutions for both street drugs and steroids. If a student-athlete tests positive, eligibility must be restored by the NCAA. After a one-season penalty a subsequent drug test will follow to make sure the student-athlete is negative.

II. NCAA Tobacco Products

The use of tobacco products is prohibited in all sports during practice and competition for all student-athletes, coaches and game personnel. A student-athlete who uses tobacco products during practice or competition will be disqualified for the remainder of that practice or competition (NCAA Bylaw 17.1.7).

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

III. NCAA's View on Nutritional Supplements

The NCAA Drug Education and Drug Testing subcommittee (DEDT) has issued memoranda 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 is issuing this advisory to reemphasize the warning about the risks involved in the use of nutritional supplements. The environment for today's student-athlete is filled with easy access to products which are legally available over-the-counter but contain substances banned by the NCAA. Many student-athletes 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-athlete's athletics 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. They all are legal and may be obtained at grocery stores, pharmacies, health food stores, on the Internet and almost anywhere.

Student-athletes who test positive are subject to a one-year suspension and loss of eligibility.

PARENTAL NOTIFICATION POLICY

Clemson University Athletic Department is committed to the development, education and success of student-athletes.

The Department encourages personal responsibility and accountability, and wishes to respect the rights and privileges due to student-athletes, the majority of which are adults. The Department also recognizes that the input and involvement of parents and guardians can have a significant impact on the success and decision-making of student-athletes. Therefore, it is the position of the Department that, on occasion, the decision may be made to inform parents and guardians of issues and events affecting student-athletes. Such instances may involve illegal or criminal activity, incidents impacting the health and safety of the student-athlete, and any other issue that may affect their participation as a student-athlete, or enrollment as a student of Clemson University.

Student-athletes will be made aware of this policy through completion of the form entitled: "Student-Athlete Authorization / Consent for Disclosure of Educational Records".

**CLEMSON UNIVERSITY
ATHLETIC DEPARTMENT – DRUG TESTING PROGRAM**

AUDITORS: Richard Cowden
REPORT DATE: January 31, 2007

**CLEMSON UNIVERSITY
ATHLETIC DEPARTMENT – DRUG TESTING, EDUCATION, AND
COUNSELING PROGRAM
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ATHLETIC DEPARTMENT – DRUG TESTING, EDUCATION, AND COUNSELING PROGRAM

BACKGROUND

The Clemson University Athletic Department’s *Drug Testing, Education and Counseling Policy* is the primary documentation of the Athletic Department’s drug program (Program) and is designed to meet the intent of drug testing standards and regulations established by the National Collegiate Athletic Association (NCAA). The Athletic Department’s policies address the issues of alcohol, tobacco, and other drugs and include statements on recruitment activities, drug testing, discipline, and counseling options as recommended by the NCAA.

The Program is mandatory for all student-athletes and includes drug testing, education, discipline, and counseling efforts. A third-party administrator (TPA) provides drug screening and testing services during the academic year, the Athletic Department provides in-house education, and the Redfern Health Center provides counseling services. In addition, the NCAA conducts drug tests year-round and at post-season bowl games and NCAA championship events.

SCOPE

The audit scope was limited to a review and evaluation of the design, operations, and administration of the Program, with an emphasis on the drug testing policies and procedures. Audit procedures included:

- Appraisal of specific internal controls related to the Program
- Review of the Program in relation to the contractual agreement with the TPA that provides drug screening and testing services
- Interviews with appropriate Athletic Department personnel and the vice president of the TPA
- Review of individual drug testing results and comparison with summary reports provided to management
- Evaluation of actions taken to address findings and issues that were noted in prior internal audit reports

COMMENTS

The Athletic Department has demonstrated by its efforts a continuing commitment to an effective drug program that educates and helps the student-athlete to avoid the hazards and consequences resulting from the improper use of drugs and the use of illegal drugs. Examples of these efforts include:

- Continued emphasis on drug-related education for student-athletes
- Increased security of drug testing records
- Increased emphasis on counseling for student-athletes

While acknowledging the items noted above, attention must also be given to issues that were identified during this audit. These issues are presented in the section, Findings, Recommendations, and Responses, and are intended to enhance the operations of the Program.

