

**Center for Intercollegiate Athletics
Rochester Institute of Technology
Student-Athlete Alcohol and Other Drugs Education and Testing Program**

I. Introduction

The Center for Intercollegiate Athletics (“Athletics”) at the Rochester Institute of Technology (“RIT” or the “University”) is committed to providing an environment free from abuse and illegal use of drugs and alcohol for all RIT intercollegiate athletic programs. The health, safety and well-being of the student-athletes who participate in its programs and represent the University in competitive athletics is of paramount concern. The use, misuse or abuse of illegal drugs, dietary supplements, performance-enhancing substances, alcohol and tobacco is inconsistent with the standards expected of student-athletes at the University and is prohibited.

The University desires to educate our student-athletes about the effects of drugs, alcohol and dietary supplements on their performance and, much more importantly, on their lives. It is our goal to have our student-athletes recognize the dangers of drug and alcohol use and therefore compete and live free of dangerous substances.

II. Purpose

The purpose of this Policy is to ensure the health, safety and well-being of our student-athletes and to promote fair competition in intercollegiate athletics, consistent with National Collegiate Athletics Association (“NCAA”) and University policies regarding drug and alcohol use, and RIT policies and procedures. This Policy will assist the University in identifying student-athletes who are using, misusing or abusing drugs or alcohol so that the University may provide avenues for education, treatment and rehabilitation.

III. Scope

This Policy applies to all student-athletes listed on a University squad list, including but not limited to student-athletes who are either under medical hardship, academically ineligible, injured or using other athletic-related services. Student-athletes shall be subject to this Policy throughout the calendar year, including summer. In addition, student-athletes shall be subject to the provisions of as outlined in the RIT Conduct Process (*see*, Policies and Procedures Manual, D.18 Student Code of Conduct).

IV. Consent to Participate

As a condition of participation in intercollegiate athletics at the University, each student-athlete shall sign a University consent form to participate in the Student-Athlete Alcohol and Other Drugs Education and Testing Program (the “Program”), and to authorize the release of test results in accordance with this Policy. Failure to consent to or comply with the requirements of this Policy may result in suspension from participation or loss of eligibility to participate in intercollegiate athletics at the University. Prior to signing the University consent form, student-athletes will be given an opportunity to ask any questions regarding the information contained in this Policy and the Program, or other related issues.

V. Education of Student-Athletes and Athletic Staff

Athletes who are educated about substance use in sport are more likely to make informed and intelligent decisions. Student-athletes are responsible to know federal, state, and local laws as well as the University and Athletic policies related to the use of alcohol and drugs.

A. Alcohol, Tobacco and Other Drug Education

Athletics will conduct alcohol and other drug education programs for student-athletes at least twice a year. These educational programs will review University and NCAA policies related to the use of alcohol, tobacco and other drugs, including dietary supplements. Educational materials will be available to all student-athletes and Athletics staff at any time throughout the year. All student-athletes and Athletics staff shall be required to attend the educational programs.

B. Athletic Department Staff Responsibility

All members of the Athletics staff must understand and be committed to the Program. No member of Athletics staff shall issue, encourage, assist or advise any student-athlete to take or to obtain performance-enhancing or non-therapeutic drugs. Athletics staff shall advise and educate student-athletes against these types of substances and shall report the use, or suspected use, of performance-enhancing and/or non-therapeutic drugs by a student-athlete to an appropriate Athletics department administrator. Staff members who violate this Policy shall be subject to discipline, up to and including termination.

C. Education and Counseling with Positive Drug or Alcohol Finding

If a student-athlete is involved in an alcohol or other drug-related incident, or tests positive for alcohol or other drugs, then he or she shall be required to attend additional educational programming and may be required to also attend counseling for the purposes of evaluation, education, treatment or rehabilitation. In all cases, if counseling is required, then the student-athlete shall sign a release to allow a University counselor, the Team Physician and the Head Athletic Trainer to communicate with the student-athlete's counselor and/or physician. The release of information shall be limited to information concerning the student-athlete's ability to safely participate in an athletic program. Failure to sign such a release will render the student-athlete ineligible for practice and competition.

