

	Florida Gulf Coast University Policy Manual	Policy No.: 1.003 <i>FKA 1.21</i> Approved: 6/30/06
	Title Substance Abuse Testing Program	Responsible Executive: General Counsel Responsible Offices: General Counsel

I. POLICY STATEMENT

The Florida Gulf Coast University (FGCU) Athletics Department is committed to the physical and mental health and well-being of its student-athletes. The University recognizes that the use of certain drugs and substances, legal or illegal, is not in the best interests of the student-athlete or FGCU Athletics. In an effort to combat the use of illicit drugs and other substances, FGCU has implemented a comprehensive substance abuse education and testing program to promote healthy and responsible lifestyles for student-athletes.

II. REASON FOR POLICY

The purpose of the FGCU Department of Intercollegiate Athletics Substance Abuse Education and Testing Program is multifaceted. The program focuses on the following objectives:

- A. Deterring the use of drugs and alcohol;
- B. Identifying substance-abuse users;
- C. Providing rehabilitation and educational services;
- D. Promoting the role of FGCU student-athletes as representatives of the University and positive role models for the youth in the community; and
- E. Counseling student-athletes who do not adhere to the requirements of the program.

III. WHO SHOULD READ THIS POLICY

The following individuals or groups should read this policy:

- A. Student-Athletes
- B. All Staff in the Department of Intercollegiate Athletics

IV. DEFINITION OF TERMS

The definitions may be found in the appendix.

V. PROCEDURES

The procedures may be found in the appendix.

VI. HISTORY

On June 22, 2004, the first permanent policy on the subject matter was approved. In December 2003, the President approved an interim substance abuse policy and procedures.

VII. APPENDICES

The Florida Gulf Coast University Department of Intercollegiate Athletics Substance Abuse Education and Testing Program Policies and Procedures are included in an Appendix to this document.

APPROVED:	s/ William C. Merwin *	June 30, 2006
	President	Date

** Note: This policy reflects changes to the formatting only. No changes have been made to the text.*

FLORIDA GULF COAST UNIVERSITY
Department of Intercollegiate Athletics
Substance Abuse Testing Policies and Procedures

The Florida Gulf Coast University (FGCU) Department of Intercollegiate Athletics is committed to the physical and mental health and well being of its “student-athletes” (hereinafter defined). The University recognizes that the use of certain drugs and substances, legal or illegal, is not in the best interests of the student-athlete or FGCU Intercollegiate Athletics. In an effort to combat the use of illicit drugs and other substances, FGCU has implemented a comprehensive substance abuse education and testing program to promote healthy and responsible lifestyles for student-athletes. This policy is separate from the National Collegiate Athletic Association (NCAA) drug-testing program and carries with it separate sanctions to be imposed by Florida Gulf Coast University and the Florida Gulf Coast University Department of Intercollegiate Athletics.

Purpose:

The purpose of the FGCU Substance Abuse Education and Testing Program is multifaceted. The program focuses on the following objectives:

1. Deterring the use of drugs and alcohol;
2. Identifying substance-abuse users;
3. Providing rehabilitation and educational services;
4. Promoting the role of FGCU student-athletes as representatives of the University and positive role models for the youth in the community; and
5. Counseling student-athletes who do not adhere to the requirements of the program.

Program Compliance/Eligibility:

Participation in FGCU Intercollegiate Athletics is a privilege, not a right. To become and remain a participant in FGCU Intercollegiate Athletics, a student-athlete must comply with the terms of this program that encompasses drug education, screening, and counseling. By signing FGCU’s ***Substance Abuse Testing Consent Form***, the student-athlete agrees to submit to any and all tests ordered by FGCU Intercollegiate Athletics in order to detect unauthorized drug and/or substance use. Completion of this document is required of all student-athletes as a part of their pre-participation physical examination.

What is Being Tested For/Banned Substances:

The Florida Gulf Coast University Athletics Department utilizes the most current NCAA List of Banned Drug Classes (***NCAA Bylaw 31.2.3.1***), hereinafter collectively referred to as “banned substances”) for its substance abuse testing program. The list consists of substances generally believed to be performance enhancing and/or potentially harmful to the health and safety of the student-athlete. The drug classes specifically include stimulants (such as amphetamines, ecstasy, and cocaine); hallucinogenics (such as LSD); anabolic/androgenic steroids (such as Anvar and

Dianabol); diuretics; masking agents; and marijuana, as well as other drugs not prescribed for the student-athlete. This list may be obtained through:

- a) A member of the FGCU Sports Medicine Department;
- b) A member of the FGCU Athletics Compliance Office; or
- c) The NCAA Sports Sciences Internet site (www.ncaa.org/sports_sciences/drugtesting).