This report is structured to afford you ease in identifying the magnitude of the findings of the auditor. The primary classifications are Major and Other. While no recommendations should be ignored, this division is intended to help the reader gain a feel for the relative importance of the findings. A Major finding is one that relates to an action that may prevent the unit from meeting its stated objective or mission. It could indicate exposure to internal or external fraud or exposure to errors that might be costly or have material probability of occurrence. Findings relating to actions that are illegal, against policy or regulation, or allow exposure to legal suit would be categorized as Major. An Other finding is one that requires reporting because it is of sufficient significance to bring to the attention of management.

The recommendations outlined in this report are submitted as constructive suggestions to assist in strengthening controls and procedures and are not intended to reflect on the honesty or integrity of any employee or to reflect negatively on the overall operations of the unit(s).

FINDINGS, RECOMMENDATIONS, AND RESPONSES

MAJOR

Detailed Written Procedures

Finding: The Athletic Department does not have detailed, written procedures that document the administration of the Program. It appears that the Program is functioning by way of past and evolving practice by appropriate Athletic Department personnel, in cooperation with the TPA.

Recommendation: Develop detailed procedures that address all elements of the Program. The procedures should be developed using a “cookbook,” step-by-step approach. (The performance of this audit has enabled us to gain a good understanding of the drug testing policies and procedures. As a result, we are available to assist you in preparing these written procedures.)

Response:

Agreement or disagreement with the finding/recommendation: Agreement with finding.

Actions taken or planned to implement the recommendation: Develop written procedures.

Estimated date at which implementation will be complete: February 1, 2007.

Tracking System for Drug Testing

Finding: As a result of a prior internal audit, the Athletic Department agreed to develop a tracking system in order to formally document the test results and related disciplinary consequences of the drug testing element of the Program. The Associate Athletics Director/Administration states that information contained in the tracking system prior to July 1, 2005, has been lost, along with other related drug testing files. As of July 1, 2005, the Director of Student-Athlete Performance became responsible for maintaining a new tracking system to document the drug testing element of the Program. She maintains a file for each student-athlete who has tested positive for a prohibited substance. Each file contains information related to the positive test, including: test dates, substance(s) found, confirmation from Redfern Health Center of completion of counseling and community service, telephone calls, conference calls with the appropriate parties, and information as to the number of offenses. She has no knowledge, prior to July 1, 2005, of drug testing results for the student-athletes that are presently being monitored or any other student-athletes. Since the records prior to July 1, 2005, are not available, it is difficult to determine if a student-athlete, currently being monitored, is on the first, second, or third offense. In addition, it is difficult to determine if there are other student-athletes, not in the current tracking system, who have tested positive once, twice, or three times.

Recommendation: Since the information prior to July 1, 2005, is missing, contact the TPA for assistance in updating the current tracking system. (The TPA and the laboratories maintain records of test results.) Request and obtain information for any student-athlete who is currently participating that might have tested positive prior to July 1, 2005, or confirmation that there were none. In addition to updating the records, this information provides credible support for the number of offenses and documentation of the completion of disciplinary obligations for each student-athlete.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with finding.

Actions taken or planned to implement the recommendation: Contact TPA to get results of positive drug tests for all current student-athletes.

Estimated date at which implementation will be complete: Request sent on January 8, 2007.

Drug Testing Sessions - No-Shows

Finding: Based on discussions with the vice president of the TPA and the Associate Athletics Director/Administration, there are no-shows at many drug testing sessions. When a student-athlete fails to attend a drug testing session, the Associate Athletics

Director/Administration attempts to determine the cause of the student-athlete's absence. He will look at class schedules to see if there was a scheduling conflict between the testing session and a class. If this is not the case, he notifies the head coach, and he and the head coach will schedule a meeting with the student-athlete in order to determine the cause of the absence and resolve the issue. The *Drug Testing, Education and Counseling Policy* states, "Failure or refusal to appear for a scheduled drug test will be treated as a positive drug test." The Associate Athletics Director/Administration does not prepare and maintain documentation of student-athletes who fail to attend a drug testing session and the reason for the failure to attend. Without documentation of the circumstances related to the failure of a student-athlete to appear for a scheduled drug test, the system is compromised and internal controls are weakened. As a result, the "three strike" policy could be circumvented.

