

Sun Devil Athletics Manual (SDA)

SDA 405: Student-Athlete Drug Education and Testing

Effective: 1/1/1989

Revised: 9/6/2024

Purpose

To describe SDA's drug testing program, including its underlying rationale and its guidelines, restrictions, and other policy considerations.

Source

Sun Devil Athletics

Applicability

Student-athletes

Policy

Philosophy

Consistent with ASU's priority to provide a safe, healthy, and fair learning and competitive environment, SDA's drug education and testing program was designed to:

- a. Protect student-athlete health, safety, and welfare by encouraging student-athletes to avoid the use of unauthorized controlled substances, performance-enhancing drugs, street drugs, alcohol, and unapproved dietary supplements as well as tobacco products;
- b. Educate student-athletes regarding the physical, psychological, social, and legal risks of substance use and abuse;
- c. Identify student-athletes who are using drugs or other banned substances, determine the presence of substance use disorders, and provide avenues for treatment and rehabilitation as needed;
- d. Ensure that no athletics participant might have an artificially induced advantage through the use of performance enhancing drugs and/or might be pressured to use performance enhancers in order to remain competitive;

Remain consistent with the principles of good sportsmanship by requiring student-athletes to meet all competitive safeguards including the prohibition of the use of performance enhancing drugs, and f. Comply with NCAA legislation relating to banned substances. This policy governs ASU's institutional student-athlete drug testing program and relates to or incorporates policies or processes of the NCAA's drug testing program only to the extent noted therein.

Testing, Intervention, and Sanctions

ASU and SDA policies relating to student-athlete alcohol consumption and possession are set forth in [SSM 106-03](#) and SDA's Student-Athlete Code of Conduct, [SDA 401](#) and [SDA 401a](#). SDA sport programs may include alcohol-related restrictions and consequences in their team rules.

1. **Drug intervention and treatment teams for student-athletes** – The two interdisciplinary teams assembled to assist SDA with the administration of its drug education and treatment program are as follows:
 - a. Clinical Treatment team- The CTT assesses student-athlete substance use concerns and develops and monitors compliance with individualized treatment recommendations and any subsequent revisions in accordance with this policy and its associated processes. CTT members include the Head Team Physician, other ASU Health Services (ASUHS) physicians, and ASU Counseling Services (ASUCS) psychologists or counselors. The CTT may coordinate care with external to ASU substance abuse specialty providers to provide care for the student-athletes as clinically indicated.
 - b. Student-Athlete Care Coordination Team – The SACCT reviews CTT treatment recommendations to coordinate the implementation of approved treatment plans. SACCT members include: the Head Team Physician, other ASUHS physicians, ASUCS psychologists or counselors, an ASU athletic training staff member, the SDA staff member with primary responsibility relating to SDA’s drug treatment and education program (“Drug Testing Administrator” – SDA staff member with primary responsibility for SDA’s treatment and education program), and other designated SDA members as designated by the Director of Athletics.
2. **Consent to participate** – Each academic year, every SDA student-athlete is required to sign an institutional drug testing consent form through which the student-athlete agrees to undergo drug testing in accordance with this policy and authorizes ASU to disclose the drug testing information to categories of university and SDA staff members and the student-athlete’s parent(s) or guardian(s).

Note: Student-athletes also sign an NCAA Drug Testing Consent form each year that is required for student-athlete participation under the NCAA Constitution (Article 3) and Bylaw 12 of the Division I NCAA Manual.

3. **Prohibited drugs and other substances** – ASU tests for drugs in the NCAA’s banned drug classes listed in NCAA Bylaw 18 and on the banned substances list the NCAA publishes on its website each year. (See www.ncaa.org).
 - a. In those materials, the NCAA states that there is no complete list of banned substances, and, thus, the listed drug classes and the examples provided in its material are subject to modification at any time, including during the academic year.
 - b. Student-athletes must consult with a Team Physician before taking any medication prescribed by an outside doctor or other medical professional. For nutritional supplements, SDA’s nutritional supplement designee should be consulted before the use of any dietary or nutritional supplement.
4. **Use of tobacco-** NCAA rules prohibit the use of any type of tobacco product by student-athletes and all game personnel (e.g. coaches, trainers, operations staff members, and game officials) during practice or competition held at any site. Further, ASU prohibits all manner of smoking and the use of smokeless tobacco products on all properties owned, leased, or controlled by ASU, whether in- or outdoors. (See [ACD 804](#)).
5. **Dietary and nutritional supplements-** SDA’s dietary and nutritional supplement policy is managed by SDA’s Sports Medicine and Nutrition Departments.
6. **Selection of student-athletes for drug testing-** Student-athletes may be required to undergo drug testing under any of the following methodologies:

- a. Random testing – All student-athletes are subject to unannounced random drug testing throughout the calendar year.
- b. Individualized reasonable suspicion – Any student-athlete who exhibits reasonable suspicion that the student-athlete is using a prohibited substance may be subjected to drug testing at any time. Reasonable suspicion may include, without limitation, the following:
 - i. Physical signs
 - ii. Behavioral signs
 - iii. Psychological signs
- c. Championship or other postseason competition- Any student-athlete or team likely to advance to post-season championship competition may be subject to additional testing. Testing may be required of all team members or individual student-athletes at any time within 30 days before the post-season competition. If a student-athlete tests positive, he or she may not be allowed to compete at the postseason event unless he or she subsequently tests negative before departure for the event and receives permission from the Drug Testing Administrator to participate.

Note: Student-athletes who are in the treatment phase after a Positive Test Result will also be tested in accordance with their CTT-approved treatment plans.

- 7. **Activities constituting a positive test** – The following constitute a “Positive Test Result” under this policy and its associated processes:
 - a. Any drug test result showing the presence of an NCAA banned substance (see Section 3 above) when the test was administered by or on behalf of the NCAA, the Big-12 Conference, ASU, or any organization in connection with any university-sanctioned or supported event at which the student is representing ASU, and
 - b. A failure to participate in drug testing scheduled in accordance with Paragraph 6 above.
- 8. **Voluntary disclosure and exclusion from testing (“Safe Harbor”)** – Student-athletes who voluntarily disclose a substance abuse concern as describe in Section 8 (a) below will be excluded from the list of student-athletes eligible for random drug testing for 30 days after the CTT has communicated a substance abuse treatment plan to the student-athlete.
 - a. To qualify for Safe Harbor exclusion, the student-athlete must voluntarily and personally make the request for substance abuse evaluation and treatment to a team physician **before** the student-athlete is informed he or she will be drug tested.
 - i. To remain in Safe Harbor status, the student-athlete must fully comply with the CTT treatment program, which includes, regular attendance at scheduled appointments with physicians, counselors, psychologists (in accordance with the student-athlete’s treatment plan), declining levels of banned drugs during the treatment plan’s prescribed testing phase, no use of any masking agents during testing, and substantial compliance with all other aspects of the student-athletes treatment plan as determined by the Drug Testing Administrator in consultation with the SACCT.

- ii. If a student-athlete is determined by the Drug Testing Administrator to be out of compliance with any of the above requirements, the student-athlete will be removed from Safe Harbor status and placed back into the student-athlete testing population.
 - b. Student-athletes in Safe Harbor status may be selected for drug testing by the NCAA and remain subject to all applicable NCAA sanctions and other requirements.
9. **Medical exception process** – Student-athletes with a documented medical history demonstrating a need for regular use of an otherwise prohibited substance may be allowed to continue use of that substance under a medical use exception if approved by the CTT. Any student-athlete with such a medical history must request and obtain a medical exception from the CTT as soon as they become aware of the need for an exception and before they are tested.
10. **Positive drug test interventions and sanctions**- Student-athletes who receive a Positive Test Result outside of a prescribed treatment plan and in accordance with one of SDA’s testing methodologies (See Section 6)¹ will be subject to the following interventions and sanctions:
- a. Positive Test Interventions:
 - i. The student-athlete will meet with the Drug Testing Administrator or designee, who will review this policy with the student-athlete, the intervention process, and the sanctions for any subsequent Positive Test Results.
 - ii. The student-athlete will be referred to a team physician for a health and wellness assessment. If competition, practice, or any other athletically related activity is pending, the physician will determine, based on their review of all available medical information and the exercise of their professional judgment, whether the student-athlete is medically cleared to participate.
 - iii. The CTT will arrange for an ASUHS – or ASUCS – approved substance abuse specialist to conduct a substance user assessment that will be used by the CTT to create a treatment plan that will be communicated to the student-athlete. The treatment plan will constitute and define the parameters of treatment for the purposes of a student being in or out of treatment.
 - iv. The CTT will monitor the student-athlete’s progress and compliance with the established treatment plan, will conduct such further assessments of the student-athlete as determined appropriate, and will adjust or modify the treatment plan as determined appropriate. The CTT team will communicate with the Drug Testing Administrator when the student-athlete has successfully completed the treatment plan.
 - v. The team physician or Drug Testing Administrator, or designee, will provide notice of the positive test result and consequences to the student-athlete’s head coach and may inform the student-athlete’s parent(s) or guardian(s) under the health and safety exception in the Family Educational Rights Privacy Act (FERPA) if warranted.
 - b. Failure to comply with treatment plan- A student-athlete who fails to comply with their drug treatment plan will be suspended from all practices and competitions until a determination is made by the Drug