No substance belonging to the prohibited class(es) may be used, regardless of whether it is specifically listed as an example.

Note: Florida Gulf Coast University reserves the right in its sole and absolute discretion to test for substances that are not listed on the NCAA Banned Substance List and may test any substance at detection levels, which differ from those, listed on the NCAA Banned Substance List.

DRUG TESTING PROCEDURE

Random and Individual Testing Selection/Frequency:

All FGCU student-athletes, cheerleaders, student coaches, student managers, and student athletic trainers (above and hereinafter referred to collectively as “student-athletes”) are subject to drug testing. Selection for the drug testing will occur randomly, by social security number, throughout a student-athlete’s association with the FGCU Intercollegiate Athletic Department. The Director of Intercollegiate Athletics, and/or his/her designee will determine the date, time, and site for testing. FGCU will conduct random drug testing a minimum of one (1) time every six (6) weeks, up to a maximum of once every twenty-four hours. **All student-athletes are eligible for each test.** Therefore, someone may be tested more than once per year.

“Reasonable Suspicion” Testing:

In addition to random drug testing, the Florida Gulf Coast University Director of Intercollegiate Athletics or designee shall screen a student-athlete anytime there is reasonable suspicion that he/she may be engaged in the use of banned substances. The term “reasonable suspicion” means that the FGCU Director of Intercollegiate Athletics is in possession of the information giving rise to particularized and objective belief, supported by specific and articulable facts, for suspecting a student-athlete’s use of banned substances. Furthermore, a student-athlete’s possession or use of a prohibited substance, arrest or conviction related to the possession of, use or trafficking of banned substances, and/or abnormal conduct interpretable as being caused by the use of banned substances, all rise to the level of reasonable suspicion.

TEAM TESTING:

A team may be tested without notice.

Notification Process:

- 1) Upon selection for testing, student-athletes will be notified prior to testing by the FGCU Director of Intercollegiate Athletics and/or his/her designee, the student-athlete's coach, or a member of the FGCU Athletics administration.
 - a. Personnel will call all available phone numbers; attend the student-athlete's classes, etc., in an effort to notify the student-athlete.
 - b. Personnel WILL NOT leave a phone message on the student-athlete's voice mail or with anyone answering the phone other than the student-athlete.
- 2) Notification will take place no more than twelve (12) hours before the scheduled test.
- 3) Upon notification, the student-athlete will be asked to read and sign an *FGCU Substance Abuse Testing Notification Form*, notifying him/her of the date, time, and site of the testing, as well as any other special instructions pertinent to the test.
 - a. The student-athlete will be instructed to immediately report to the test site with a valid picture ID.
 - b. The student-athlete will not be allowed to practice or otherwise participate in team activities until he/she has reported to the testing site and supplied a viable sample.
- 4) It is the Test Site Coordinator's responsibility to notify the Director of Intercollegiate Athletics and/or his/her designee of those individuals who do not report for their test within the scheduled time periods.
- 5) If a student-athlete does not report at the scheduled time for his/her test upon proper notice, he/she will be sanctioned appropriately for his/her action. A "no show" will be interpreted as a positive test result, and the student-athlete may be subject to penalties and sanctions at the discretion of the Director of Intercollegiate Athletics.

Collection Procedures:

Substance abuse testing will be done by urinalysis, and every possible step will be taken to ensure and maintain the confidentiality of the test results and to ensure the identity and integrity of the sample throughout the collection and testing process.

- 1) Only those persons authorized by the FGCU Director of Intercollegiate Athletics and/or his/her designee and/or the Test Site Coordinator will be allowed in the specimen collection and processing area.
- 2) The FGCU Director of Intercollegiate Athletics and/or his/her designee and/or the Test Site Coordinator may release a sick or injured student-athlete from the