Recommendation: Schedule and coordinate drug testing in order to keep no-shows to a minimum. Require each student-athlete to provide evidence that supports and documents the reason(s) for failure to appear at a scheduled drug test. Prepare and maintain a record of absences and the resolution of each absence. Include with these procedures a process to ensure that the Director of Student-Athlete Performance, the person responsible for maintaining the tracking system, is informed of the circumstances and resolution of each absence and that this information is included in the tracking system. When a student-athlete misses a drug test, perhaps the Head Trainer could administer the drug test.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with finding.

Actions taken or planned to implement the recommendation: Program Administrator will keep a record of each no-show to determine the reason for the absence. Director of Student-Athlete Performance will be notified of each unexcused absence.

Estimated date at which implementation will be complete: Revised August 23, 2006.

Random Drug Testing

Finding: Athletic Department policy states that all teams are screened for drug use on a random basis. The Associate Athletics Director/Administration selects the student-athletes to be tested, and he states that a random selection process is not used. For example, he might decide to test 50 % of a team list and might select every other one. Based on discussions with him, it appears that he is selecting student-athletes to be tested on a judgmental basis. The vice president of the TPA states that many of the tests that are requested involve only one team at each testing session. In addition, there appears to be no documentation on hand that supports the method of selection of

the samples. The Associate Athletics Director/Administration states that the TPA will begin the process of randomly selecting the student-athletes to be tested in the near future.

Recommendation: We agree with the plan to enable the TPA to randomly select the student-athletes to be tested and recommend that the plan be initiated as soon as possible. (Random Sampling – Each student-athlete selected for testing will have an equal chance of being tested each time the selections are made.) This action should increase independence and objectivity in the selection process.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with finding.

Actions taken or planned to implement the recommendation: TPA has all CUAD squad lists and currently selects participants for drug testing. Further, TPA will select dates for testing sessions beginning January 10, 2007.

Estimated date at which implementation will be complete: Resolved August 23, 2006.

OTHER

Annual Reporting of Drug Testing Results

Finding: After each drug test, the TPA sends the results of the testing session directly to the Associate Athletics Director/Administration. If any of the results are positive, he notifies the Director of Student-Athlete Performance, and she notifies the Head Coach, Athletic Director, Sports Supervisor, team doctor, and the student-athlete. The Associate Athletics Director/Administration summarizes the information related to each testing session, including the results of any NCAA drug testing, and uses this information to produce the annual report that is issued to appropriate University personnel, including the President, Chief Legal Officer, and NCAA Faculty Athletics Representative. In addition, the information is issued to the press. It appears that the President, Chief Legal Officer, and NCAA Faculty Athletics Representative might not become aware of positive test results until the annual report is issued.

Recommendation: Ask the President, Chief Legal Officer, and the NCAA Faculty Athletics Representative if they see a need to receive a summary of the drug testing results more often than on an annual basis.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: Current policy as stated in 2006-07 CUAD Student-Athlete Handbook and relevant finding will be submitted to President, Chief Legal Officer, and NCAA Faculty Athletics Representative for review.

Estimated date at which implementation will be complete: Memo sent on January 8, 2007.

Additional Services Provided by the TPA

Finding: As noted in the Finding, "Random Drug Testing," the TPA is to begin the process of randomly selecting the student-athletes to be tested. In addition to this service and the other services presently being provided, the TPA can provide additional services. These services include:

- Assistance in updating and developing drug testing policies and procedures
- Consultation regarding legalities connected with drug testing programs
- Coordination of testing dates and locations
- Web-based submission of drug test results

Recommendation: Contact the TPA regarding these services. Assess the advantages of allowing the TPA to provide these and any other related services and become more involved with administering the Program.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: TPA has participated more fully in the testing program and will continue to work in conjunction with CUAD personnel to improve the process.

