

## **UW Oshkosh Department of Athletics Substance Abuse Program**

UW Oshkosh recognizes that drug and alcohol problems exist in our society. Colleges and universities share the serious concern for these problems. The use of illegal drugs of performance-enhancing substances and the misuse of alcohol are detrimental to an individual's health, could create an unfair competitive advantage and negatively influence the integrity and character of our athletic program. Consequently, the Department of Athletics at UW Oshkosh conducts the Substance Abuse Program.

UW Oshkosh adheres to the principle that there is no place in the athletics program for substance abuse of any kind. Occasionally, a participant may find himself/herself in the presence of others who may be indulging in drugs and alcohol. In such circumstances, the Department of Athletics encourages all its participants to take a firm stand against the use of drugs and leave the premises! The primary intent of the University's policy concerning substance abuse is to preserve the well being of the participant. UW Oshkosh strictly prohibits underage drinking of alcohol by student-athletes at anytime. In addition, no alcohol consumption will be allowed during recruiting visits of prospective student-athletes. No student-athlete, cheerleader, manager, or student trainer, while involved with any UW Oshkosh Athletic Department sponsored activity, will be permitted to purchase, consume, possess, distribute, sell, or be under the influence of alcohol. Coaches and athletic personnel are requested to abstain from consuming alcohol while in the presence of student-athletes at all sanctioned events. Every effort is made to maintain confidentiality within the Substance Abuse Program. However, if UW Oshkosh is required or asked to cooperate with governing authorities and/or law enforcement agencies, it may be necessary to release such information.

Drug testing by the UW Oshkosh Department of Athletics may be conducted throughout the academic year. In addition, leading authorities in the field of substance abuse education may be brought to the campus during the academic year to speak with our participants about the dangers and consequences of substance abuse. In an attempt to comply with NCAA minimum guidelines on alcohol, tobacco, and other drug education initiatives, the Department of Athletics at UW Oshkosh will conduct a drug and alcohol education program.

Participants are reminded that pursuant to NCAA Bylaw 11.1.5, the use of tobacco products is prohibited by all game personnel (e.g. coaches, trainers, managers, and game officials) in all sports during practice and competition. Uniform penalties (as determined by the applicable rules-making committees and sports committees with rules-making responsibilities) shall be established for such use.

UW Oshkosh reserves the right to alter, amend, and/or modify the Substance Abuse Program Agreement at any time without notice of the participants, coaches, compliance officers, sports medicine personnel, and/or Director of Athletics.

### **Purpose**

The purpose of the education and testing program are:

1. To educate participants concerning the problem of drug or alcohol use.
2. To serve as a deterrent to any participant who may be inclined to use drugs. This type of use may result in personal harm, the harm of others, and the possibility of unfair competition through performance-enhancement.
3. To prevent drug or alcohol use by participants and, thereby, avoid the problems attendant upon such drug or alcohol abuse.
4. To provide a common mechanism for the detection, sanction, and treatment of specific cases of drug or alcohol abuse.
5. To maintain the integrity and character of our athletics program by identifying the characteristics of a substance abuser and warning participants of these characteristics.
6. To assist any participant who may be using drugs or alcohol in the rehabilitation process.

The Department of Athletics understands the ever-increasing pressures on young people. Therefore, one of the primary goals of the program is to give the participant a “REASON TO SAY NO” to any drug or alcohol-related temptations.

Any participant who has a problem with drugs and/or alcohol will be given every opportunity to rectify his/her problem. However, if the participant continues to indulge in drugs or alcohol, he/she will be dismissed from the program.

For the purposes of the policy, “participant” is defined as:

- All athletes, male and female, listed on the Squad List.
- All student athletic trainers and managers.
- All cheerleaders.

### **Program Administration**

Participation in the Substance Abuse Program is required of every participant. Annually, each participant who enters the athletic program is provided with a copy of the University’s Department of Athletics Substance Abuse Program and required to sign a student waiver/consent form which stipulates that he/she has read and understands the University’s policy on substance abuse testing and agrees to participate in drug testing as required. If the participant is under the age of 18, his/her parent(s) or legal guardian(s) must also sign the form. Original signed copies of student waiver forms will be kept on file in the Department of Athletics. Failure to sign the waiver shall eliminate the participant from participation for the academic year. A copy of the student waiver/consent form may be found in Appendix A.