VI. Alcohol and Other Drugs Testing Program Procedures

Possession or consumption of alcoholic beverages by individuals under the age of 21 is a violation of state liquor laws, and a violation of this Policy (*see also* Student Code of Conduct, D.18; Alcohol and Other Drugs, D.18.1, Policies and Procedures Manual). Students who are 21 years of age or over are prohibited from providing, serving, delivering, hosting social events where alcoholic beverages are available to persons under the age of 21. This Policy extends to the recruitment of prospective student-athletes. Prospective student-athletes visiting campus and socializing with current students are expected to participate in all activities without the presence or influence of alcohol or other drugs. Any violation of this Policy and the University's Alcohol and Other Drugs may be disciplined in accordance with the University's disciplinary procedures for students and this Policy.

A. Prohibited Drugs/Substances

Screening conducted pursuant to the Program may include analysis of, but is not limited to, the NCAA list of banned-drug classes. The NCAA banned-drug classes are as follows: stimulants, anabolic agents, diuretics, street drugs, peptide hormones and their related compounds. For a current list of the NCAA Banned Drug Classes List, student-athletes are urged to review the NCAA's web site at www.ncaa.org or contact the Head Athletic Trainer or the sport specific athletic trainer.

Additional substances that the University may screen for pursuant to this Program include alcohol, beta-blockers, opiates, MDMA (ecstasy), amphetamine/methamphetamine, and flunitrazepam (rohypnol). The University reserves the right to test for substances not listed on the NCAA Banned Drug Classes List and to test at detection levels that vary from those of the NCAA. The Program is separate and distinct from the NCAA's drug testing programs, including but not limited to banned substances, sanctions imposed and levels of detection.

B. Selection Methods for Testing Program

1. Unannounced Random Testing

All student-athletes are subject to unannounced random testing at any time, including pre-season testing prior to competition. The Director of Athletics or his/her designee shall randomly select student-athletes from the official squad lists.

2. Reasonable Suspicion Screening

All student-athletes may be subject to testing at any time when the Director of Athletics or his/her designee determines reasonable suspicion exists to believe that the student-athlete may be using a prohibited substance. Such reasonable suspicion may be based on objective information as determined by the Director of Athletics or by an Associate/Assistant Athletic Director, Head Coach, Assistant Coach, Head Athletic Trainer, Assistant Athletic Trainer, Team Physician, or Academic Advisor, and deemed reliable by the Director of Athletics or his/her designee. Reasonable suspicion may include, but is not limited to: (1) observed possession or use of substances appearing to be prohibited drugs; (2) arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs or substances; or (3) observed abnormal appearance, conduct or behavior reasonably interpreted as being caused by the use of prohibited drugs or substances.

Among indicators which may be used in evaluating a student-athlete's abnormal appearance, conduct or performance include but are not limited to: class attendance, significant changes in GPA, athletic practice attendance, increased injury rate or illness, changes in physical appearance, academic/athletic motivational level, emotional condition, and mood changes. If reasonable suspicion is verified, the Director of Athletics or his/her designee will notify the student-athlete and he or she must stay with a member of their coaching staff, the athletics administration staff, or the sports medicine staff, until an adequate specimen is collected.

Note: The possession and/or use of illegal substances may be determined by means other than urinalysis. When an individual is found to be in possession and/or using such substances, he/she may be subject to the same procedures that would be followed in the case of a positive urinalysis.

3. Postseason/Championship Screening

Any student-athlete or team likely to advance to post-season championship competition may be subject to additional testing by the University prior to the post-season championship event. Testing may be required of all team members or individual student-athletes at any time within thirty (30) days prior to the post-season competition. If a student-athlete tests positive, he or she will not be allowed to compete at the post-season event unless he or she subsequently tests negative prior to departure for the event and receives permission from the Director of Athletics or his or her designee to compete in the post-season event.

