

STUDENT-ATHLETE DRUG EDUCATION & TESTING PROGRAM

PURPOSE

Georgian Court University Athletics is committed to developing and maintaining an environment that encourages students participating in intercollegiate athletic competition to avoid the abuse of alcohol and the unauthorized use of controlled substances as well as performance enhancing drugs, including dietary supplements. A comprehensive education program, in combination with reliable testing of student-athletes, will function as a deterrent to substance abuse. The education program is designed to promote and support a healthy lifestyle for student-athletes.

Studies have shown that education alone is not a sufficient deterrent to drug use and abuse. An accurate and reliable drug-screening program will identify users and abusers of banned substances and performance enhancing drugs, including dietary supplements. It is the Athletic Department's expectation that this program will encourage student-athletes to make positive choices regarding their future conduct. Cannabinoids (i.e., marijuana, Tetrahydrocannabinol (THC), cannabis and its derivatives) remain a banned substance, despite legislative approval by the State of New Jersey for recreational and medical use. Therapeutic use exemptions are not applicable to cannabinoids. See the NCAA publication titled "[What Student-Athletes Need to Know About Marijuana](#)"

This program is physician directed and as such Georgian Court's Team Physician has operational authority over this program. The Director of Sports Medicine & Performance shall serve as the Program Administrator.

The Georgian Court University Student-Athlete Drug Education & Testing Program and its sanctions are independent of the NCAA Drug Testing Program. Each program may have its own banned substances, cut-off levels, and testing methodology. All student-athletes must also sign a separate consent form for NCAA testing.

It should be noted that a negative result under the Georgian Court drug testing program does not ensure that a negative test will result from NCAA administered testing, and vice versa. Specific laboratory testing may differ under each policy. Therefore, athletes should never consider a negative result of one test as verification that a supplement or medication they are taking does not contain a banned substance.

PROGRAM GOALS

1. To provide a safe and healthy environment for our student-athletes.
2. To identify and address student-athletes concerns pertaining to drugs and drug abuse.
3. To educate our student-athletes, and others associated with athletic teams, about the use, abuse and/or misuse of illicit substances, medications and performance enhancing substances including dietary supplements.
4. To provide support for student-athletes in need of substance abuse counseling.
5. To protect the integrity of the institution and the athletic department.

EDUCATIONAL COMPONENT

Student-Athletes will be educated regarding the health concerns associated with drug use/abuse as well as the use/abuse of dietary supplements.

The first of these educational sessions will begin at the start of the season on an individual team basis and/or during the athletic orientation meeting. Attendance will be required of all student-

athletes, and coaches are highly encouraged to attend. During these sessions, the Program Administrator and/or their designee will discuss the specifics of the Student-Athlete Drug Education & Testing Program. Student-athletes will be afforded an opportunity to ask questions regarding the program. Follow-up presentations, including announcements of any policy changes that will occur during team or departmental meetings.

PROCEDURE FOR ADMINISTRATION

Each student-athlete shall, prior to participating in any sport, acknowledge in writing that they have received, read, and understand the *Student-Athlete Drug Education & Testing Program*. All Student-Athletes will be asked to (electronically) sign a form acknowledging understanding of the program and provide voluntary consent to participate in the Georgian Court University program. Any student-athlete that does not sign the consent form will be ineligible to participate in Georgian Court University intercollegiate athletics.

SPECIFIC TESTING

The testing aspect of this program includes, but is not limited to NCAA banned substances, illicit drugs, performance enhancing substances and dietary supplements. Any substances that produce effects intended to mimic those of any known banned substances, even if the substance is not specifically banned, is considered inappropriate for athletes to use, and will be considered under this policy as a known banned substance.

Student-Athletes must be aware that a random test may be an NCAA sponsored test or a Georgian Court sponsored test and that sanctions for each may be different.