- collection area or may release a student-athlete to return to meet academic obligations only after appropriate arrangements for having the student-athlete tested have been made and documented on the FGCU Substance Abuse Testing Notification Form.
- 3) Upon entering the collection station, the student-athlete will show his/her picture ID and will be identified by the Test Site Coordinator and/or his/her designee. The student-athlete will record the time of arrival and print his/her name on the *FGCU Substance Abuse Testing Roster Form*.
 - 4) When ready to urinate, the student-athlete will be asked to remove any unnecessary outer clothing, and to leave outside the collection station his/her briefcase, purse, book bag, and/or other personal belongings that he/she may be carrying.
 - 5) The student-athlete will select a sealed collection container from a supply of such, will unwrap the container in the presence of a member of the substance abuse testing crew, and will record his/her initials on the beaker's lid.
 - 6) A crewmember will accompany the student-athlete to the restroom, and will monitor the furnishing of the specimen by observation in order to assure the integrity of the specimen. (Any manipulation and/or adulteration of a specimen by the student-athlete may result in sanctions similar or identical to those imposed for a positive test).
 - a. A minimum specimen of at **least 60 ml** is required.
 - b. If a student-athlete has difficulty voiding, he/she may drink fluids and/or eat foods approved by the Test Site Coordinator. Such fluids and food items must be caffeine-free, alcohol-free and free of any other banned substances.
 - c. If the specimen is incomplete, the student-athlete must remain in the collection station with the sample until the sample is complete. During this period, the student-athlete is responsible for keeping the collection beaker controlled and visible at all times.
 - d. If the specimen is incomplete and the student-athlete must leave the collection station for a reason approved by the Test Site Coordinator, the specimen must be discarded. Upon return to the collection station, the student-athlete will be required to begin the collection procedure again.
 - 7) Once the specimen (at least 60 ml) has been provided, the student-athlete is responsible for keeping the collection beaker controlled and visible at all times.
 - 8) The collector, in the presence of the student-athlete, will immediately assure that the collection specimen is in the acceptable temperature range. (90-100 degrees)
 - 9) The student-athlete will witness the collector process the sample by dividing the sample into a sealed "A" vial and "B" vial and then witness the placing of the sealed specimens in a sealed shipping case for express shipment to a testing laboratory.
 - 10) The student-athlete, the collector, and a witness (if present) will sign the Chain of Custody and Control Form and the Student-Athlete Notification Form, certifying that the procedures were followed as described in the protocol.
 - 11) Any deviation from the procedures outlined must be described and recorded on the Chain of Custody and Control Form and the Student-Athlete Notification

- Form at that time. If deviations are alleged and proven, the student-athlete may be required to provide another specimen.
- 12) The student-athlete will then sign-out on the Testing Roster, collect his/her belongings, and immediately vacate the collection area.
 - 13) After the collection has been completed, the specimens will be forwarded to the designated laboratory.
 - 14) The specimens are the property of the Florida Gulf Coast University Department of Intercollegiate Athletics
 - 15) Failure to sign the FGCU Substance Abuse Testing Notification Form; the FGCU Substance Abuse Testing Roster Form; arrive at the collection station at the designated time without justification, or provide a urine specimen according to the aforementioned protocol is cause for the same action(s) as evidence of use of a banned substance. The Test Site Coordinator will inform the student-athlete of these implications (in the presence of witnesses) and will record such on the Substance Abuse Testing Notification Form.

Self Referral:

- 1) Any student-athlete may refer himself/herself for evaluation or counseling by contacting a member of the coaching staff, FGCU Sports Medicine Department, and/or an Athletics Department administrator.
 - o *A student-athlete may not initiate self-referral after he/she has been informed of their participation in an impending drug test.*
- 2) This self-referral will be held strictly confidential and no team and/or administrative sanctions will be imposed upon the student-athlete who has made a personal decision to seek professional assistance.
- 3) A treatment plan will be put into place and the student-athlete will not be sanctioned for entry.
- 4) A student-athlete testing positive (during random and/or reasonable suspicion testing) **after entering this program** will be subject to the applicable sanctions.

Notification of Results:

- 1) The designated laboratory will use a portion of the specimen (“specimen A”) for its initial analysis, consisting of sample preparation, instrument analysis, and data interpretation.
 - o If the initial analysis of the specimen shows the presence of a banned substance and/or a masking device, the designated laboratory will immediately arrange for an analysis of the remainder of the specimen.
 - o After a positive finding of banned substances in the “A” specimen, the “B” specimen will be frozen and kept in a secure location by the testing laboratory in case a re-test is requested. Upon the request by the FGCU Director of Athletics, preparation and analysis of “specimen B” will be conducted by a laboratory staff member different than the laboratory staff member who prepared and analyzed the student-athlete’s “specimen A”. The designated laboratory reserves the right to send “specimen B” to another certified laboratory for preparation, analysis, and interpretation.
 - o Analysis and interpretation of “specimen B” will be final.

- 2) Upon verification of "specimen A", the designated laboratory / Medical Review Officer (MRO) will notify the Director of Athletics and/or his/her designee of the test results.
- 3) Upon notification of a positive test result, the Director of Intercollegiate Athletics and/or his/her designee will verbally notify the student-athlete, the student-athlete's head coach, the Head Athletic Trainer and/or his/her designee, a representative of the office of Counseling and Psychological Services, the team physicians (if necessary), the Dean of Students, and the Assistant Director for Judicial Affairs.
- 4) The student-athlete will also be notified in writing within forty-eight hours, with carbon copies being sent to the Head Athletic Trainer and/or his/her designee, the student-athlete's head coach, a representative of the office of Counseling and Psychological Services, the team physician (if necessary), the Dean of Students, and the Assistant Director for Judicial Affairs.