4. Re-entry Testing

A student-athlete who has had his or her eligibility to participate in intercollegiate sports suspended as a result of a positive alcohol or drug test finding, or drug and/or alcohol violation under the University policy, shall be required to undergo re-entry drug and/or alcohol testing prior to regaining eligibility or to continue practicing or conditioning activities. The Director of Athletics or his/her designee shall arrange for re-entry testing after the counselor or specialist involved in the student-athlete's case indicates that re-entry into the intercollegiate sports program is appropriate (*see also*, Request for Reinstatement, below).

5. Follow-up Testing

A student-athlete who has returned to participation in intercollegiate athletics following a positive alcohol or other drugs test under this Policy may be subject to follow-up testing throughout the remainder of their athletic eligibility. Testing will be unannounced and will be required at a frequency determined by the Athletic Director or his/her designee in consultation with the counselor or specialist involved in the student-athlete's case.

C. Notification and Reporting for Collections

The student-athlete will be scheduled for and notified of testing by the University either in person, by direct telephone communication, or other reasonable or practicable means under the circumstances. He or she will be informed of the date, time and location to report to the collection station. The University is not required to give advanced notice prior to the administration of any drug tests.

Any student-athlete who refuses to provide an adequate specimen for testing, attempts to alter or substitute his or her urine sample, or fails to show up as scheduled, shall be in violation of this policy and will be cause for the same action(s) as a positive drug test result.

D. Positive Finding or Self Disclosure of Alcohol or Other Drugs Use

In all cases where a student athlete has tested positive for alcohol or other drugs under the Program, the testing laboratory (or third party administrator) will report the positive drug test finding(s) to the Head Athletic Trainer. The Head Athletic Trainer will then contact the team physician to review the positive result. The Head Athletic Trainer will also contact the:

- student-athlete;
- Director of Athletics;
- RIT's Office of Student Conduct & Conflict Resolution ("Conduct Office"); and

- Head Coach and/or assistant coach.

The Head Athletic Trainer will schedule a confidential meeting with the student-athlete and the individuals mentioned above to inform them of the finding, and to provide the student-athlete with written notice of the finding and applicable sanction. In addition, the Director of Athletics, or his or her designee, may notify the student-athlete's parent(s) or legal guardian(s) by telephone and in writing of the positive finding and applicable sanction.

In cases where a student-athlete self-discloses the use of alcohol or other drugs after selection for testing or during the testing process, the disclosure will be deemed a positive alcohol or drug test finding.

In all cases of positive findings for alcohol or other drugs, the student-athlete shall be required to attend a counseling session for the purposes of evaluation, education, and if necessary, treatment or counseling. The counselor may ask the student-athlete to discuss the nature and extent of his/her involvement with prohibited alcohol. The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of each case. Failing to meaningfully participate in the evaluation/counseling process, in the sole discretion of the counselor, will be deemed an additional offense.

If the counselor believes that additional rehabilitation is necessary either on or off-campus, then all costs associated with additional rehabilitation shall be the responsibility of the student-athlete.

In addition, the student-athlete will be subject to follow-up testing under the Program. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics or his/her designee.

VII. Alcohol Sanctions

A. First Alcohol Positive

The student-athlete will be immediately suspended from participation in any intercollegiate competition at the University. The suspension will be for a period of time equivalent to 10% of his or her regular season of competition. The determination of the 10% always will be rounded up (*e.g.* if 10% equals 2.3 games, then the student-athlete will be suspended for 3 games). The suspension shall be served starting with the next scheduled contest or date of competition and will be in effect for both regular season and post-season competition (*e.g.* exhibition contests, scrimmages, and/or non-traditional season contests cannot be used to serve the suspension). The suspension will rollover to the next season of competition if necessary. If the alcohol-related offense occurs during the off-season, then the suspension will be served during the next season of competition. If the alcohol related offense occurs at the end of the regular season but prior to post-season competition, then it shall be served during the post-season competition. After passing a drug test, the student-athlete must be medically authorized by a University team physician, in conjunction with any counselor and/or therapist, prior to resuming any athletic practice or competition.