Georgian Court refers to the most current publication of Banned Drug Classes published by the NCAA for Division II Athletics. This list is available at: <http://www.NCAA.org/drugtesting/>. Any substance banned under the NCAA Division II policies is considered banned under Georgian Court's policy. Specific cut-off levels may vary between the two testing programs.

SELECTION OF STUDENT ATHLETES FOR TESTING

Unless selected under reasonable suspicion (see Reasonable Suspicion section below), student-athletes will typically be chosen for testing through random selection. A third party will be responsible for randomly selecting those student-athletes who will be tested. Under certain circumstances, non-random testing may be administered. An entire team, or portion of a team may be selected for testing at any time, for any reason. Any student-athlete listed on a team's roster is eligible for selection and testing.

An athlete may continue to be tested at the discretion of the Team Physician for the remainder of their eligibility if they have a history of:

- Positive test
- Failure to provide a sample
- Multiple dilute samples (more than 3 per collection)

REASONABLE SUSPICION

Athletes who are suspected of using banned substances can be tested at the discretion of the Team Physician. Reasonable suspicion is defined as specific objective facts, which, if taken with rational inferences drawn from those facts, and taken as a whole, strongly suggest that drug testing may produce a positive result. Suspicion must be documented in writing using the *Substance Abuse Reasonable Suspicion Reporting Form*. The information leading to suspicion must be from a credible source and specific factual information should be presented. Reasonable Suspicion Reporting Forms should be submitted to the Program Administrator who will review the document with the Team Physician. Only with the approval of the Team Physician will specimen collection be carried out. Student-athletes who have violated the Georgian Court University Alcohol and Nicotine policy may be tested under this policy by reasonable suspicion.

Similarly, positive test(s) from another institution will be considered as a valid reason for testing under the reasonable suspicion policy. Specimen collection and responsive actions to a positive test under reasonable suspicion shall be handled in the same manner as those found in random testing.

NOTIFICATION OF TEST ADMINISTRATION

Athletes will be notified of testing selection by phone and/or in person. It is the student-athlete's responsibility to notify the Office of Athletic Training in writing of any changes to phone numbers. In some cases, student-athletes will receive zero notification prior to testing. A member of the athletic department administration, or designee may notify the athlete at or immediately following practice or any other activity. Regardless of the method of notification, the student-athlete will be asked to sign a form acknowledging their notification. A signed notification form will help to eliminate confusion, but if a student-athlete refuses to sign or if it is not possible for the student-athlete to sign the notification form (i.e., direct phone notification), the person notifying the athlete of the test will document the circumstances, including date/time of the notification. All student-athletes will be expected to report to the testing site at the designated time. After having been notified of his or her selection, the student-athlete must present themselves to the testing site and shall provide an appropriate sample prior to the closure of the testing center. To assist with notifying the student-athlete, the athlete's coach and/or administrator within the athletics department may be asked to have the athlete report to a designated area at a specified time.

VIOLATION FOR NON-COMPLIANCE

If a student-athlete refuses to participate, fails to report to the testing site following notification, leaves collection station without authorization by collection team before providing a specimen, attempts to alter the integrity or validity of the specimen and/or collection process, fails to provide an adequate sample, or does not comply with the testing site rules; the student-athlete is in violation of this policy. He/she will be immediately suspended from all athletic activities including practices and competitions. The sanctions for this violation are equivalent to those of a non-cannabinoid positive test.

SPECIMEN COLLECTION PROCEDURES

Specimens will be collected in accordance with the Drug Free Sport International's Collection Protocol.

SANCTIONS FOR POSITIVE TEST RESULTS

These sanctions apply to illegal substances (street drugs) as well as performance enhancing substances and dietary supplements. Upon return of a positive test result the Program Administrator will notify the Director of Athletics and the Compliance Officer.