Sanctions for Positive Test Results:

There are three ways in which a student-athlete can test positive under this program:

- 1) Any **legal conviction** of a student-athlete for underage possession of alcohol, driving under the influence, public intoxication, and/or the purchase or possession of banned substances;
- 2) Any **on-campus violation** of a student-athlete for violating the Florida Gulf Coast University Student Code of Conduct as it relates to controlled substances or alcohol. The FGCU Athletics Department has requested that the University notify the Director of Intercollegiate Athletics of any such infractions; and
- 3) The **presence of one or more of the banned substances** in the student-athlete's urine.

A positive test result does not include any such banned substance detection that is the result of a medical treatment prescribed and documented by an FGCU team physician or other qualified attending physician.

FGCU Student Code of Conduct: The Director of Athletics shall refer any positive test result to the Division of Student Affairs, Office of the Dean. Disciplinary action may include penalties up to and including suspension or expulsion from the University. A student-athlete who tests positive under the program is subject to any applicable provisions and sanctions of the Florida Gulf Coast University Student Code of Conduct. A copy of this Code may be obtained from the Division of Student Affairs, Office of the Dean and the University's web page at <http://studentservices.fgcu.edu/JudicialAffairs>.

Sanctions Imposed by the Department of Athletics: In addition to any sanctions imposed in the student judicial process, a student-athlete who tests positive under the program is subject to the below sanctions by the Department of Athletics.

FIRST POSITIVE TEST

- 1) The student-athlete will be required to have a confidential meeting with the Director of Intercollegiate Athletics and/or his/her designee, the head coach, and the Head Athletic Trainer and/or his/her designee within one (1) week of the positive test notification. The student-athlete has the option to request that one person of his/her choosing accompany him/her to this meeting.
- 2) The student-athlete will be referred to the office of Counseling and Psychological Services (CAPS) for evaluation, education, and mandatory counseling sessions. *This may result in referral outside of CAPS for evaluation, education, and/or counseling.*
 - a. The student-athlete will be required to sign a waiver to release information regarding his/her attendance for the mandatory counseling services.
 - b. The substance abuse counselor will determine the appropriate duration of counseling required.
 - c. The student-athlete will be responsible for any out of pocket expenses resulting from participation in evaluation, education, or counseling programs.
- 3) The student-athlete will be required to contact his/her parent or guardian in the presence of the Director of Intercollegiate Athletics and/or his/her designee and the student-athlete's head coach.
- 4) The student-athlete will be tested randomly at the discretion of the Director of Intercollegiate Athletics and/or his/her designee for one (1) calendar year after the date of the first positive test.
- 5) An unexcused absence from, and/or failure or refusal to participate in the conditions set forth herein and those provided by the office of Counseling and Psychological Services will be treated as a second positive test result.
- 6) The Director of Intercollegiate Athletics or the student-athlete's head coach has the option to impose additional sanctions, including, but not limited to, indefinite suspension, revoking team privileges, travel, and/or termination of some or all Athletics financial aid.

SECOND POSITIVE TEST

- 1) The student-athlete will be required to have a confidential meeting with the Director of Intercollegiate Athletics and/or his/her designee, the head coach, and the Head Athletic Trainer and/or his/her designee within one (1) week of the positive test notification. The student-athlete has the option to request that one person of his/her choosing accompany him/her to this meeting.
- 2) The student-athlete will be suspended from all team activities for a minimum of thirty (30) calendar days from the date of his/her notification of a second positive test result.
 - a. All team activities include team meetings, strength and conditioning sessions, individual workouts, practices, and competition.

- b. The student-athlete must be re-tested, with a negative result, prior to returning to the team.
 - c. The Director of Intercollegiate Athletics or the student-athlete's head coach has the option to impose additional sanctions, including, but not limited to, indefinite suspension, revoking team privileges, travel, and/or termination of some or all Athletics financial aid.
- 3) The student-athlete will be referred to the Office of Counseling and Psychological Services for evaluation, education, and mandatory counseling sessions. *This may result in referral outside of CAPS for evaluation, education, and/or counseling.*
- a. The student-athlete will be required to sign a waiver to release information regarding his/her attendance the mandatory counseling services.
 - b. The substance abuse counselor will determine the appropriate duration of counseling required.
 - c. The student-athlete will be responsible for any out of pocket expenses resulting from participation in evaluation, education, or counseling programs.
- 4) The student-athlete will be required to contact his/her parent or guardian in the presence of the Director of Intercollegiate Athletics and/or his/her designee and the student-athlete's head coach.
- 5) The student-athlete will be tested randomly at the discretion of the Director of Intercollegiate Athletics and/or his/her designee for one (1) calendar year after the date of the first positive test.
- 6) An unexcused absence from, and/or failure or refusal to participate in the conditions set forth herein and those provided by the office of Counseling and Psychological Services will be treated as a third positive test result.

