

University of Delaware Intercollegiate Athletics

# Drug Testing Program

Policy Manual

Athletics

2019 - 2020

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## **Policy**

The unauthorized use of anabolic steroids, stimulants, diuretics, performance enhancing drugs, marijuana, cocaine, amphetamines, nicotine, alcohol, or any other substance proscribed by federal or state law by any member of an intercollegiate athletic team (including any student on an active roster) at the University of Delaware is expressly prohibited, regardless of whether such use or abuse occurs before, during or after the team's competitive season.

This Policy Manual is not and shall not be construed as a contract between the University of Delaware and its student-athletes, and the University expressly reserves the right at any time and for any reason to modify, alter, amend or change any provision in this Policy Manual. Any such modification, alteration, amendment or change to the terms in this Policy Manual shall be binding on student-athletes when promulgated by the University. Signed consent and notification forms shall be deemed confirmation of the student-athlete's agreement to the terms and conditions contained in this Policy Manual, as the same may from time to time be modified, altered, amended or changed and such terms and conditions shall be binding upon the student- athlete.

This policy comports with drug testing legislation enacted by the NCAA for implementation at its National Championships; however, this policy is separate and distinct from the NCAA Drug Testing Program, including but not limited to the NCAA definition of a positive drug test. Appendix A is a summary of the NCAA Banned Substances. The University of Delaware expressly reserves the right to test for substances not listed in [Appendix A](#).

## **Purpose**

The University of Delaware 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 and performance enhancing drugs.

In the interest of the personal health and safety of student-athletes competing in the University of Delaware Intercollegiate Athletic Program, the Division of Intercollegiate Athletics does not condone and will not ignore drug and substance abuse or use by a student-athlete. Athletics prohibits the use of performance enhancing substances. In addition, the University strictly prohibits any activity during the recruitment of a prospective student-athlete that would encourage, arrange or provide any prospective student- athlete during a visit to the University of Delaware with the ability to use drugs or alcohol.

A student-athlete who is found to have used or been in possession of a prohibited substance will be sanctioned according to this policy. Examples of a sanctionable event shall include, but are not limited to, a positive drug-test result, possession of a prohibited substance (except under justifiable medical circumstances that include a physician's prescription and University of Delaware Sports Medicine Staff approval), admission of use of a prohibited substance, attempted or admission of attempted manipulation of drug test results, and trafficking or attempted trafficking of any prohibited substance. While the standard method of testing is by urinalysis, any student-athlete found to be in possession and/or use of illegal substances may be determined by means other than urinalysis. When an individual is found to be in possession and/or is otherwise known to have used such substances, he/she will be subject to the same procedures that would be followed in the case of a positive urinalysis.

The specific purpose of this drug-testing program is:

1. to deter drug use;

2. to identify student-athletes whose use of drugs poses a safety hazard to other student-athletes, prospective student-athletes, or themselves;
3. to insure the integrity and competitive fairness of the University of Delaware Intercollegiate Athletics Program; and
4. to promote education and to provide an opportunity to obtain treatment or rehabilitation by referral to an appropriate professional counselor or rehabilitation facility.

### **Consent and Education**

A list of banned substances will be provided to every team member at the beginning of each academic year. The list of banned substances is on the NCAA website ([www.ncaa.org](http://www.ncaa.org)), on the Student Services for Athletes website ([www.udel.edu/ssa](http://www.udel.edu/ssa)), and can be provided upon request to the student-athlete by his/her coaching staff. (See [Appendix A](#) for the list of Banned Substances and Banned Drug Classes.) The NCAA Educational Affairs website ([www.ncaa.org/health-safety](http://www.ncaa.org/health-safety)) and the Dietary Supplement Resource Exchange Center website ([www.drugfreesport.com](http://www.drugfreesport.com)) are resources for all student-athletes as well.

At the beginning of the academic year, student-athletes will be asked to execute the *Informed Consent/Release of Liability Form* ([Appendix B](#)) for the University of Delaware Drug Testing program. No student-athlete will be permitted to participate in intercollegiate athletics unless he or she executes the form.