B. Second Alcohol Positive

The student-athlete will be immediately suspended from participation in any intercollegiate competition at the University. The suspension will be for a period of time equivalent to 100% of

his or her regular season of competition. The suspension shall be served starting with the next scheduled contest or date of competition and will be in effect for both regular season and post-season competition (*e.g.* exhibition contests, scrimmages, and/or non-traditional season contests cannot be used to serve the suspension). The suspension will rollover to the next season of competition if necessary. If the positive alcohol test result occurs during the off-season, the suspension will be served during the next season of competition. If the positive drug test result occurs at the end of the regular season but prior to post-season competition, it shall be served during the post-season competition. After passing a drug test, the student-athlete must be medically authorized by a University team physician, in conjunction with any counselor and/or therapist, prior to resuming any athletic practice or competition.

C. Third Alcohol Positive

The student-athlete will be immediately and permanently expelled from participation in any intercollegiate practice, training and competition at the University.

VIII. Sanctions for Positive Finding of Drug or Related Substances

A. First Drug Positive

The student-athlete will be immediately suspended from participation in any intercollegiate competition at the University. The suspension will be for a period of time equivalent to 100% of his or her regular season of competition. The suspension shall be served starting with the next scheduled contest or date of competition and will be in effect for both regular season and post-season competition (*e.g.* exhibition contests, scrimmages, and/or non-traditional season contests cannot be used to serve the suspension). The suspension will rollover to the next traditional season of competition if necessary. If the positive drug test result occurs during the off-season, the suspension will be served during the next season of competition. If the positive drug test result occurs at the end of the regular season but prior to post-season competition, it shall be served during the post-season competition. After passing a drug test, the student-athlete must be medically authorized by a University team physician, in conjunction with any counselor and/or therapist, prior to resuming any athletic practice or competition.

B. Second Drug Positive

The student-athlete will be immediately and permanently expelled from participation in any intercollegiate practice, training and competition at the University.

IX. Implied Findings of Positive Drug or Alcohol Use

A student-athlete who is convicted of a drug or alcohol related offense, which includes any violation of federal, state, local law, shall be deemed a positive alcohol or drug test for the purpose of determining sanctions under this Program. In addition, any student-athlete who is involved in an alcohol or other drug related incident under the RIT Student Code of Conduct shall be deemed in violation of this Policy and may be sanctioned accordingly.

In addition, a positive drug test result under the NCAA's drug testing program, shall be deemed a positive drug test result under the Program. A student-athlete under a drug-testing suspension from a national or international sports governing body that has adopted the World Anti-Doping

Agency (“WADA”) code (*e.g.*, USOC, USADA) shall not participate in NCAA intercollegiate competition for the duration of the suspension (*see* NCAA Bylaw 18.4.1.5.3.).

X. Use of Dietary Supplements

Many dietary supplements or ergogenic aids contain banned substances. Often the labeling of dietary supplements is inaccurate and misleading. Terms such as “healthy” or “all natural” do not mean dietary supplements are free of banned substance or are safe to take. Using dietary supplements may lead to negative side effects such as dehydration and/or may cause positive drug tests. Student-athletes who are currently taking dietary supplements or intend to take any shall be required to review the product with the Head Athletic Trainer or team physician. In addition, all Athletics staff members shall direct student-athletes who desire to use dietary supplements to the Head Athletic Trainer or the team physician.

Student-athletes are encouraged to contact the National Center for Drug Free Sport, Inc. at www.drugfreesport.com or the Dietary Supplement Resource Exchange Center (REC) at www.drugfreesport.com/rec for information on dietary supplements and other banned substances.

XI. Use of Tobacco Products

The NCAA and the University prohibits the use of tobacco products by all game personnel (*e.g.* coaches, student-athletes, athletic trainers, managers and game officials) in all sports during practice and competition (*see* NCAA Bylaws 11.1.5. and 17.1.7). A student-athlete who violates this tobacco policy shall be disqualified for the remainder of that practice or competition. The Director of Athletics or his/her designee will sanction other game personnel (*e.g.* head or assistant coach) who violate this tobacco policy on a case-by-case basis.