THIRD POSITIVE TEST

Upon a third positive test result, the student-athlete will be dismissed from the FGCU Intercollegiate Athletics Program indefinitely. All existing athletics financial aid will be terminated immediately.

Penalty for Sale/Distribution of Illegal Drugs:

- Any student-athlete who engages in the sale, or distribution of illegal drugs will immediately be dismissed from the FGCU Intercollegiate Athletics program. Any existing athletics financial aid will be terminated.

Appeals Process:

- A student-athlete may file an appeal related to the outcome of a drug test in writing within five (5) business days of the student's receipt of the notification of a positive drug test from the FGCU Director of Intercollegiate Athletics.
- The appeal may include only new information not previously available, which might have changed the factual findings or the sanction(s). The burden of proof rests with the student to provide a signed prescription from a medical doctor, in

the doctor's name, for any medication that would have caused their urine sample to test positive for a banned substance, and/or any new information that any legal conviction or on-campus violation was unfounded or was made in error.

- The decision whether to grant an Appeal Hearing is in the discretion of the FGCU Director of Intercollegiate Athletics. If the Director of Intercollegiate Athletics believes that a basis for the appeal exists, the Director of Intercollegiate Athletics shall appoint a three-person panel to hear the appeal and schedule a hearing within ten (10) business days of receiving the written request for appeal. The Chair of the panel shall be an employee of the University and shall function in the capacity of Hearing Officer. At least one member of the panel shall be an FGCU student.
- The student-athlete may bring one person of his/her choosing to the Appeal Hearing to function as an advisor to the student.
- The Panel shall make findings of fact as to the matters raised by the student-athlete in the appeal and forward the findings to the Director of Intercollegiate Athletics.
- The FGCU Director of Intercollegiate Athletics shall review the findings and shall notify the student-athlete as to whether the appeal is granted or denied. The decision of the Director of Intercollegiate Athletics is final.

Student-athletes will not be allowed to participate in any team activities during the appeal process.

Confidentiality:

All members of the FGCU Intercollegiate Athletics Department are expected to respect a student-athlete's right to privacy. It is essential that anything seen, heard, read, and/or otherwise obtained remain confidential by all parties involved. It is illegal for any personnel to gain access to patient information, through any and all means, unless the information is needed in order to treat the patient, or because their job would require such access.

All FGCU Intercollegiate Athletics Department personnel are expected to adhere to the Confidentiality Policy at all times. Violation of the policy may incur disciplinary action at the discretion of the Director of Intercollegiate Athletics.

**Florida Gulf Coast University
Department of Athletics
Banned Drug Classes**

{Adopted from NCAA Bylaw 31.2.3.1}

(A) Stimulants:

Amiphenazole	Dimethylamphetamine	Methylphenidate
Amphetamine	Doxapram	Nikethamide
Bemigrade	Ephedrine	Pemoline
Benzphetamine	Ethamivan	Pentetrazol
Bromantan	Ethylamphetamine	Phendimetrazine
Caffeine ¹	Fencamfamine	Phenmetrazine
Chlorphentermine	Meclofenoxate	Phentermine
Cocaine	Methamphetamine	Picrotoxine
Cropropamide	Methylene-	Pipradol
Crothetamide	Dioxymethamphetamine	Prolintane
Diethylpropion	(MDMA (ecstasy))	Strychnine
		And related compounds

(B) Anabolic Agents

Anabolic steroids	Dihydrotestosterone (DHT)	Norandrostedione
Androstenediol	Dromostanolone	Dorethandrolone
Androstenedione	Fluoxymesterone	Oxandrolone
Boldenone	Mesterolone	Oxymesterone
Clostebol	Methandienone	Oxymetholone
Dehydrochlormethyl-	Methenolone	Stanozolol
Testosterone	Methyltestosterone	Testosterone ²
Dehydroepiandrosterone	Nandrolone	And related compounds
(DHEA)	Norandrostediol	
		Other anabolic agents:
		Clenbuterol

(C) Substances Banned for Specific Sports:

Rifle:		
Alcohol	Nadolol	Timolol
Atenolol	Pindolol	And related compounds
Metoprolol	Propranolol	