A student-athlete who refuses to sign the notification form or custody and control form, fails to arrive at the collection station at the designated time without justification, fails to provide a urine sample according to protocol, leaves the collection station before providing a specimen according to protocol, or attempts to alter the integrity of validity of the urine sample and/or collection process, will be in breach of protocol and treated as if there was a positive result for a banned substance.

Before consuming any nutritional/dietary supplement, a student-athlete should review the product label with a University of Delaware Sports Medicine physician and/or Sports Nutritionist. Many supplements are not well regulated and may contain banned drugs not listed on the label, which may result in a positive drug test. Any nutritional or dietary supplement is taken at your own risk. It is the student-athlete's responsibility to check with a University of Delaware Sports Medicine physician and/or Sports Nutritionist before using any substance. During the physical examination with a University of Delaware Sports Medicine physician, the *Student-Athlete Supplement Notification Forms* will be administered (see [Appendix C](#)).

The University of Delaware prohibits the abuse of alcohol, including the use of alcohol by underage students. The University of Delaware's policies for students pertaining to alcohol can be found in the University of Delaware Student Guide to University Policies. University regulations prohibit the unauthorized possession, use, manufacture, distribution, or sale of alcoholic beverages on University property or in University facilities. Violations of the alcohol policy will result in immediate sanctions within the University's Student Conduct System. Students may receive penalties that include mandatory alcohol counseling and other sanctions ranging from disciplinary probation to expulsion.

### **The Testing Program**

The University of Delaware's Department of Intercollegiate Athletics has instituted a general program of drug testing by urinalysis for student-athletes engaged in intercollegiate athletics. The testing program is administered throughout the year in a random, unannounced pattern. Each such testing shall, in addition, include all follow-up test candidates. (See the section in this Policy Manual entitled "[Sanctions](#)" for an explanation of the term "follow-up test candidates").

The results of the testing program will remain confidential and shall be available only to the testing laboratory, the Athletics Administration, and the student-athlete's parents or guardians, as appropriate. The results may be made available to University personnel who have a demonstrably legitimate need to review such records.

### **The Testing Method**

The standard method for testing for drug use shall be through independent laboratory analysis of urine samples provided by student-athletes. Urine specimens shall be collected in the presence of a same sex, trained observer assigned for that purpose. Results of the test shall be available only as required for implementing this drug testing policy (as stated above).

Each student-athlete will have the opportunity to declare any "over-the-counter" drugs or prescription drugs/medications used on an appropriate form provided during the sample collection process (see [Appendix D](#) for the *Drug Testing Notification Form*). No student-athlete will be penalized by the University of Delaware's Department of Intercollegiate Athletics for the proper use of drugs so declared and confirmed with the Sports Medicine Physician. The *Drug Testing Notification Form* relates solely to the University of Delaware's Department of Intercollegiate Athletics Drug Testing Program and is not intended to replace any requirements imposed by the NCAA Drug Testing Program.

### **Safe Harbor Program**

A student-athlete may voluntarily self-refer for evaluation/counseling without penalty. Self-referral may be made to a member of the Athletics Administration, Team Physician, or to the Athletic Training staff. Entry into this program is not available to any student-athlete who has already been notified of an impending drug test or after testing positive for a drug or banned substance. In addition, a student-athlete will not be permitted to enter the Safe Harbor Program thirty (30) or fewer days prior to the conclusion of a season, or before an NCAA Championship event. A student-athlete may use the Safe Harbor Program one (1) time during his or her enrollment at the University of Delaware.

The Department of Intercollegiate Athletics will assist the student-athlete in preparing an appropriate treatment plan. This plan may include regular drug testing upon entrance to the Safe Harbor Program. If the student-athlete tests positive for a drug or banned substance upon entering the program, that positive test will not result in any sanctions. The team physician may suspend the student-athlete from practice or play if medically indicated. If subsequent testing reveals a result consistent with ongoing substance abuse, or, if the student-athlete fails to comply with the guidelines of the Safe Harbor Program, the student-athlete will be removed from the Safe Harbor Program and will be subject to appropriate sanctions.

