

University of North Texas Intercollegiate Athletics Drug Testing Policy

A. Introduction

The use of non-prescription drugs and other controlled substances by young people has proliferated over the years, both in and out of the academic setting. The use of these materials has seriously affected the productivity of the community and the quality of life of the users. The quality of life of the families and friends of the users have been affected as well. It is within the scope of the mission of the University of North Texas to educate young people on the drug problem generally and the effect that illicit drugs and controlled substances may have on them currently and throughout their lives. The University recognizes that the future of education, the economic productivity of the population and the quality of life of a substantial portion of our nation's young people may be seriously imperiled by the continued spread of illicit controlled substances. The University is committed, through an education and counseling program to bring to its students attention the disastrous consequences of illicit drug and controlled substance use.

Additionally, since the NCAA has adopted the policy of drug testing athletes at NCAA Championship events because of similar concerns about illicit drug use by young student-athletes and since the University of North Texas intends to maintain its eligibility in NCAA Championship events, the University has determined that a program of education, testing, counseling and incentives be implemented.

B. Policy Statement

The program was developed during the 1994-95 academic year, and ratified by the UNT Athletic Council on February 16, 1995. Its effectiveness will be carefully evaluated to detect changes in attitude and behavior toward substance abuse awareness and use, as well as procedural operation. The program is monitored by the appropriate Athletics Department personnel who make recommendations for modifications, from time to time, as experience dictates.

The purpose of the policy is to educate and counsel student-athletes with respect to unauthorized drug use, especially with regard to performance enhancement. In cases where education and counseling are not successful, certain sanctions may also be imposed.

C. The Program

1. The privacy of all student-athletes will be protected. Information disclosed in the program must be restricted to personnel responsible for its administration. Release of information is made only with the athlete's written consent, or by appropriate judicial process requiring disclosure.
2. The information provided to student-athletes includes a description of the purposes of the drug awareness programs and specific information about the drug-testing component. Student-athletes are informed of procedures for collecting samples and procedures upon determination that a test result is positive, including both verification of the result and due process. Student-athletes are also advised of sanctions that may be imposed for violations of this policy.
3. The University provides information about the program to all intercollegiate athletes and recruits early in the recruitment process, or during the academic year. UNT views participation in intercollegiate athletics as a privilege; therefore, student-athletes are deemed to imply consent to drug testing by their voluntary participation in any intercollegiate activity. Student-athletes may be required, by NCAA rules, to undergo drug testing prior to, during, or after their participation in any NCAA championship event.

D. Prohibited Drugs

1. Use of controlled substances regulated by federal or state law, such as amphetamines, cocaine, cannabinoids, barbiturates, anabolic steroids, other performance enhancing drugs, and any other controlled substance by any member of any intercollegiate team of the University of North Texas is expressly prohibited, whether such use occurs before or during the sport's season. The only exceptions are for licensed physician-prescribed medication for the individual student-athlete.

[Note: Refer to NCAA By-Law 31.2.3, Ineligibility for Use of Banned Drugs, for a listing of banned drug classes and more detailed information concerning prohibited practices and ineligibility for violations.]

2. Unauthorized use of such drugs will constitute an abuse of the privilege of practicing with the team and representing the University in intercollegiate athletic competition. Such unauthorized use may result in the student being denied the opportunity to practice with the team, or to play in one or more competitions.

E. Drug Screening

1. Under the program, there will be routine, random drug testing for the use of all prohibited substances by any member of any intercollegiate athletic team at the University of North Texas.
2. If the student-athlete fails to submit to drug screening, the individual must be interviewed by the Director of Athletics and the Director responsible for Drug Screening to explain his/her reasons. Under such circumstances, the Athletics Department reserves the right to refuse the student-athlete the privilege to participate in any team practices or intercollegiate competition.
3. All student-athletes may be required to submit urine samples at any time after the start of pre-season practice. These samples will be tested for prohibited substances.
4. All student-athletes are eligible for post-game or event testing, pursuant to NCAA rules.
5. All student-athletes who are otherwise eligible to compete in NCAA championship competitions must sign a consent to drug testing prescribed by the NCAA and undergo such testing as required by the NCAA in order to participate. (This "specific consent" is required by the NCAA before any NCAA championship event.)