(D) Diuretics:

Acetazolamide	Flumethiazide	Spironolactone
Bendroflumethiazide	Furosemide	Triamterene
Benzthiazide	Hydrochlorothiazide	Trichlormethiazide
Bumetanide	Hydroflumethiazide	And related compounds
Chlorothiazide	Methyclothiazide	
Chlorthalidone	Metolazone	
Ethacrynic acid	Polythiazide	
	Quinethazone	

(E) Street Drugs:

Heroin

Marijuana³

THC
(Tetrahydrocannabinol)³

(F) Peptide Hormones and Analogues:

Chorionic gonadotrophin (HCG- human chorionic gonadotrophin)
Corticotrophin (ACTH)
Growth hormone (HGH, somatotrophin)

All the respective releasing factors of the above-mentioned substances also are banned:

Erythropoietin (EPO)

sermorelin

(G) Definitions of positive depends on the following:

¹ for caffeine - if the concentration in urine exceeds 15 micrograms/ml.

² for testosterone - if the administration of testosterone or the use of any other manipulation has the result of increasing the ratio of the total concentration of testosterone to that of epitestosterone in the urine to greater than 6:1, unless there is evidence that this ratio is due to a physiological or pathological condition.

Florida Gulf Coast University
Department of Athletics
NCAA Drug Testing Program

Each year, student-athletes will sign a drug-testing consent form demonstrating their understanding of the NCAA drug-testing program and their willingness to participate. Their consent statement is required by the NCAA of all student-athletes before participation in intercollegiate competition during the year in question. Failure to complete and sign the statement annually shall result in the student-athletes' ineligibility for participation in all intercollegiate competition.

By signing the NCAA drug testing consent form, the student-athlete agrees to allow the NCAA to test the student-athlete in relation to any participation by the student-athlete in any NCAA championship or in any post-season football game certified by the NCAA for the banned substances listed in NCAA Bylaw 31.2.3.1. Additionally, for student-athletes who participate in Division II intercollegiate athletics, the NCAA on a year-round basis may drug test the student-athlete for the substances banned by the NCAA. A list of substances banned by the NCAA can be found at:

www1.ncaa.org/membership/ed_outreach/health-safety/drug_testing/index.html.

A student-athlete who tests positive, consistent with the NCAA drug testing protocol, shall be charged with **the loss of a minimum of one season of competition in all sports** if the season of competition has not yet begun for that student-athlete. A student-athlete who tests positive **during a season of competition** will be **ineligible** to participate in regular season and post-season competition during the time period ending one calendar year after the positive drug test.

If a student-athlete tests positive for a second time for the use of any banned substance, other than a "street drug" as defined in NCAA Bylaw 31.2.3.1, the student-athlete loses all remaining regular season and post-season eligibility in all sports.

Per NCAA Bylaw 18.4.1.5.1, if a student-athlete tests positive for the use of a "street drug" after being restored to eligibility, he/she shall be charged with the loss of one additional season of competition in all sports and also shall remain ineligible for regular season and post season competition at least through the next calendar year.

A policy adopted by the NCAA Executive Committee establishes that the penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a banned substance.

Per NCAA Bylaw 18.4.1.5.1, a student-athlete will remain ineligible until the student-athlete retests negative and the NCAA Eligibility Committee restores the student-athlete's eligibility.

The Director of Intercollegiate Athletics, Compliance Officer, and/or the Sports Medicine Staff will disseminate the list of banned substance classes to all student-athletes and educate them about products that might contain banned substances. All student-

athletes will be notified if the list changes during the academic year. Updates can be found on the NCAA Web site (www.ncaa.org).

Policy Statement on the Use of Illicit ("Street") Drugs:

It is the policy of Florida Gulf Coast University to provide for a drug free workplace and learning environment for students and employees. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on property owned or leased by Florida Gulf Coast University or in conjunction with a University-sponsored activity is prohibited. Violations will result in disciplinary action, possible criminal prosecution, and referral to an appropriate detoxification and counseling group.

It is to be noted that Florida Gulf Coast University does not condone the use of illicit "street" drugs in any form, including, but not limited to: marijuana, cocaine, "crack", barbiturates, LSD, amphetamines, PCP, heroin, hashish, mescaline, DMT, mushrooms, ecstasy, and inhalants. Research has shown that the use of illicit "street" drugs in any form is addictive, and can lead to: cardiac arrhythmias, impaired physical abilities, impaired judgment, mood alterations, hallucinations, circulatory problems, and possibly death. Florida Gulf Coast University, its agents, officers, and employees disclaim liability and will not be held liable for any detrimental and possibly permanent defects caused by past, present, and/or future use of illicit ("street") drugs in any form.

