

Waiver and Release

Updated

The undersigned, a student-athlete at Ohio University, desires to participate in the Ohio University Intercollegiate Athletics Department Health Evaluation and Educational Program and states as follows:

I have read the program description which is incorporated herein by reference, and I agree to abide by program policies and procedures. I acknowledge and will agree that the educational, drug screening and counseling components of the program shall be deemed to have been accomplished or directed for my benefit.

I understand that I may be subjected to announced and unannounced screening in accordance with program guidelines. I agree to have samples of my urine collected and tested for the presence of illicit drugs or substances, and I authorize the release of all information and records, including test results, relating to the screening or testing of my urine sample, in accordance with program guidelines.

I understand that a positive a positive test under the Ohio Athletics Drug Testing Policy is considered a Level 3 violation of the Student-Athlete Code of Conduct. Accordingly, any student-athlete who tests positive for a banned substance is subject to the following disciplinary action:

*The violation will result in a suspension of 10-25% of athletics contests. The percent of suspension will be based on the number of NCAA permissible contests and ultimately approved by the Director of Athletics. Athletics suspension will carry over to the next competitive season if necessary.

*The student-athlete will be required to complete a university-approved counseling and evaluation session and may be required to participate in an educational program. Payment for such programs is the responsibility of the student-athlete.

*These penalties will be enforced at the time the test results are received.

*The student-athlete will be placed on probation for a period of one calendar year. A subsequent Level 3 offense during the probationary period may result in loss of athletics privileges. The Director of Athletics and head coach will review each case based on the facts presented. If the parties are unable to agree on an appropriate sanction, the decision of the Director of Athletics will prevail.

*The student-athlete will be subject to random drug testing throughout the probationary period. A positive test during the probationary period will result in a suspension of 50% of athletics contests. The percent of suspension will be based upon the number of NCAA permissible contests and ultimately approved by the Director of Athletics. Athletics suspension will carry over to the next competitive season if necessary.

*A second positive during the probationary period will result in an immediate dismissal from the team and a loss of athletics aid.

In consideration of any efforts on my behalf, I voluntarily assume all risks of injury, damage, and/or loss of myself or my property which may arise out of my participation in the program, and I release and discharge the state of Ohio, Ohio University, its officers, employees, and agents associated or connected with the program for every claim, liability, or damage of any kind caused by the state of Ohio, Ohio University, its officers, employees, and agents.

Date: _____ Signature of Student Athlete: _____

Student Campus Address: _____

Student Campus Phone: _____

(If under 18)

The undersigned parent(s) or guardian(s) of the above-named student has read the foregoing release and consents that he/she may participate in the designated activity and I/we waive any and all claims to damage or liability to his/her person or property.

Date: _____ Signature of Parent or Legal Guardian: _____

Parent/Guardian Address: _____

Parent/Guardian Phone: _____

STUDENT-ATHLETE: DRUG POLICY

Ohio University athletics administrators and coaching staffs expressly condemn the use of banned substances and the abuse of alcohol, as their use may endanger the safety and health of the student-athlete. In an effort to address the problem of substance abuse, ICA has instituted educational programs for its student-athletes.

The Director of Medical Services directs the Departmental Substance Abuse Policy.

Program Purpose

The purpose of the ICA drug program is twofold: (a) to prevent the use of banned substances by members of all university athletic teams, and (b) to detect and then to educate and rehabilitate those student-athletes who have engaged in the use of banned substances.

Program Implementation

At the beginning of the academic year, the Substance Abuse Policy is presented to all student-athletes. At this time, each student-athlete is asked to sign a form acknowledging that he/she understands the expectations of ICA in this regard.

Ohio Athletics Drug Testing & Education Policy

The Athletics Department will continue its efforts to develop programs to educate student-athletes about potential problems of addiction, identify student-athletes who require assistance, and refer students to effective treatment resources. Part of this effort is ICA's internal drug-testing program. While it is understood that the testing program is not a final solution for the risks inherent in drug or alcohol abuse, it is a step toward preventing the development of problem behavior. Drug testing provides a health and safety benefit to all student-athletes by deterring banned drug use and supporting student-athletes in their efforts to compete fairly.

In addition to ICA's program, the NCAA conducts its own drug testing program. The NCAA Drug-Testing Program was created to protect the health and safety of student-athletes and to ensure that no one participant might have an artificially induced advantage or be pressured to use chemical substances. For more information on the NCAA drug testing program, please refer to ncaa.org or contact the Director of Athletic Training.

Voluntary Disclosure / Safe Harbor

Through the Safe Harbor Program a student-athlete may refer himself or herself once for voluntary evaluation and counseling. A student-athlete is not eligible for Safe Harbor after he or she has been informed of an impending test or after having received notification of a positive institutional test or NCAA drug test.