- A student-athlete will be permitted to remain in the Safe Harbor Program for a period not to exceed thirty (30) days unless deemed appropriate by a substance abuse counselor and/or psychologist.
- While in the Safe Harbor Program, student-athletes will be exempt from the institutional drug testing program, but will remain eligible to participate in the NCAA's Year Round Testing Program.

### **The Testing Protocol**

The Drug Testing Coordinator will notify student-athletes of selection no more than 24 hours in advance. The Drug Testing Coordinator will use the Teamworks messaging system to notify student-athletes that they have been randomly selected for drug testing and to check their email for details. An email sent to each student-athlete will specify the date, time, and location of testing. Student-athletes will be instructed to report to the athletic training facility to complete the *Drug Testing Notification Form* (see [Appendix D](#)). The student-athlete shall arrive at the testing location on the day and time indicated on the notification form and in the email they received.

Coaches will be notified via email of which student-athletes have been selected from their team. Coaches shall not be involved in the urine sample collection process. Testing of urine samples shall be performed by an independent laboratory qualified to provide such procedures.

### **Sanctions (Marijuana)**

#### **First Positive Result**

A student-athlete whose urine is found to contain marijuana metabolites by the University of Delaware Athletics Department shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified by the Director of Compliance, either in writing or in person, that his/her urine was found to contain a banned substance and the student-athlete shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be administratively suspended from all activities involving his/her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#), p.15). If the student-athlete chooses to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process.

2. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed and the test results valid and the student-athlete has signed the *Conditions of a First Positive Drug Test for Marijuana Form* (see [Appendix F](#)) then:
  - a. The Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, will be notified of the results by the Director of Compliance and

- b. The student-athlete shall participate in three one-on-one sessions with a substance abuse counselor within one month of notification; based on availability of substance abuse counselor and/or psychologist. A student-athlete who does not comply with the one-month window will be immediately suspended from 10% of the competition of his or her intercollegiate athletic team in the championship season in the current and/or next applicable year. The student-athlete shall sign the *Waiver to Release Information to Athletics Department Staff* (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments; and
- c. If the substance abuse counselor, after the initial three meetings, determines that the student-athlete needs further education, evaluation, and/or counseling sessions, the student-athlete must comply with these recommendations; and
- d. The student-athlete may be tested while under sanctions. A positive test, while under sanctions, will be counted as an additional offense with the next level sanctions being applied.
- e. The student-athlete who has tested positive may be subject to follow-up drug testing at any time during the remainder of his/her athletic career at the University of Delaware; and
- f. If the student-athlete fails to comply with any provision of the Conditions of a First Positive Drug Test for Marijuana (see [Appendix F](#)), the student-athlete will be suspended from his/her intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completing every step of the Conditions of a First Positive Drug Test for Marijuana (see [Appendix F](#)).

#### Second Positive Result (Marijuana)

A student-athlete, who, after an initial positive drug test for marijuana, receives a second positive drug test for marijuana during his /her matriculation, shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified either in writing or in person that his/her urine was found to contain a banned substance and he/she shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be suspended from all activities involving his/her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#), p.15). If the student-athlete chooses to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process.

2. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed and the test results valid and the student-athlete has signed the *Conditions of a Second Positive Drug Test for Marijuana Form* (see [Appendix F](#)) then:
  - a. The Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, will be notified of the results by the Director of Compliance; and