Estimated date at which implementation will be complete: Resolved August 23, 2006.

Reporting of Drug Testing Results

Finding: Drug testing results for the year July 1, 2005, through June 30, 2006, as indicated on the annual summary that is issued to appropriate University personnel and subsequently in a press release, appear to have understated total drug tests. The number of tests reported was 458; however, the actual number of tests was 480.

Recommendation: Exercise greater care in compiling the test results in order to help ensure more accurate reporting.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: Program Administrator will compare results with Director of Student-Athlete Performance on part of the reporting process.

Estimated date at which implementation will be complete: July 1, 2007 (date of next annual report).

Drug, Alcohol and Steroid Service Agreement

Finding: The TPA has been providing drug and alcohol testing services for the Athletic Department over the past several years under annual contractual agreements. However, it appears that the agreement has not been signed for the past few years and for the current year. The TPA has requested that a signed copy be returned.

Recommendation: Obtain the appropriate signature for the current and all future contractual agreements. Return a signed copy to the TPA.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: Current service agreement is on file in CUAD and TPA offices.

Estimated date at which implementation will be complete: Resolved August 1, 2006.

Vendor Invoices

Finding: The TPA billed for drug testing services rendered from September 15, 2005, through July 31, 2006, the amount of \$9,103.70. The amount that should have been billed was \$9,040.70. The difference of \$63.00, resulting from a transposition error, is obviously immaterial; however, future invoices could contain larger errors.

Recommendation: Carefully review each invoice prior to submission for payment.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: Compare individual session invoices to prices listed in the service agreement.

Estimated date at which implementation will be complete: Resolved August 23, 2006.

Student-Athlete Social Security Numbers

Finding: Each year, student-athletes are required to read and sign various forms. Some of these forms provide a line for the student-athlete’s Social Security number. The specific forms noted are the TPA’s *Onsite testing form*, the forms that are sent by the TPA to the laboratory, NCAA’s *Out-of-Competition Student-Athlete Notification Form* (Social Security number is optional), and the *ACC Automobile Information Form*. It is our understanding that some student-athletes are providing their Social Security numbers on these forms.

Recommendation: Determine the necessity for Social Security numbers on these and any other forms. If Social Security numbers are not required, request that the forms be changed to require alternative identification, such as the University identification number. If Social Security numbers are not required and the forms are not changed, encourage the student-athlete to either leave the line blank or use his or her University identification number.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: TPA changed forms to eliminate all references to Social Security numbers. Further, TPA uses squad lists, which list CUID numbers, in the identification process.

Estimated date at which implementation will be complete: Resolved August 23, 2006.

Student-Athlete Exit Interviews

Finding: A memorandum to student-athletes and the Web Survey contain wording indicating that NCAA legislation *requires* that *each* student-athlete whose eligibility has expired must complete an exit interview. The Student-Athlete Handbook also indicates that exit interviews are conducted with *all* student-athletes who are departing the University. The NCAA requires only that an institution conduct exit interviews with a *sample* of student-athletes from each sport whose eligibility has expired.

Recommendation: Amend the wording where appropriate to agree with the NCAA legislation.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendations.

Actions taken or planned to implement the recommendation: Language regarding NCAA compliance with exit interviews will be removed from Student-Athlete Exit Surveys.

Estimated date at which implementation will be complete: Resolved December 4, 2006.

Communication of Drug Testing Information

Finding: It is our understanding that, on occasion, drug test results are faxed directly to the Associate Athletics Director/Administration, and he and the Administrative Assistant are the only individuals who have access to the fax machine and this information. The TPA has been assured that the fax machine is secure.

Recommendation: Take every precaution to ensure that the fax machine is secure at all times.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: The fax machine continues to be secure when the TPA faxes information regarding drug testing. Further, TPA has agreed to use email as the primary method of communication when urgent information needs to be transmitted.