1st Positive Test (Non-Cannabinoid)

- a. Immediate suspension from the team, including practice sessions.
- b. Minimum suspension of 30% of all NCAA regular season scheduled contests.
 - i. Participation in exhibitions and/or scrimmages will not be permitted.
 - ii. No team travel until the sanctions have been satisfied.
 - iii. Student-athlete may not sit on the bench with the team for home contests.
- c. Mandatory referral to the Team Physician.
 - i. Student-athlete must comply with all referrals set forth by the Team Physician.
 - ii. Referrals may include but are not limited to: Completion of educational programming, evaluation by a substance abuse counselor, inpatient, or outpatient counseling and/or treatment.

2nd Positive Test (Non-Cannabinoid)

- a. Immediate suspension from the team and loss of all remaining eligibility for all sports for the remainder of their time at Georgian Court University.
- b. Loss of athletic scholarship money for the remainder of their time at Georgian Court University - effective the semester following the offense.
- c. Referral to the Team Physician.
- d. Referral with the Georgian Court Counseling Center.

The sanctions listed are not limited to a specific banned substance. For example, if an athlete tests positive for “Non-Cannabinoid Banned Substance A,” then he/she will have the sanctions applied for a 1st positive test. If at a future time, the same athlete tests positive for “Non-Cannabinoid Banned Substance B,” then he/she will be subject to the sanctions of a 2nd positive test.

1st Positive Test (Cannabinoid)

- a. No loss of eligibility.
- b. Undergo a substance abuse management plan under the direction of the team physician.
- c. Retest after 30 days.

2nd Positive Test (Cannabinoid)

- a. Suspension for 25% of competitive season if SA was compliant with the above management plan.
- b. Suspension for 50% of competitive season if SA was NOT compliant with the above management plan.
- c. Undergo a substance abuse management plan under the direction of the team physician.
- d. Retest after 30 days.

3rd Positive Test (Cannabinoid)

- a. Suspension for 50% of competitive season if SA was compliant with the above management plan.
- b. Undergo a substance abuse management plan under the direction of the team physician.
- c. Retest after 30 days.
- d. Loss of all remaining eligibility and all athletic aid the semester following the offense if SA was NOT compliant with the above management plan.

4th Positive Test (Cannabinoid)

- a. Loss of all remaining eligibility and all athletic aid the semester following the offense.
- Contests lost as a result of suspension (for cannabinoid and non-cannabinoid offenses) will only count if the student-athlete would otherwise have been medically cleared to participate in that contest.
 - A student-athlete serving a suspension under these sanctions, who has been cleared to return to activity by the team physician, may return to practice.
 - The intent of this stipulation is to avoid the negative effects of deconditioning.
 - The student-athlete is precluded from applying time suspended towards a “traditional or non-traditional” year or medical hardship waiver.

- To be reinstated following a suspension, the student-athlete must have at least one negative follow-up drug test and be cleared by the Team Physician.
- In consultation with the Director of Athletics, coaches may have team rules that are stricter than what is outlined above. Furthermore, drug related violations may be considered with other non-drug related infractions to result in more severe sanctions than what is outlined above.
- Positive test results from the NCAA Drug Testing Program will be treated as positive tests obtained under the Georgian Court Drug Testing Program and may result in sanctions under this policy.
- To further protect the health and safety of Georgian Court student-athletes, the Director of Athletics, under the recommendation of the Team Physician, may withhold a student-athlete from participation at any time.

This policy effective 8/2022 replaces the prior policy which had been in effect since 2015. During the transition, any student-athlete with a prior cannabinoid violation will carry over that offense. i.e., John Doe tested (+) prior to 8/2022 as a 1st offense, John Doe's next infraction will be a 2nd offense under the new policy. Any sanctions not yet served for John Doe as a result of a violation prior to the 8/2022 policy, will still be enforced in accordance with the policy in place at the time of the infraction.