The Director of Athletics and his/her designee, in cooperation with the team physician and Sports Medicine staff, will administer the Substance Abuse Program for UW Oshkosh Department of Athletics.

### **Self-Referral**

Any participant who has a drug or alcohol problem is encouraged to seek help before punitive action is taken by the Department of Athletics (i.e., probation or suspension from the team). Any self-referral will be strictly confidential and no team or administration sanctions will be imposed upon the student-athlete who has made a personal decision to seek professional assistance, provided, however, such student-athlete may be referred to appropriate counseling services. There may be a time out from athletic participation if medically appropriate.

A number of qualified agencies are available to help those in need of counseling and/or rehabilitation. Any participant who thinks he/she may have a substance abuse problem is encouraged to voluntarily seek confidential assistance from resources available to students on campus. The University Student Health Services and the Counseling Center are located on campus and are available to the students with drug-related problems. However, anyone associated with the Department of Athletics may also seek the counsel of the Director of Athletics and his/her designee; his/her head coach, the team physician or the Sports Medicine Personnel. These people can offer counseling or referral for appropriate rehabilitative treatment.

### **Substance Abuse Education**

Participants who are educated about substance abuse are more likely to make informed and intelligent decisions about drug use. Educational materials (e.g., UW Oshkosh Substance Abuse Program policies, banned drug list) are distributed to participants. In addition, special educational programs may be arranged to provide participants the opportunity to learn about the dangers of substance abuse.

UW Oshkosh Department of Athletics will conduct a drug and alcohol education program. Participants, coaches, compliance officers, sports medicine personnel and the Director of Athletics or his/her designee will be expected to attend. This program will include a review of NCAA alcohol, tobacco and drug policies including the tobacco ban, list of banned drug classes and testing protocol and an opportunity to view the NCAA drug-education and drug-testing video. Nutritional supplements and their inherent risks will be discussed. Time will be allowed for questions from participants.

### **Prohibited Drugs**

The UW Oshkosh drug testing process may include analysis of, but is not limited to, the NCAA list of banned-drug classes. The NCAA list of banned-drugs, Bylaw 31.1.3, is included in Appendix B. For an ongoing, updated list of NCAA banned drug classes view the NCAA's web site at [http://www.ncaa.org/sports\\_sciences/drugtesting](http://www.ncaa.org/sports_sciences/drugtesting). Participants also are encouraged to contact The Dietary Supplement Resource Exchange Center (REC) at The National Center for Drug Free Sport for additional questions or

concerns regarding banned substances, including nutritional supplements. The Center's web site is <http://www.drugfreesport.com/rec> or toll free at 877/202-0769.

Participants may not illegally possess, distribute, manufacture, sell, or purchase any prohibited substance and may not use any prohibited substance unless under a physician's approved prescription.

UW Oshkosh Department of Athletics requires that all participants keep the Sports Medicine staff and/or team physician aware of all over the counter or prescribed drugs that he/she may be taking, including nutritional/dietary supplements. Furthermore, all participants must consult with the Sports Medicine staff and/or team physician before using any dietary or performance enhancing supplement. Participants are encouraged to contact the Dietary Supplement Resource Exchange Center (REC) for questions or concerns regarding supplements. The REC can be contacted via their web site at <http://www.drugfreesport.com/rec> (Password: NCAA3) or toll free at 877/202-0769. This website can be used to inquire confidentially about nutritional supplements.

### **Supplements**

UW-Oshkosh does not condone the use of supplements. Supplements do not undergo federal government approval and are not tested for quality like prescription and over-the-counter medications. The product claims made by supplement manufacturers have not been based on scientific research in many cases. Many supplements have not been subject to research by unbiased independent researchers in order to substantiate performance claims. The potential adverse and/or harmful effects of these substances have not been completely studied, but serious adverse effects have been reported in some instances. As there are minimal federal government labeling requirements for supplements, some products may contain NCAA and /or UW-Oshkosh banned substances, which are not listed on the label. **It is important for student-athletes to remember that they will be held responsible for each and every substance that enters the body!!**

### **Medical Exceptions**

UW-Oshkosh and the NCAA recognize that some medications may be banned substances, but are needed by student-athletes for certain medical conditions. Accordingly, both UW-Oshkosh and the NCAA will allow exception to be made for those student-athletes with a documented medical history demonstrating the need for regular use of such a drug. Exceptions may be granted for substances included in the following classes of banned drugs: stimulants, anabolic agents, beta blockers, diuretics and peptide hormones.