- b. The student-athlete shall be immediately suspended from 20% of the competition of his or her intercollegiate athletic team in the championship season in the current and/or next applicable year; and
- c. The student-athlete shall participate in three one-on-one sessions with a substance abuse counselor within one month of notification; based on availability of substance abuse counselor and/or psychologist. A student-athlete who does not comply with the one-month window will miss an additional 10% of the competition of his or her intercollegiate athletic team in the championship season in the current and/or next applicable year. The student-athlete shall sign the *Waiver to Release Information to Athletics Department Staff* (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments; and
- d. If the substance abuse counselor, after the initial three meetings, determines that the student-athlete needs further evaluation, education, and/or counseling sessions, the student-athlete must comply with these recommendations; and
- e. The student-athlete who has tested positive may be subject to follow-up drug testing at any time during the remainder of his/her athletic career at the University of Delaware; and
- f. The student-athlete may be tested while under sanctions. A positive test, while under sanctions, will be counted as an additional offense with the next level sanctions being applied.
- g. If the student-athlete fails to comply with any provision of the Conditions of a Second Positive Drug Test (see [Appendix F](#)), the student-athlete will be suspended from his/her intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completing every step of the Conditions of a First Positive Drug Test (see [Appendix F](#)).
- h. All athletically related financial aid may cease at the earliest possible date, consistent with the NCAA Bylaws and Constitution.

If a student-athlete loses his/her athletically related financial aid as a result of a positive retest, he/she shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

### Third Positive Result (Marijuana)

A student-athlete, who, after two positive drug tests for marijuana, receives a third positive drug test for marijuana during his/her matriculation, shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified either in writing or in person that his/her urine was found to contain a banned substance and he/she shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be suspended from all activities involving his or her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#)). If the student-athlete chooses to appeal the results of

a positive test, the dismissal will not take effect until the completion of the appeals process.

2. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed and the test results valid and the student-athlete has signed the *Conditions of a Third Positive Drug Test for Marijuana Form* (see [Appendix F](#)) then:
  - a) The Director of Compliance, will notify the Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, of the results.
  - b) The student-athlete will be dismissed from his/her intercollegiate athletic team and will be prohibited from representing the University of Delaware in intercollegiate athletic competition for the remainder of his/her matriculation at the University of Delaware.
  - c) All athletically related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution.

If a student-athlete loses his/her athletically related financial aid as a result of a positive retest, he/she shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

### **Sanctions (Other Illicit Drugs)**

*(Including positive tests for prescription medications without a physician prescription)*

#### **First Positive Result (Illicit Drugs)**

A student-athlete whose urine is found to contain banned substances, excluding marijuana, by the University of Delaware Athletics shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified by the Director of Compliance, either in writing or in person, that his/her urine was found to contain a banned substance and the student-athlete shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be suspended from all activities involving his/her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#)). If the student-athlete chooses to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process.

2. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed and the test results valid and the student-athlete has signed the *Conditions of a First Positive Drug Test for Other Illicit Drugs Form* (see [Appendix G](#)) then:

- a. The Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, will be notified of the results by the Director of Compliance and,
- b. The student-athlete shall be immediately suspended from 10% of the competition of his or her intercollegiate athletic team in the championship season in the current and/or next applicable year; and
- c. The student-athlete shall participate in three one-on-one sessions with a substance abuse counselor within one month of notification; based on availability of substance abuse counselor and/or psychologist. A student-athlete, who does not comply with the one-month window, will be suspended for an additional 10% of the competition of his or her intercollegiate athletic team in the championship season in the current and/or next applicable year. The student-athlete shall sign the *Waiver to Release Information to Athletics Department Staff* (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments; and
- d. If the substance abuse counselor, after the initial three meetings, determines that the student-athlete needs further education, evaluation, and/or counseling sessions, the student-athlete must comply with these recommendations; and
- e. The student-athlete may be tested while under sanctions. A positive test, while under sanctions, will be counted as an additional offense with the next level sanctions being applied.
- f. The student-athlete who has tested positive may be subject to follow-up drug testing at any time during the remainder of his/her athletic career at the University of Delaware; and
- g. If the student-athlete fails to comply with any provision of the Conditions of a First Positive Drug Test for Other Illicit Drugs (see [Appendix G](#)), the student-athlete will be suspended from his/her intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completing every step of the Conditions of a First Positive Drug Test for Other Illicit Drugs (see [Appendix G](#)).