MEDICAL STAFF RESPONSE TO POSITIVE TEST RESULTS

When a positive test result is reported to the institution's results recipient, the following people will be notified:

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| • Team Physician* | • Director of Athletics |
| • Director of Sports Medicine & Performance* | • Compliance Officer |
| • Director of Health & Counseling* | • Student-Athlete's Coach(es) |
| • Certified Athletic Trainers* | |

** Denotes members of the Substance Abuse Team*

Any student-athlete who has tested positive for a banned substance will meet to discuss the findings with the Compliance Officer (or their designee) and the Drug Testing and Education Program Administrator (or their designee). The athletes' Head Coach may also be included in the meeting. The student-athlete will be informed of the test results and his/her responsibilities thereafter. The student-athlete will be given an opportunity to appeal the results (see "Appeals").

This may include attending a facility off-campus for counseling and require the use of personal health insurance and/or out-of-pocket expenses. Any individual who has tested positive may continue to be tested at the discretion of the Team Physician for the remainder of their eligibility.

GETTING CAUGHT

If a student-athlete is caught using a banned substance, the student will then speak with an appellant committee. Examples of "getting caught" could include getting caught in a dorm, car,

party, social media, etc. and pertain to any on campus and off campus events. The appellant committee includes the Compliance Officer, Head Coach, and one additional Georgian Court Athletics Administrator (not AD). The appellant committee is dedicated to supporting the SA to ensure protection. It remains important for the committee to better support and educate the rapidly evolving use and cultural views regarding cannabis use and provide management, safeguards, and support. The committee is committed to promoting a culture of accountability, personal discipline, and excellence for the SA.

During the appellant committee meeting, the students can explain their actions. The appellant committee then determines whether the student-athlete will be penalized under the same sanctions as a positive test (Cannabinoid and/or Non-Cannabinoid use). Any person who provides evidence of someone else participating in illegal activity will have leniency if they follow protocol (report to Res Life, Coach, etc.). It remains important for student-athletes to come forward regarding substance use and abuse in order to best serve and help the student-athlete.

APPEALS

Upon notification of positive test, the athlete is immediately ineligible for continued participation in Georgian Court Athletics. A student-athlete may appeal the findings of a positive drug test result but will remain ineligible until the results of the appeal have been processed. A student-athlete wishing to do so must file a written notice of appeal with the Director of Athletics within 48 hours of being notified of a positive test result.

As per standard collection protocol, the student-athlete's sample is split into two samples. "Sample A" is tested first while "Sample B" is kept sealed and stored at the laboratory. A student-athlete who appeals their positive test result will have "Sample B" tested. To ensure the same methodology, instrumentation, and chain of custody, "sample B" will be tested in the same laboratory as "Sample A." Upon receiving a letter of appeal, the Director of Athletics will authorize the Program Administrator to contact the laboratory to initiate the testing of "Sample B." If the laboratory presents to the Program Administrator, a finding that the student-athlete does not have banned substances in his/her sample, the Director of Athletics must rely upon those test results and shall conclude that the student-athletes sample does not contain banned substances. If "Sample B" also yields a positive test result, and the athlete wishes to further **appeal the findings**, he/she may do so by submitting a written request to the Director of Athletics within 48 hours of being notified of the "Sample B" results.

Appeals committee shall consist of an odd number of members that may include but not limited to the following: Faculty-Athletic Representative, Athletic Trainer(s), Athletic Administrator(s), Student-Affairs Representative(s) Diversity Equity and Inclusion Team, Student Athlete Advisory Committee (representative from a different team, no more than 1).

The appeals committee will reach a decision within five business days of each individual hearing. The Director of Athletics or designee will retain a written record of the committee's decision including all evidence considered by the committee as well as the rationale of the committee's decision.

STUDENT-ATHLETE REINSTATEMENT

A student-athlete shall be eligible for reinstatement following suspension after completing the following requirements:

1. Undergo mandatory, unannounced periodic drug testing. They will not gain eligibility until they have had one negative drug test result.
2. Receive medical approval for participation by the team physician.
3. Be approved for reinstatement by the Director of Athletics.

COMING FORWARD POLICY

A student-athlete who has engaged in drug or alcohol use and desires assistance is encouraged to voluntarily disclose his or her use through the coming forward policy. They may speak to anyone on their coaching staff, an athletic trainer, or an athletic administrator to seek help.