Estimated date at which implementation will be complete: Resolved as of August 23, 2006.

Training Room Policies and Procedures – Drug Testing

Finding: A review of the Training Room policies and procedures for drug testing reveal inconsistencies with the *Drug Testing, Education and Counseling Policy* and with current operating procedures. In addition, some provisions are outdated. The current wording does not appear to have changed within the past five years.

Recommendation: Review the Training Room policies and procedures that relate to drug testing and make all appropriate corrections.

Response:

Agreement or disagreement with the finding/recommendation: Agreement with recommendation.

Actions taken or planned to implement the recommendation: Provide Director of Sports Medicine with current policies and procedures.

Estimated date at which implementation will be complete: March 1, 2007.

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Phone: 864-609-5015
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SAME DAY DRUG, ALCOHOL & CLINICAL SCREENING

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DRUG, ALCOHOL & STEROID SCREENING SERVICE AGREEMENT

This agreement is made this 1st day of August 2006, by and between Clemson University, Clemson S.C. (Client), and AccuDiagnostics d.b.a. Occupational Drug Screening Inc. of 355 Woodruff Rd. Suite 302 Greenville, South Carolina.(Vendor)

WHEREAS, the parties desire to enter into an agreement whereby AccuDiagnostics will provide a Drug & Alcohol program to the CLIENT in exchange for the fees as set forth herein

WHEREAS, AccuDiagnostics agrees to provide and perform duties as specified herein, for the collection, processing, screening, and reporting of Drug, Alcohol & Steroid Testing/Screening.

WHEREAS, the client agrees and acknowledges terms of Screening/Testing fees and procedures as follows:

ON-SITE SERVICES AGREED:

A. AccuDiagnostics will offer collection and testing for the following fees:

Insta-Check Drug Panel 5	\$ 17.00 ea.
GC/MS confirmation included for positive screens	
Results on Negatives reported same day.	
Positives will be reported 24-48 hrs. following.	
* Panel screens for the following drugs:	
Amphetamines, THC, Cocaine,	
Opiates, PCP, Methamphetamines	
N.I.D.A. Drug Panel 5 (Kroll Laboratories)	\$ 18.00 ea.
• Panel screens for: (same as above less Methamphetamines)	
Evidential Breath Alcohol Screen	\$ 15.00 ea.
Intoximeter Alco-Sensor IV	
Comprehensive Hair analysis	\$ 65.00 ea.
Medical Review Officer Services	\$ 10.00 ea.
Anabolic Steroid Testing	\$ 130.00 ea.
Saliva 5 Panel Drug Screen:	\$ 23.00 ea.

B. SUPPLIES

- all supplies and paper work necessary for specimen collection, processing, screening, and reporting is included at no additional cost.

C. AccuDiagnostics will provide such collections and screenings on-site at the following Clemson locations:

- Jervy Complex
- Vickery Hall
- Littlejohn Coliseum



355 Woodruff Rd. Suite 302
Greenville SC 29607
Phone: 864-609-5015
Fax: 864-292-0727
Toll Free: 866-642-TEST (8378)

SAME DAY DRUG, ALCOHOL & CLINICAL SCREENING

www.accudiagnosics.com

- Tennis Complex
- Swim Complex
- Baseball Stadium

* Additional locations may be added as agreed upon between AccuDiagnostiCS and Clemson officials.

- Collection scheduling will be coordinated by one of the following officials of Clemson University Athletics and AccuDiagnostiCS:
 - Phil Grayson
 - Danny Poole

D. AccuDiagnostiCS will provide secure, confidential reporting of results and related paperwork (via mail, secured fax, or hand delivery) to only authorized staff of Clemson University Athletics as stipulated by Phil Grayson. Those officials approved for paperwork correspondence are as follows:

- Phil Grayson
- Danny Poole, ATC

ADDITIONAL SERVICES


AccuDiagnostiCS will also offer the availability of the following services:

- A. Computerized random name generation of athletes of Clemson University for the purpose of implementing random screening.
- B. Consultation on the legalities and procedures involved in Drug Screening programs.
- C. Coordination of testing dates, teams and locations (if requested)

TERMS:

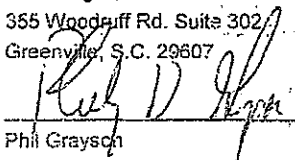
The term of this contractual agreement will be for one (1) calendar school year from the date of its signed inception, and automatically renewed each year until the other party chooses to terminate. Any termination, change, or amendment to this agreement will require a thirty (30) day written notice by the applying party.