#### Second Positive Result (Illicit Drugs)

A student-athlete, who, after an initial positive drug test, receives a second positive drug test during his /her matriculation, shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified either in writing or in person that his/her urine was found to contain a banned substance and he/she shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be suspended from all activities involving his/her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#)). If the student-athlete chooses to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process.

2. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed and the test results valid and the student-athlete has signed the *Conditions of a Second Positive Drug Test for Other Illicit Drugs Form* (see [Appendix G](#)) then:

- a. The Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, will be notified of the results by the Director of Compliance; and
- b. The student-athlete shall be immediately suspended from 20% of the competition of his or her intercollegiate athletic team in the championship season in the current and/or next applicable year; and
- c. The student-athlete shall participate in three one-on-one sessions with a substance abuse counselor within one month of notification; based on availability of substance abuse counselor and/or psychologist. A student-athlete who does not comply with the one-month window will miss an additional 10% of the competition of his or her intercollegiate athletic team in the championship season in the current and/or next applicable year. The student-athlete shall sign the *Waiver to Release Information to Athletics Department Staff* (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments; and
- d. If the substance abuse counselor, after the initial three meetings, determines that the student-athlete needs further evaluation, education, and/or counseling sessions, the student-athlete must comply with these recommendations; and
- e. The student-athlete who has tested positive may be subject to follow-up drug testing at any time during the remainder of his/her athletic career at the University of Delaware; and
- f. The student-athlete may be tested while under sanctions. A positive test, while under sanctions, will be counted as an additional offense with the next level sanctions being applied.
- g. If the student-athlete fails to comply with any provision of the Conditions of a Second Positive Drug Test for Other Illicit Drugs (see [Appendix G](#)), the student-athlete will be suspended from his/her intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completing every step of the Conditions of a Second Positive Drug Test for Other Illicit Drugs (see [Appendix G](#)).
- h. All athletically related financial aid may cease at the earliest possible date, consistent with the NCAA Bylaws and Constitution.

If a student-athlete loses his/her athletically related financial aid as a result of a positive retest, he/she shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

### Third Positive Result (Illicit Drugs)

A student-athlete, who, after two positive drug tests, receives a third positive drug test during his/her matriculation, shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified either in writing or in person that his/her urine was found to contain a banned substance and he/she shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be suspended from all activities involving his or her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#)). If the student-athlete chooses to appeal the results of a positive test, the dismissal will not take effect until the completion of the appeals process.

1. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed and the test results valid and the student-athlete has signed the *Conditions of a Third Positive Drug Test for Other Illicit Drugs Form* (see [Appendix G](#)) then:
  - a) The Director of Compliance, will notify the Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, of the results.
  - b) The student-athlete will be dismissed from his/her intercollegiate athletic team and will be prohibited from representing the University of Delaware in intercollegiate athletic competition for the remainder of his/her matriculation at the University of Delaware.
  - c) All athletically related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution.

If a student-athlete loses his/her athletically related financial aid as a result of a positive retest, he/she shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

### **Sanctions (Performance Enhancing Drugs (P.E.D.s))**

#### **First Positive Result (P.E.D.s)**

A student-athlete whose urine is found to contain banned substances by the University of Delaware shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified by the Director of Compliance, either in writing or in person, that his/her urine was found to contain a banned substance and the student-athlete shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be suspended from all activities involving his/her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#)). If the student-athlete chooses to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process.

2. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed

and the test results valid and the student-athlete has signed the *Conditions of a First Positive Drug Test for Performance Enhancing Drugs Form* (see [Appendix H](#)) then:

- a. The Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, will be notified of the results by the Director of Compliance and,
- b. The student athlete will be suspended for one full year of eligibility for the first offense (25 percent of their total eligibility) and are withheld from competition for 365 days from the date of the test, and
- c. The student-athlete shall participate in three one-on-one sessions with a substance abuse counselor within one month of notification. The student-athlete shall sign the *Waiver to Release Information to Athletics Department Staff* (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments; and
- d. If the substance abuse counselor, after the initial three meetings, determines that the student-athlete needs further education, evaluation, and/or counseling sessions, the student-athlete must comply with these recommendations; and
- e. The student-athlete may be tested while under sanctions. A positive test, while under sanctions, will be counted as an additional offense with the next level sanctions being applied.
- f. The student-athlete who has tested positive may be subject to follow-up drug testing at any time during the remainder of his/her athletic career at the University of Delaware; and
- g. If the student-athlete fails to comply with any provision of the Conditions of a First Positive Drug Test for Performance Enhancing Drugs (see [Appendix H](#)), the student-athlete will be suspended from his/her intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completing every step of the Conditions of a First Positive Drug Test for Performance Enhancing Drugs (see [Appendix H](#)).

### Second Positive Result (P.E.D's)

A student-athlete, who, after an initial positive drug test, receives a second positive drug test during his /her matriculation, shall be subject to the following procedures and sanctions:

1. The student-athlete and Head Coach shall be notified by the Director of Compliance, either in writing or in person, that his/her urine was found to contain a banned substance and the student-athlete shall be required to schedule a meeting with the Director of Compliance within three (3) business days of notification. Prior to scheduling a meeting with the Director of Compliance, the student-athlete shall be suspended from all activities involving his/her intercollegiate athletic team.

The student-athlete shall have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#)). If the student-athlete chooses to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process.

2. The student-athlete shall meet with the Director of Compliance to review the Drug Testing Protocol and test results. Upon determination that the Drug Testing Protocol was followed

and the test results valid and the student-athlete has signed the *Conditions of a Second Positive Drug Test for Performance Enhancing Drugs Form* (see [Appendix H](#)) then:

- a. The Head Coach, sport administrator, and the student-athlete's parents or guardians, as appropriate, will be notified of the results by the Director of Compliance.
- b. A second positive test for a PED results in the loss of all remaining eligibility per NCAA rules.
  - c. All athletically related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution.

If a student-athlete loses his/her athletically related financial aid as a result of a positive retest, he/she shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

### **Refusal to Provide a Sample**

A student-athlete who refuses to provide a sample during the test process or who fails to provide an adequate sample shall be deemed in violation of this policy. This violation shall be equivalent to a "positive" test result and the appropriate level offense consequences shall be applied.

### **Withdrawal of Consent**

Withdrawal of consent to testing shall, regardless of current-year test schedules, preclude participation in intercollegiate athletics and may preclude renewal of an athletic grant-in-aid for the following year unless and until said consent is reinstated by signing a new consent form. Withdrawal of consent to testing which has the effect of interdicting scheduled tests shall be treated as a refusal to provide a urine sample.

### **Appeals Process**

#### **1. Opening of Sample B**

A student-athlete who contests a laboratory finding that he/she has a banned substance in his/her urine sample may, within three (3) business days following receipt of notice of said laboratory finding, request the opening of Sample B, by contacting the Director of Compliance and completing the *Approval for Opening of Sample B Form* (see [Appendix J](#)). Sample B will be tested at the lab in which it is being stored for the sole purpose of confirming the results if necessary. The student-athlete will be notified in writing by the Director of Compliance of the results of Sample B.

If Sample B is confirmed as a positive test, the student-athlete has the right to request an appeal hearing as outlined below. However, if the confirming test (Sample B) is negative, the test result will be negative and the student-athlete will not be subjected to sanctions.

#### **2. Request Appeal Hearing**

If Sample B is confirmed as a positive test, a student-athlete who believes they have been cited in error for violations of this policy (excluding failure to consent or withdrawal of

consent) may appeal to the Director of Compliance within three (3) business days from receiving notification about the results of Sample B, stating in writing the reasons the athlete believes the decision was improper, or without merit or just cause. The student-athlete also will sign the *Acknowledgement of Appeal Process Form* (see [Appendix K](#)).

Written requests will be forwarded to the Drug Testing Appeals Committee from the Director of Compliance. This committee will be composed of the Drug Testing Coordinator, the Faculty Athletics Representative or designee, the Senior Associate Director of Athletics/Senior Woman Administrator, and a Member from the Office of Student Conduct. The Committee is charged with deciding whether to accept or reject the student-athlete's written appeal.