If a student-athlete seeks assistance prior to being identified as having violated this policy the impermissible use will not be deemed an offense for the purposes of determining sanctions under this policy; however, the student-athlete will be removed from all practice and competition pending an evaluation and recommendation for return by the Team Physician.

The student-athlete will be required to undergo an evaluation by the team physician. The team physician will determine a recommended treatment plan (or stage treatment, as applicable) to be carried out with a specific timeline to be followed. Failing to complete treatment or having a positive result on a re-entry drug test will be deemed a second offense under this policy. The student-athlete will also be subject to random testing at the discretion of the Team Physician.

While in compliance with the Coming Forward program plan, the student-athlete will not be included in the list of students eligible for random drug testing by Georgian Court University. However, student-athletes in the Coming Forward program may still be selected for drug testing by the NCAA and will be subject to any sanctions imposed under the NCAA program.

The Director of Athletics, the Compliance Officer, the student-athlete's Head Coach, and the Substance Abuse Team will be informed of the student's participation in a Coming Forward program. The assistant coach(es) may also be informed at the discretion of the Head Coach. Other university employees may be informed only to the extent necessary for the implementation of this or other campus policy.

CONFIDENTIALITY

The Georgian Court University Athletic Department protocol for drug testing is designed to be fair, to achieve reliability of testing results and to protect the privacy rights of the student-athlete. Test results are confidential and become a part of the student-athlete's medical record. Test results will not be released to anyone except in accordance with this policy or as required by law. All documents associated with this program will be kept in a secure area in the Office of Athletic Training. Only Team Physician and Athletic Training Staff will have direct access to them.

Members of the Substance Abuse Team may also maintain confidential records of treatment, consultation, and correspondence relevant to the multi-disciplinary treatment of the student-athlete. These records will be kept in the student-athlete's medical files maintained by the Georgian Court Counseling and Health Services Departments.

PRESCRIPTION DRUGS

Student-athletes who are taking medication pursuant to prescription from a physician must register them, in writing, with the Athletic Training staff. A copy of the prescription (or of the prescription label) will serve as proper documentation in most cases. It is possible that some prescription drugs could result in a positive drug test. Although the prescribing physician may be aware of your involvement with intercollegiate athletics, they may not be familiar with the latest banned substances. Athletes are required to register prescription medications with the Office of Athletic Training as soon as possible. If a student-athlete has a positive test result that is caused by a medication prescribed by a physician for a medically diagnosed reason, that athlete may proceed with a medical exception. Medical exceptions will be referred to the Team Physician to review positive test levels compared to dose of prescribed medication. Medical exceptions can only be considered if the medication was registered with the Athletic Training staff prior to the administration of the test.

Please note: The medical exception policy for the NCAA Drug Testing Program differs from this policy. In most cases, a medical exception granted by the NCAA will require more documentation. Failure to properly register your medications with the Office of Athletic Training, and to provide regular updates of your medication regiment may compromise these records and delay (or even preclude) the processing of an appeal for medical exception.

DIETARY SUPPLEMENTS AND OVER THE COUNTER MEDICATION

Dietary supplements are not regulated by the Food and Drug Administration and may present significant health risks. Many dietary supplements are contaminated with banned drugs not listed on the ingredient label. Any product containing a dietary supplement ingredient is taken at your own risk. Student-Athletes wishing to take dietary supplements are strongly advised to consult with their physician prior to taking supplement. Your physician may not be familiar with the NCAA Banned-Drug Classes. Therefore, a supplement or medication that your physician has recommended or prescribed to you may still contain a banned substance. Student-athletes are also required to register all medications and dietary supplements with the Athletic Training staff.

Questions, concerns, or inquiries can be made to the Director of Sports Medicine & Performance regarding dietary supplements and banned substances. The Athletic Training staff can be contacted via email at atstaff@georgian.edu; by telephone at (732) 987-2687 or in person in the Office of Athletic Training, room 532C of the Wellness Center.