XII. Medical Exception Process

The University recognizes that some banned substances are used for legitimate medical purposes. Accordingly, Athletics allows exceptions to be made for those student-athletes with a documented medical purpose demonstrating a need for regular use of such a substance. Exceptions may be granted for substances included in the following classes of banned drugs: stimulants, beta-blockers, diuretics and peptide hormones.

Student-athletes are required to inform the Head Athletic Trainer of all medications (prescribed and over-the-counter) that he or she is taking. The University should maintain in the student-athlete’s records a letter from the prescribing physician that documents the student-athlete’s medical need for regular use of any such drug. The letter should contain information as to the diagnosis (including appropriate verification), medical history and dosage information.

In the event a student-athlete tests positive, the Head Athletic Trainer in consultation with the Team Physician, will review the student-athlete’s medical record to determine whether a medical exception should be granted.

XIII. Voluntary Disclosures

A. Safe Harbor Program

A student-athlete who has engaged in prohibited drug or alcohol use is encouraged to seek assistance from the Athletic Department (*e.g.* Head Athletic Trainer, Team Physician, or Coach) by voluntarily disclosing his or her use.

If any student-athlete seeks assistance from Athletics *prior* to receiving a positive drug test result and/or *prior* to being notified that he or she has been selected for Program testing, then any impermissible use will be excused under this Policy for purposes of determining sanctions (the “Safe Harbor Program”). However, for health and safety reasons the student-athlete will be ineligible to participate in intercollegiate sports pending an evaluation. Nor will a student-athlete be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or conference postseason competition.

Upon entering the Safe Harbor Program, the student-athlete will be required to undergo an initial drug test as well as an evaluation by a substance abuse professional. Any initial positive drug test result will be excused under this Policy for purposes of imposing any sanctions. The substance abuse professional shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case. The counselor will provide a summary of his or her findings and recommendations to the Director of Athletics.

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 and will be removed from the random selection pool of student-athletes. However, the student-athlete will not be permitted to return to participation in intercollegiate sports until the counselor has interviewed the student-athlete following the conclusion of the recommended treatment (or stage of treatment, as applicable) and has determined that reentry into intercollegiate sports is appropriate. If the counselor deems it necessary, the student-athlete will be required to undergo further drug and/or alcohol testing as part of the reentry evaluation.

Failing to complete the treatment recommended by the counselor, having a second positive drug test result for *any* banned substance after entering the Safe Harbor Program that is determined to be a result of new drug use, or having a positive result on a reentry drug or alcohol test will be deemed a second offense under this Policy (*e.g.*, the initial positive drug test result plus the second/new positive drug test result).

If the student-athlete regains his or her eligibility to participate in intercollegiate athletics, he or she may be required to undergo unannounced follow-up tests at the discretion of the Director for Athletics or his or her designee in consultation with the counselor.

A positive drug or alcohol test result at any time *after* satisfactorily completing the Safe Harbor Program will count as the first positive drug or alcohol test result.

B. Good Samaritan Protocol

The Good Samaritan protocol can be found at D.18.1, Alcohol and Other Drugs, Policies and Procedures Manual and in the Student Code of Conduct (D. 18.0).

XIV. Grievance Procedures

A. Confirmation of Positive Finding.

If a student-athlete is notified of a positive alcohol or drug finding under the Program, then the student may request that the laboratory perform confirmation testing on the student-athlete's specimen B if applicable. The university will bear the cost of the specimen B testing. The student-athlete may choose to be present at the opening of specimen B at the laboratory, or may be represented by a surrogate at the retesting. The surrogate will not be involved with any other aspect of the analysis of the specimen. The student-athlete or his/her surrogate will attest to the sample number and the integrity of the security seal prior to the laboratory opening of specimen B. Specimen B findings shall be final. If specimen B results are negative, the drug test will be considered negative.

B. Appeal Procedure.

Student athletes who test positive for alcohol, drugs or any banned substance may appeal. The appeal must be in writing to the Athletic Director and within seven (7) calendar days of written notice of the finding and sanction.

Notably, all positive drug tests results are conducted by an independent laboratory and may be tested under two different test methods to ensure accuracy. Accordingly positive tests are presumptively valid.