By signing FGCU's ***Substance Abuse Testing Consent Form***, the student-athlete:

1. Acknowledges the aforementioned policies and statements with regard to the use and/or abuse of illicit ("street") drugs, and fully accepts the detrimental and possibly permanent defects caused by the use of illicit ("street") drugs;
2. Fully accepts that they have been made aware of the Florida Gulf Coast University and the National Collegiate Athletic Association (NCAA) policies with regard to the use of illicit ("street") drugs;
3. Accepts any and all liability if they have in the past used and/or abused, continue to use and/or abuse, or use and/or abuse at anytime in the future, illicit ("street") drugs in any form; and
4. Releases the Florida Gulf Coast University Board of Trustees, its officers, employees and agents of any and all responsibility and liability.

Policy Statement on the Use of Alcohol:

It is the policy of Florida Gulf Coast University to provide for a drug and alcohol free workplace and learning environment for students and employees. All student-athletes must abide by the State of Florida criminal laws regarding alcohol use and possession. The illegal or irresponsible use of alcohol is against the University's drug and alcohol policy. The consumption of alcohol by student-athletes, or being under the influence of alcohol, is prohibited at any FGCU Athletics Department sanctioned activity, including but not limited to practices and competitions, strength and conditioning sessions, meetings and film sessions, traveling to or from a site of practice or competition, and participating in FGCU sanctioned camp / clinic activities, among others. If a student-athlete is involved in an alcohol related violation that does not carry legal implications,

sanctions will be at the discretion of the head coach, Director of Athletics and/or other University administrator. If a student-athlete is involved in an alcohol violation that does carry legal implications, sanctions will be consistent with a violation of the FGCU Athletics Department's Substance Abuse Policy.

It is to be noted that Florida Gulf Coast University does not condone the use and/or abuse of alcohol in any form, nor does it condone operating a motor vehicle while under the influence of alcohol. Research has shown the alcohol acts as a central nervous system depressant and a diuretic. Research has also shown that alcohol can lead to dehydration, decreased motor awareness, and kidney and liver dysfunction. Florida Gulf Coast University, its agents, officers, and employees disclaim liability and will not be held liable for any detrimental and possibly permanent defects caused by past, present, and/or future use and/or abuse of alcohol in any form.

By signing FGCU's **Substance Abuse Testing Consent Form**, the student-athlete:

1. Acknowledges the aforementioned policies and statements with regards to the use of alcohol products and fully accepts the detrimental and possibly permanent defects caused by the use and/or abuse of alcohol in any form;
2. Fully accepts that they have been made aware of the Florida Gulf Coast University and the National Collegiate Athletic Association (NCAA) policies with regard to the use of alcohol;
3. Accepts any and all liability if they have in the past used and/or abused, continue to use and/or abuse, and/or use or abuse at anytime in the future, alcohol in any form; and
4. Releases the Florida Gulf Coast University Board of Trustees, its officers, employees and agents of any and all responsibility and liability.

Policy Statement on the Use of Anabolic / Androgenic Steroids:

It is to be noted that neither Florida Gulf Coast University does not accept or condone the use of anabolic/androgenic steroids. The student-athlete will be made aware of the Florida Gulf Coast University and the National Collegiate Athletic Association (NCAA) policies with regard to steroid use, as well as the detrimental and possibly permanent defects caused by the use of steroids. Furthermore, it is to be acknowledged that steroid use can cause injury as well as aggravation or delayed healing of a present injury. Florida Gulf Coast University, its agents, officers, and employees disclaim liability and will not be held liable for any detrimental and possibly permanent defects caused by past, present, and/or future use of anabolic/androgenic steroids by student-athletes.

By signing FGCU's **Substance Abuse Testing Consent Form**, the student-athlete:

1. Acknowledges the aforementioned policies and statements with regard to the use of anabolic /androgenic steroids and fully accepts the detrimental and possibly permanent defects caused by the use of anabolic/androgenic steroids in any form;

2. Fully accepts that they have been made aware of the Florida Gulf Coast University and the National Collegiate Athletic Association (NCAA) policies with regards to the use of anabolic/ androgenic steroids;
3. Accepts any and all liability if they have in the past used, continue to use, or use at anytime in the future, anabolic/androgenic steroids; and.
4. Releases the Florida Gulf Coast University Board of Trustees, its officers, employees and agents of any and all responsibility and liability.