The institution will work with the student-athlete to prepare a Safe Harbor treatment plan which may include confidential drug testing. If the student-athlete tests positive upon

entering the Safe Harbor Program, that positive test will not result in any administrative sanction unless the student-athlete tests positive in a subsequent retest or the student-athlete fails to comply with the prescribed treatment plan. (The Director of Athletics or designee may suspend the student-athlete from play or practice) A student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period of time, not to exceed thirty (30) days, as determined by the treatment plan. A student-athlete will not be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or Conference post-season competition.

While in compliance with the Safe Harbor Program treatment plan, the student-athlete will not be included in the list of student-athletes eligible for random Impermissible Substance testing by the institution. Student-athletes in the Safe Harbor Program may be selected for drug testing by the NCAA.

The Director of Athletics or their designee, the Head Athletic Trainer, and the Head Coach will be informed of the students-athletes request for participation in the Safe Harbor Program. The Assistant Coach (es) may be notified at the discretion of the Head Coach. Other University employees may be informed only to the extent necessary for the implementation of this policy.

Ohio Athletics Drug Testing Procedures

- I. Selection of Individuals to Test
 - a. All student-athletes, cheerleaders, managers and student athletic trainers are subject to year-round drug testing and may be randomly selected at any time. Each individual shall sign the Student Drug Testing Notification form prior to his or her initial practice.
 - b. A student-athlete, cheerleader, manager or student athletic trainer may be specifically selected for testing at any time, given reasonable cause/suspicion, at the discretion of the Head Coach and/or the Director of Athletics.

- II. Collection
 - a. Evidence of a drug substance will be determined from an analysis of the participant's urine specimen collected by a Certified Athletic Trainer.
 - b. Those persons selected for each weekly test will not be notified until the time immediately prior to the collection.
 - c. Each person selected must provide at least 60 ml of urine.
 - d. A Staff Athletic Trainer will monitor the collection of the specimen, which will then be identified only by a confidential number.
 - e. If the initial specimen is incomplete, the individual will not be released until the completion of 60ml of urine has been received. This specimen will be divided into two sealed vials and forwarded to the testing laboratory.
 - f. Both the individual furnishing the specimen and the Certified Athletic Trainer must sign the Chain of Custody form.

- g. Those specimens collected will follow all appropriate rules and regulations for Chain of Custody to the laboratory.

III. Analysis

- a. The laboratory will provide a written analysis to the Director of Athletic Training.
- b. If the specimen vials arrive at the laboratory with the security seal disturbed, the specimen will be discarded and a new specimen will be collected.
- c. All information relative to analysis will be kept confidential and documented without direct identification of the student-athlete.

IV. Notification of Selection for Testing

- a. There will be six (6) randomly-selected testing dates per academic year. (two dates per quarter)
- b. A random list of student-athletes will be presented to the Athletics Director on the Friday prior to the week of testing.
- c. All drug testing (specimen collection) will be unannounced and usually conducted prior to or immediately after a practice session. No specimen collection will be conducted prior to or after competition.
- d. Random selection will be based on the number of athletes per team:
 - i. Less than 20 squad members = 1 student-athlete selected every other testing week
 - ii. 20-40 squad members = 1 student-athlete each testing week
 - iii. Over 40 squad members = 2 student-athletes each testing week
- e. Student-athletes must provide proper identification (Ohio University ID or driver's license) at the time specimen is collected.

V. Notification of Test Results

- a. The laboratory will use only one vial for the initial analysis.
- b. The laboratory will send all results to the Director of Athletic Training.
- c. If a test indicates a positive result, the Director of Athletic Training will notify the Director of Athletics, Sport Supervisor (if not AD), Head Coach and the student-athlete.
- d. The student-athlete will be given the opportunity to appeal the result of the drug test. If the student-athlete elects to appeal, the Director of Athletic Training will facilitate the testing of the B specimen. Any cost for this appeal will be at the student's expense.

NCAA Drug Testing

Student-athletes are required annually to read and sign the NCAA Drug Testing Consent Form. This form is administered at the annual pre-participation physical examination and kept in the Compliance Office. The NCAA conducts two separate drug testing programs. The NCAA drug tests student-athletes at the NCAA Championships for each sport, Bowl Games for Football. Additionally, the NCAA will conduct drug testing on Ohio University's campus at least once per year. 18 Football players will be selected and 8

from one other ICA sport. The NCAA will notify the Director of Athletic Training 48 hours prior to the drug test on campus. Once the Director of Athletic Training receives the drug test list, he will contact the 26 student-athletes. The student-athletes will be asked to meet with the Director of Athletic Training (or designee) the day before the test. Most often, the drug test will be conducted in the Rohr Room, Convocation Center in the early morning hours. Student-athletes must bring a picture ID (school ID or driver's license).

Actions as a Result of a Positive Test

A positive test under the Ohio Athletics Drug Testing Policy is considered a Level 3 violation of the Student-Athlete Code of Conduct. Accordingly, any student-athlete who tests positive for a banned substance is subject to the following disciplinary action:

*The violation will result in a suspension of 10-25% of athletics contests. The percent of suspension will be based on the number of NCAA permissible contests and ultimately approved by the Director of Athletics. Athletics suspension will carry over to the next competitive season if necessary.

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