CERTIFICATION OF AGREEMENT



Tony Waters

Date: August 1 2006

AccuDiagnostiCS
355 Woodruff Rd. Suite 302
Greenville, S.C. 29607


Phil Grayson

Date: 7.31.06

Phil Grayson
Associate Athletics Director/Administration
Clemson University
105-D Jervey Athletic Center
P.O. Box 31
Clemson, South Carolina 29633-0031

ACCUDIAGNOSTICS CHARGES PAID BY FISCAL YEAR

Unit	Voucher	Vendor	Name	Invoice	Date	Amount
CU	00245015	0000044960	Occupational Drug Screening Inc/Accu Dia	3513	11/1/2004	1,798.00
CU	00243982	0000044960	Occupational Drug Screening Inc/Accu Dia	3625	11/30/2004	1,989.00
CU	00249058	0000044960	Occupational Drug Screening Inc/Accu Dia	3716a	12/31/2004	70.00
CU	00247852	0000044960	Occupational Drug Screening Inc/Accu Dia	3716	1/3/2005	70.00
CU	00255724	0000044960	Occupational Drug Screening Inc/Accu Dia	3948	2/28/2005	354.00
CU	00264328	0000044960	Occupational Drug Screening Inc/Accu Dia	4202	4/30/2005	822.00
					FY 04-05	5,103.00
CU	00286149	0000044960	Occupational Drug Screening Inc/Accu Dia	4825	9/30/2005	3,590.70
CU	00291793	0000044960	Occupational Drug Screening Inc/Accu Dia	5095	11/30/2005	25.00
CU	00300312	0000044960	Occupational Drug Screening Inc/Accu Dia	5413	2/21/2006	75.35
CU	00302573	0000044960	Occupational Drug Screening Inc/Accu Dia	5440	2/28/2006	995.00
CU	C0308309	0000044960	Occupational Drug Screening Inc/Accu Dia	5568	3/31/2006	2,775.00
CU	C0314013	0000044960	Occupational Drug Screening Inc/Accu Dia	5699	4/30/2006	961.00
					FY 05-06	8,422.05
CU	C0333308	0000044960	Occupational Drug Screening Inc/Accu Dia	5991	7/6/2006	437.00
CU	C0343534	0000044960	Occupational Drug Screening Inc/Accu Dia	6141	7/31/2006	85.00
CU	C0343534	0000044960	Occupational Drug Screening Inc/Accu Dia	6141	7/31/2006	260.00
CU	C0355927	0000044960	Occupational Drug Screening Inc/Accu Dia	6669	10/31/2006	1,128.00
CU	C0361699	0000044960	Occupational Drug Screening Inc/Accu Dia	6834	11/30/2006	2,042.00
					FY 06-07	3,952.00

Phil Grayson

From: Loreto Jackson [loretoj@CLEMSON.EDU]
Sent: Wednesday, February 07, 2007 11:18 AM
To: Phil Grayson
Subject: Positive Drug Tests

- #1 Attended counseling; completed community service
- #2 Attended counseling; completed community service
- #3 Attended counseling; completed community service
- #4 Attended counseling; completed community service
- #5 Assigned to counseling and community service: left University before completing requirements
- #6 Attended counseling; completed community service
- #7 Assigned to counseling and community service: left University before completing requirements

M. Loreto Jackson, Ph.D.
Director of Student-Athlete Performance

Jervey Athletic Center
Clemson University
Clemson, SC 29634
864-637-8181 (phone)
864-656-7425 (facsimile)