F. Collection Procedures

Collection procedures are in accordance with the following: The actual collection and analysis of samples will be administered by a specified laboratory contractor to be determined by the University of North Texas Department of Athletics. A member of the University's sports medicine staff will observe the collection of the specimen to ensure its validity.

G. Violations of the Policy

1. Failure to undergo drug-testing renders the student-athlete ineligible to practice with the team, or to represent the University in intercollegiate athletics competition.
2. The sanctions for confirmed positive test results are set forth below:
 - a. FIRST POSITIVE SITUATION
 - (1). The specimen of an athlete screening positive will be confirmed immediately to ensure no error has occurred.
 - (2). The Director of Athletics, the athlete's Head Coach, and the Head Athletic Trainer will be notified.

- (3). The athlete will be directed by the Director of Athletics to participate positively and successfully complete a drug abuse program which may be at the athlete's own expense. Successful completion of a drug abuse program shall be defined as physically completing the required rehabilitation program and demonstrating a negative retest.
- (4). After notifying the athlete, one or more of the athlete's parents, legal guardian(s), or spouse may be notified by the Director of Athletics.
- (5). The choice of the person(s) notified will be at the discretion of the Director of Athletics and in accordance with the law.
- (6). An athlete's refusal to participate in a drug abuse program as set forth in this policy will be treated as a second positive result.
- (7). In addition to the above sanctions, the Director of Athletics or Head Coach may assess other appropriate sanctions.
- (8). The athlete will be individually tested at the discretion of the Head Athletic Trainer during a twelve (12) week period immediately following the notification to the athlete of the first positive test, and will then become re-eligible for random testing.

b. SECOND POSITIVE SITUATION

- (1). The specimen of an athlete screening a second positive will be confirmed immediately to ensure no error has occurred.
- (2). The Director of Athletics, the athlete's Head Coach, and the Head Athletic Trainer will be notified if the athlete is actually or constructively found to have a second positive situation during his or her UNT athletic career.
- (3). The athlete will be directed by the Director of Athletics to participate positively and successfully complete a drug abuse program which may be at the athlete's own expense. Successful completion of a drug abuse program shall be defined as physically completing the required rehabilitation program and demonstrating a negative retest.
- (4). The athlete shall be suspended from not less than ten percent of one full season of intercollegiate contests for which he or she would have otherwise been eligible.
 - (a) The exact number will be determined by the Director of Athletics.
 - (b) Practice contests or other non-championship, non-intercollegiate activities would not satisfy this suspension.
- (5). In addition to the above sanctions, the Director of Athletics or Head Coach may assess other appropriate sanctions.
- (6). Prior to implementation of the suspension period, the athlete will be notified of the proposed suspension and the reasons for the proposed action and will have an

opportunity to discuss the matter fully with the Director of Athletics and to present evidence of any rebuttal or mitigating circumstances which he or she feels pertinent.

- (7). Reinstatement of the athlete to intercollegiate athletic competition at the completion of the suspension period shall occur only after the Director of Athletics receives a statement from an approved counselor of the athlete's positive participation in a drug abuse program as specified by the Director of Athletics.
- (8). An athlete's refusal to participate in a drug abuse program as set forth in this policy will be treated as a third positive result.
- (9). After notifying the athlete, one or more of the athlete's parents, legal guardian(s), or spouse may be notified by the Director of Athletics.
- (10). The choice of the person(s) notified will be at the discretion of the Director of Athletics.
- (11). The athlete may be individually tested at the discretion of the athletic trainer periodically throughout the suspension period.

c. THIRD POSITIVE SITUATION

- (1). The specimen of an athlete found to have a third positive result by reason of a positive laboratory test subsequent to a finding of a second positive situation will be confirmed immediately to ensure no error has occurred.
- (2). If the athlete is actually or constructively found to have a third positive situation, the Director of Athletics, Head Coach, and Head Trainer will be notified that a positive result was obtained for the participant.
- (3). The athlete's parents, legal guardian(s), or spouse may be informed as deemed appropriate by the Director of Athletics and in accordance with the law.
- (4). An athlete who is actually or constructively found to be in a third positive situation will be dismissed from his or her team with immediate loss of any remaining scholarship funds.
- (5). Prior to dismissal, the athlete will be notified of the proposed dismissal and the reasons for this proposed action and will have an opportunity to discuss the matter fully with the Director of Athletics and to present evidence of any rebuttal of mitigating circumstances which he or she feels important and/or constraining.