The student-athlete must inform the Head Athletic Trainer and/ or Licensed Athletic Training Staff member at UW-Oshkosh of all medications he/she is using that are on the list of banned drugs. In addition, each student-athlete that is utilizing a banned drug for medical conditions must have the following on file at the beginning of each academic school year from their physician who prescribed the drug. On official letterhead from the physician's office, the letter should state the name of the athlete, the drug name, medical

purpose of the drug and condition it is being used for, drug frequency and drug dosage. This letter must be signed by the medical doctor. These letters will then be filed in the appropriate student-athlete file for possible future drug testing use.

Medical exception documentation shall be requested by Drug Free Sport when they notify the institution of the positive result of the A specimen. When B specimen is confirmed positive, if documentation has been received and reviewed, a medical exception may be granted. If not, the student-athlete will be declared ineligible until such time documentation is received, reviewed and the exception granted. If the exception is not granted, the student-athlete may then request an appeal. NOTE: A MEDICAL EXCEPTION FOR THE USE OF ANABOLIC AGENTS AND PEPTIDE HORMONES MUST BE REQUESTED IN ADVANCE OF USE. Additional information regarding exceptions procedures can be found at [www.ncaa.org/health-safety](http://www.ncaa.org/health-safety).

### **Alcohol**

Alcohol is the most widely used and abused drug on college campuses. Alcohol use (ethanol) is incompatible with achieving optimal athletic performance. UW Oshkosh and Wisconsin law restricts the use of alcohol. Please refer to the *UW Oshkosh Student Handbook* for rules and regulations regarding the use and abuse of alcohol.

### **Selected Types of Testing**

#### **Unannounced Random Testing**

All participants are subject to unannounced random drug testing throughout the academic year. Participants will be selected for testing using a random number system. Little or no notice may be given for a forthcoming test.

#### **Reasonable Suspicion Testing**

A participant may be selected for testing due to suspicion of drug use by any staff member. Screening based on suspicion will be conducted by virtue of evidence obtained by relevant university officials, which supports the conclusion that there is reasonable suspicion that an individual has violated the substance abuse policy. The student-athlete who is suspected of use will be immediately escorted to the Director of Athletics.

#### **NCAA Championship Qualifier Testing**

Any participant qualifying for NCAA championship competition may be tested by the NCAA in any NCAA championship activity. Consequences of a positive test are determined by NCAA policy.

#### **Follow-up Testing**

A participant who has returned to participation in intercollegiate sports following a positive drug test under this policy may be subject to increased follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics or his/her designee in consultation with the counselor or specialist involved in the participant's case.

Urine samples will be collected and sent to an independent, SAMHSA or CLIA approved laboratory for analysis. Each sample will be tested to determine if banned substances are present. In the event of a positive drug test, the results will be made available to the Director of Athletics or his/her designee and the head coach.

### **Drug Testing Administration**

#### **Drug Testing Consent Form**

The Department of Athletics will administer the UW Oshkosh Substance Abuse Program with the cooperation of the Sports Medicine staff. A waiver/consent form must be signed by each participant (i.e., student-athlete, cheerleader, student-athletic manager, and student-athletic trainer) and placed on file in the Department of Athletics before he/she will be eligible to participate (practice/compete) in any athletic program at UW Oshkosh (see Appendix A). This waiver/consent form grants the Department of Athletics permission to collect urine samples for drug testing purposes. Failure to sign the waiver/consent form shall eliminate the participant from any athletics program for the academic year.

#### **Participant Drug-Testing Notification**

Participants will be verbally notified of and scheduled for testing by the designated institutional representative. If selected for testing based on reasonable suspicion, the Director of Athletics or his/her designee will meet with the participant and will provide the participant with written notification of such.

#### **Specimen Collection/Screening**

Screening for banned substances will be conducted through the use of a supervised urine specimen. There will be no intrusive testing through the use of blood samples. All tests will be evaluated at the NCAA threshold for each banned substance by an approved laboratory for analysis. After being shared with the student-athlete, all test results will remain confidential and secured by the Athletic Director. This information will be released only to those University staff and medical staff on a need to know basis (who include, but are not limited to, the Chancellor, Athletic Director, Team Medical Personnel, Certified Athletic Trainers, Head Coach(s), Dean of Students, and the University Health and Counseling Center). However, the occasion could arise when UW Oshkosh is required, or is asked, to cooperate with law enforcement agencies in legal action. Under appropriate circumstances, these requests will be honored.