¹ Part 10 sanctions do not apply to a Positive Test Result for tests conducted or requested by physicians solely for health and safety or other reasons (e.g., after a Positive Test Result but before the CTT approves a treatment plan to determine whether a student-athlete can safely participate in athletically related activities.)

Testing Administrator and SACCT that the student-athlete has regained good standing with respect to complying with the treatment plan. Treatment providers will determine compliance/non-compliance consistent with ethical standards of practice.

- c. Positive THC Test Sanctions- All positive THC tests will be evaluated on an independent basis and medical clearance for participation will be determined by the team physician and then communicated to the CTT. There are no punitive sanctions for a positive THC test result.
- d. Positive Test Sanctions- A student-athlete will not be sanctioned for their first Positive Test Result unless the student-athlete's sport coach has exercised the authority granted them in Section 2 below. Thereafter, any student-athlete who receives a Positive Test Result outside of a prescribed treatment plan will face progressively increasing sanctions for each subsequent Positive Test Result as follows:
 - i. Second Positive Test Result- On SDA's receipt of the Positive Test Result, the student-athlete is suspended for 10% of the contests in the student-athlete's championship season(s):
 - ii. Third Positive Test Result- On SDA's receipt of the Positive Test Result, the student-athlete is suspended for 20% of the contests in the student-athlete's championship season(s).
 - iii. Fourth Positive Test Result – On SDA's receipt of the Positive Test Result, the student-athlete is suspended from participating in all athletic related activities for 90 days.
 - iv. Fifth Positive Test Result – On SDA's receipt of the Positive Test Result, the student-athlete is declared permanently ineligible to participate for ASU.
 - v. In the event a Positive Test Result is received when there are an insufficient number of contests remaining in the student-athlete's current championship season to affect the applicable percentage suspension from contests, then the suspension from contests shall continue into the student-athlete's next championship season beginning with the first contest of that championship season until the required number of contests has been satisfied.
- 1. **Physician's discretion to withhold due to health and safety concerns- Notwithstanding** anything in this policy, a team physician at any time may suspend from play or practice a student-athlete based on a Positive Test Result, during or outside of a treatment plan, if in the professional opinion of that physician it is in the best interest of the student-athlete's health to do so.
 - 2. **Team rules may include stricter penalties-** SDA sport coaches may include stricter penalties for a First Positive Test Result than are set forth above (e.g., suspension from competition or games, scholarship modifications), so long as those team rules specifically articulate and describe the nature and scope of the additional punitive measures, and they are applied uniformly regardless of individual circumstances.
 - 3. **Right to appeal** – A student-athlete may appeal the finding of a Positive Test Result.
- e. Appeals must be submitted in writing to the Drug Testing Administrator within 7 calendar days of the date of the notification of the Positive Test Result to the student-athlete or the appeal is forfeited. The appeal must state in detail:

- i. The evidence of a material procedural error in the testing; and/or
 - ii. The evidence which refutes the positive test result.
- f. The student-athlete bears the burden of proving by a preponderance of evidence (more likely than not standard) that the Positive Test Result should be reversed, or the test repeated based on the grounds stated in their appeal.
- g. The Drug Testing Administrator and the Senior Vice President for Educational Outreach and Student Services or designee will review the record of the appealed Positive Test Result and the student-athlete's written appeal and render a decision providing written notice of the decision to the student-athlete within 10 days of the decision. The decision may:
 - i. Affirm the initial finding of a Positive Test Result;
 - ii. Reverse the initial finding of a Positive Test Result; or
 - iii. Recommend retesting.
- h. The sanction for a Positive Test Result will not be stayed during the pendency of an appeal.
- i. The decision of a team physician to suspend a student-athlete from participation in athletically related activities for health reasons is not appealable under this policy.