Upon receipt of a notice of appeal, the Director of Athletics will forward the request for a hearing to the Appeals and Reinstatement Committee. The Appeals and Reinstatement Committee may include a team physician, the Faculty Athletic Representative, a substance abuse counselor, a coach from a sport other than the sport for which the student-athlete participates, and a sport administrator appointed by the Director of Athletics, and any other member of the RIT community appointed by the Vice President of Student Affairs. Appeals shall be scheduled and heard within seven (7) business days of a notice of appeal, unless the student-athlete requests an extension of time upon good cause shown.

The student-athlete may have an advocate of their choice selected from the list of trained advocates provided by the Center for Student Conduct (*see* RIT Advocacy Program) present at the hearing to provide quiet counsel, but only the student-athlete may address the Appeals and Reinstatement Committee. During the appeal the student-athlete may present evidence, question any testimony or documents presented, as well as to review the results of the drug test.

The Appeals and Reinstatement Committee is authorized to affirm, modify or reverse a sanction based on the testimony presented at a hearing. The decision of the Appeals and Reinstatement Committee shall be final and will be communicated in writing to the student-athlete within three (3) business days of conclusion of the hearing.

While a student-athlete is in the process of appealing, he or she shall be temporarily suspended from competition, but may participate in practice and conditioning activities pursuant to the terms of this Policy, pending a final outcome by the Appeals and Reinstatement Committee.

C. Request for Reinstatement Following Sanction

At the end of a one-year period of suspension (after a first positive drug test result or after a second alcohol or drug related offense) and following satisfactory completion of an appropriate treatment and aftercare program, the student-athlete may apply for reinstatement to the intercollegiate athletic department. Reinstatement shall not be considered automatic and shall be addressed on a case-by-case basis.

The request for reinstatement shall be in writing and made to the Director of Athletics and should state the grounds on which the student-athlete believes he/she should be reinstated. The Director of Athletics will forward the request for reinstatement to the Appeals and Reinstatement Committee. The committee shall review the request for reinstatement and make a determination within ten (10) business days of receiving the request.

The decision of the Appeals and Reinstatement Committee shall be final.

XV. Resources for Athletes in Need of Assistance

If any student-athlete is in need of assistance or support for a substance abuse problem, there are resources available on campus and within the community for counseling and education about use, misuse, and abuse of alcohol and other drugs. These resources include:

On Campus Resources:

RIT Public Safety (24 hours a day, 7 days a week)
(585) 475-2853 (V) or (585) 475-6654 (TTY)
<http://finweb.rit.edu/publicsafety/>

Alcohol & Substance Abuse Counselor (Confidential)
(585) 475-3963
kmpshc@rit.edu

RIT Substance & Alcohol Intervention Services (Confidential, Interpreted For Deaf)
(585) 475-4963 (V) and (585) 475-4963 (TTY)
<http://www.rit.edu/ntid/saisd>

RIT Student Counseling Center (Confidential)
(585) 475-2261 (V) or (585) 475-6897 (TTY)
<http://www.rit.edu/studentaffairs/counseling/>

RIT Student Health Center (Confidential)
(585) 475-2255 (V)
<https://www.rit.edu/studentaffairs/studenthealth/>

Off Campus Resources (Greater Rochester Area & National):

Greater Rochester NY Alcohol Anonymous
1000 Elmwood Avenue, Greenhouse, Rochester NY 14620
(585) 232-6720
www.rochester-nn-aa.org

AL-Anon Family Groups (AFG) of Greater Rochester Institute of Technology
805 Blossom Road, Rochester, NY 14610
(585) 288-0540
www.aisrochester.org

Alcohol Anonymous & Narcotics Anonymous Meetings (Interpreted for Deaf)
For information, Contact (585) 475-4963

Alcoholism & Substance Abuse Providers of New York State (ASAP)
1 Columbia Place, Albany, NY 12207
(518) 426-3122
www.asapnys.org

XVI. Review of Policy:

A committee appointed by the Vice President of Student Affairs shall review policy biannually.

Revised:
July 2015