#### **Chain of Custody**

The collector will deliver the shipping case(s) to the designated courier/carrier. The appointed laboratory will receive the shipping cases from the courier/carrier. If any specimen arrives at the laboratory with security seals not intact, UW-Oshkosh may collect another specimen, if testing is to continue for that athlete.

### **Laboratory Procedures and Reporting Results**

The laboratory will use a portion of the A sample for its initial analysis. The process will consist of sample preparation, instrument analysis and data interpretation. The laboratory director or designated certifying scientist will review all results showing a banned substance(s) and/or metabolite(s) in the A sample. A positive test reported by the laboratory does not automatically identify the participant as having engaged in prohibited drug or alcohol use. The team physician, serving as the Medical Review Officer (MRO) will review all results. If the laboratory reports a specimen as substituted or adulterated, the participant will be deemed to have refused to submit to testing and treated as if the test were positive for a banned substance.

Results will be made available to the Director of Athletics or his/her designee. The Director of Athletics or his/her designee will review the results and if there is a positive drug test, he/she will set up a meeting with the participant and the participant's head coach to discuss implication of the positive findings and the option of analyzing the B sample. The participant may present any evidence that he/she feels may be important to the outcome of the drug test. The Director of Athletics or his/her designee will then make the determination of the outcome of the drug test.

### **B Sample Analysis Request**

If the participant requests analysis of the B sample, the participant will be given the option to attend the opening of the B sample at the laboratory or allow the laboratory to assign a surrogate to represent the participant at the laboratory for the opening of the B sample. The participant will be responsible for the cost of analysis of the B sample and transportation to the laboratory. This decision must be made within 48 hours after the Director of Athletics or his/her designee meets with the participant and the participant's head coach to discuss the implications of positive findings and the option of analyzing the B sample. The student-athlete will be unable to practice or compete in athletics at UW-Oshkosh until B sample results have been reported and a final determination is made. B sample findings will be final and reported to the Director of Athletics or his/her designee. If requested, copies of the report from the laboratory that contain results from the A and B samples will be forwarded to the Director of Athletics.

### **Implications of an Institutional Drug Test**

Refusal to sign a consent form prohibits a participant from participating in any intercollegiate sport at UW-Oshkosh. If a participant fails to attend a drug test, without a valid excuse, UW-Oshkosh Department of Athletics will treat this failure to report as a positive drug test. The Director of Athletics or his/her designee will judge the merit of any excuses given by the participant for failing to attend.

Any participant who tests positive for a banned substance or who refuses to submit to a required drug test as described in this policy shall be subject to the following sanctions. The Department of Athletics will view anyone testing "positive" as having used the drug him or herself (e.g., passive inhalation cannot be used as an excuse for testing positive).

**First Positive Test (excluding alcohol)**

When a participant has a positive finding, the Director of Athletics or his/her designee will meet with the participant and the applicable head coach to discuss the implication of the positive finding. The participant will be required to comply with the following:

1. Counseling/Treatment Referral-The participant will be required to attend a drug counseling assessment session at the University Counseling Center. The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the participant, based on the circumstances of the case. If the University refers the participant to outside counseling, the participant will incur the cost. Failing to comply with the counselor's directions for treatment will be classified as a second offense.
2. Suspension from Participation-The participant will be immediately suspended from the practice and/or competition for up to one calendar year from the date of the contact meeting in any intercollegiate sports at UW-Oshkosh. The participant, Director of Athletics or his/her designee, and his/her head coach will discuss the consequences of further involvement with drugs. The participant will be suspended from practice and /or competition for a period of time determined by The Director of Athletics or his/her designee in consultation with the counselor or specialist involved in the participant's case.
3. Notification of Parents/Guardians-In the presence of the Director of Athletics or his/her designee and his/her head coach, the participant will call his/her parents or guardians and inform them of a positive test. At this time, the parents or guardians will be informed of the consequences if a second positive test.
4. Follow-up Random Testing-The participant will be placed on probation for the remainder of the academic year and subject to increased unannounced follow-up testing paid for by the student-athlete. The Director of Athletics or his/her designee in consultation with the counselor or specialist involved in the participant's case will determine testing frequency. Providing another positive test result on a follow-up drug test will be treated as a second positive test.