Policy Statement on the Use of Supplements/Ergogenic Aids:

It is to be noted that Florida Gulf Coast University does not condone the use of supplements, ergogenic aids, creatine powder, amino acids, etc. Supplements and other ergogenic aids do not undergo the same quality control, as do prescription and over-the-counter medications. These are considered food supplements and do not require the same strict control as medications. The product claims that are made have not been based on scientific evidence in most cases, and many of these substances have had no research performed to substantiate their claims. The potential adverse and/or harmful effects of these substances have not been studied, but serious adverse effects have been reported in some instances. These substances are sometimes mislabeled. There have been instances of substances not listed on the label being contained in the product. It is truly a "*BUYER BEWARE*" market. It is important for student-athletes to remember that **THEY WILL BE HELD RESPONSIBLE FOR EACH AND EVERY SUBSTANCE THAT ENTERS THE BODY.**

Florida Gulf Coast University, its agents, servants, trustees, and employees disclaim liability and will not be held liable for any detrimental and possibly permanent defects caused by past, present, and/or future use of ergogenic aids and/or nutritional supplements in any form by student-athletes.

By signing FGCU's ***Substance Abuse Testing Consent Form***, the student-athlete:

1. Acknowledges that he/she understands that they are to list all supplements and ergogenic aids on the Chain of Custody Forms at the time of any drug test;
2. Acknowledges the aforementioned policies and statements, and fully accepts the detrimental and possibly permanent defects caused by the use of supplements/ergogenic aids;
3. Fully accepts that he/she has been made aware of the Florida Gulf Coast University and the National Collegiate Athletic Association (NCAA) policies with regard to the use of supplements/ergogenic aids;
4. Accepts any and all liability if they have in the past used, continue to use, or use at anytime in the future, supplements / ergogenic aids in any form; and
5. Releases the Florida Gulf Coast University Board of Trustees, its officers, employees and agents of any and all responsibility and liability.

Policy Statement on the Use of Diuretics:

Some student-athletes have used diuretics or "water pills" in the past to lose weight so that an assigned weight might be reached. The use of diuretics or "water pills" for weight loss is not considered medically safe, and is not permissible under National

Collegiate Athletic Association and (NCAA) Drug Testing Guidelines. Florida Gulf Coast University, its agents, officers, and employees disclaim liability and will not be held liable for any detrimental and possibly permanent defects caused by past, present, and/or future use of diuretics in any form.

By signing FGCU's **Substance Abuse Testing Consent Form**, the student-athlete:

1. Acknowledges the aforementioned policies and statements with regard to the use and/or abuse of diuretics, and fully accepts the detrimental and possibly permanent defects caused by the use of diuretics;
2. Fully accepts that they have been made aware of the Florida Gulf Coast University and National Collegiate Athletic Association (NCAA) policies with regard to the use of diuretics;
3. Accepts any and all liability if they have in the past used and/or abused, continue to use and/or abuse, or use and/or abuse at anytime in the future, diuretics in any form; and
4. Releases the Florida Gulf Coast University Board of Trustees, its officers, employees and agents of any and all responsibility and liability.

Policy Statement on the Use of Tobacco Products:

It is to be noted that Florida Gulf Coast University does not condone the use of tobacco in any form, including smoking and smokeless tobacco (i.e. "dipping", "chewing", etc.). Research has shown that the use of tobacco can lead to lung cancer, oral cancer, leukoplakia, emphysema, heart disease, heart attacks, etc. Florida Gulf Coast University, its agents, officers, and employees disclaim liability and will not be held liable for any detrimental and possibly permanent defects caused by past, present, and/or future use of tobacco products of any kind.

In accordance with NCAA Bylaw 11.1.7, FGCU prohibits the use of tobacco products in and around all practice, competition, sports medicine, strength and conditioning sessions, meeting, film, locker room, and travel areas. The FGCU Department of Intercollegiate Athletics reserves the privilege to exercise any of the following options on a student-athlete found using and/or in possession of any tobacco products in and around team activities:

1. Verbal warning;
2. Suspension from activity for that day;
3. Suspension from a number of events;
4. Suspension for entire season;
5. Reduction or elimination of scholarship; or
6. Release from membership on the team.

By signing FGCU's **Substance Abuse Testing Consent Form**, the student-athlete:

1. Acknowledges the aforementioned policies and statements with regard to the use of tobacco products and fully accepts the detrimental and possibly permanent defects caused by the use of tobacco products in any form;

2. Fully accepts that they have been made aware of the Florida Gulf Coast University and the National Collegiate Athletic Association (NCAA) policies with regard to the use of tobacco products;
3. Accepts any and all liability if they have in the past used, continue to use, or use at anytime in the future, tobacco in any form; and
4. Releases the Florida Gulf Coast University Board of Trustees, its officers, employees and agents of any and all responsibility and liability.

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