### **Second Positive Test (excluding alcohol)**

When a participant has a second positive finding, the Director of Athletics or his/her designee will meet with the participant and the applicable head coach to discuss the implication of the second positive finding. In their presence the participant will call his/her parents or guardians and inform them of a second positive test. The implication of a second positive test is permanent dismissal from the program.

### **REMEMBER: THE CONSEQUENCES OF TESTING POSITIVE FOR BANNED SUBSTANCES ARE CUMULATIVE THROUGHOUT YOUR ATHLETICS CAREER AT UW-OSHKOSH.**

**For Example:** A participant tests positive during his/her first semester of school and is therefore: (1) suspended from practice/competition, (2) placed on probation for the remainder of the academic year, (3) subject to unannounced follow-up testing. The participant provides negative tests for the next three years. Then, in the participant's final semester, he/she tests positive for a second time. Despite the lengthy interim between positive tests, the participant will be permanently dismissed from the program.

### **Implications for an Institutional Positive Alcohol Drug Test**

When a participant has a positive alcohol finding, the Director of Athletics or his/her designee will meet the participant and the applicable head coach to discuss the implications of the positive finding. The participant will be required to comply with the following:

#### **First Offense:**

1. Student-athlete will have a conference with Head Coach.
2. Student-athlete will be required to attend an alcohol education session with the campus Alcohol/Drug Counselor.
3. Student-athlete will be required to apologize to his/her team.
4. Student-athlete will perform five (5) hours of departmental service.

#### **Second Offense:**

1. Student-athlete will have a conference with Head Coach and Athletic Director.
2. Student-athlete will be required to attend an evaluation meeting with the campus Alcohol/Drug Counselor.
3. Student-athlete will be required to apologize to his/her team and the SAAC.
4. Student-athlete will perform ten (10) hours of departmental service.
5. Student-athlete will be suspended for 10% of team's regular season contests, which may include post season contest dates, and can carry over to the next season. If the student-athlete is a multi-sport participant the suspension will continue into the next sport. A student-athlete may not sign up for a sport for which they have not previously participated in order to fulfill their suspension. Contests will be defined by the NCAA for each individual sport. Attendance and participation at practice during the suspension period will be required.

**Third Offense:**

1. Student-athlete will have a conference with Head Coach and Athletic Director.
2. Student-athlete will be required to attend an evaluation meeting with the campus Alcohol/Drug Counselor.
3. Student-athlete will be required to apologize to his/her team and the SAAC.
4. Student-athlete will be suspended from all athletic competition for one (1) calendar year from date of the offense. Attendance and participation at practices during the suspension period will be required.

**Fourth Offense:**

1. Student- athlete will have a conference with Head Coach and Athletic Director.
2. Student-athlete will be required to attend an evaluation meeting with the campus Alcohol/Drug Counselor.
3. Student-athlete will be suspended from all further intercollegiate athletic participation at UW-Oshkosh.

**Participant Appeal**

A student-athlete may submit an appeal in writing to the Athletic Director. Thereafter, an Appeals Board will be assembled. The Appeals Board will consist of the following: Athletic Director, Head Athletic Trainer, Senior Women's Administrator, Two Head Coaches, Two members of the SAAC, one of the Faculty Athletic Representatives, and the Chair of the Intercollegiate Athletic Committee or their designated representative. The decision of the Appeals Board is final.

**Confidentiality**

Every effort will be made to maintain confidentiality within the Substance Abuse Program. The program has been designed for the protection of all our participants as well as others associated with the athletics program. It is not designed for law enforcement. UW-Oshkosh is not a governmental/law enforcement agency. However, the occasion could arise when UW-Oshkosh is required, or is asked, to cooperate with law enforcement agencies in legal action. Under appropriate circumstances, these requests will be honored.

**Additional Information**

If you have any questions regarding this program, please contact:

**Wade Peitersen**  
**Head Athletic Trainer**  
**UW-Oshkosh**  
**800 Algoma Blvd.**  
**Kolf Sports Center 169L**  
**Oshkosh, WI 54901**  
**Phone: 920-424-7138**  
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