The Drug Testing Appeals Committee will meet to review the appeal and will make all attempts to hold a hearing within seven (7) business days of the student-athlete's written request for a hearing. The student-athlete will be present during the hearing and may be accompanied to the hearing by a personal advisor, who may be present during the hearing but may not address the committee unless, in the committee's sole discretion, it would be helpful to do so. The committee may pose questions to the student-athlete and/or the personal advisor present at the hearing. A decision by the Drug Testing Appeals Committee will be rendered within 24 hours of the hearing and shall be final.

### **Records Security**

It is not the University's intention to invoke criminal justice procedures or Student Conduct Code disciplinary proceedings arising out of the use or ingestion of controlled substances or substances on the NCAA list of banned substances, unless the offense is sufficiently serious or has occurred with sufficient repetition to warrant criminal referral in the discretion of the Director of Athletics. The University, in conducting the testing program, is not acting in aid of or as an agent for state or federal law enforcement officials. Nor are those administering the tests acting as, for, or on behalf of the Office of Student Conduct or the University Police Department.

The test results are educational records protected from disclosure under state and federal law. However, these laws do not immunize student educational records from disclosure pursuant to a legally enforceable subpoena or cooperation with law enforcement agencies, within the bounds of applicable state and federal law.

## Appendix A: List of NCAA Banned Substances

**The NCAA bans the following classes of drugs:**

- a. Stimulants;
- b. Anabolic Agents;
- c. Alcohol and Beta Blockers (banned for rifle only);
- d. Diuretics and Other Masking Agents;
- e. Street Drugs;
- f. Peptide Hormones and Analogues;
- g. Anti-estrogens; and
- h. Beta-2 Agonists.

**Note: Any substance chemically related to these classes is also banned.**

The institution and the student-athlete shall be held accountable for all drugs within the banned drug class regardless of whether they have been specifically identified.

**Drugs and Procedures Subject to Restrictions:**

- a. Blood Doping;
- b. Local Anesthetics (under some conditions);
- c. Manipulation of Urine Samples;
- d. Beta-2 Agonists permitted only by prescription and inhalation; and
- e. Caffeine if concentrations in urine exceed 15 micrograms/ml.

**NCAA Nutritional/Dietary Supplements Warning:**

**Before consuming any nutritional/dietary supplement product, review the product with your athletics department staff!**

- (1) Dietary supplements are not well regulated and may cause a positive drug-test result.
- (2) Student-athletes have tested positive and lost their eligibility using dietary supplements.
- (3) Many dietary supplements are contaminated with banned drugs not listed on the label.
- (4) **Any product containing a dietary supplement ingredient is taken at your own risk.**

**It is your responsibility to check with the appropriate athletics staff before using any substance.**

**Note to Student-Athletes: There is no complete list of banned substances. Do not rely on this list to rule out any supplement ingredient.**

**Check with your athletics department staff prior to using a supplement.**

**1. Some Examples of NCAA Banned Substances in Each Drug Class Stimulants:**

e.g., amphetamine (Adderall); caffeine (guarana); cocaine; ephedrine; fenfluramine (Fen); methamphetamine; methylphenidate (Ritalin); phentermine (Phen); synephrine (bitter orange); methylhexanamine, etc.

*Exceptions:* phenylephrine and pseudoephedrine are not banned.

**2. Anabolic Agents (sometimes listed as a chemical formula, such as 3, 6, 17-androstenetrione):**

e.g., boldenone; clenbuterol; DHEA (7-Keto); nandrolone; stanozolol; testosterone; methasterone; androstenedione; norandrostenedione; methandienone; etiocholanolone; trenbolone; etc.

**3. Alcohol and Beta Blockers (banned for rifle only):**

e.g., alcohol; atenolol; metoprolol; nadolol; pindolol; propranolol; timolol; etc.

**4. Diuretics (water pills) and Other Masking Agents:**

e.g., bumetanide; chlorothiazide; furosemide; hydrochlorothiazide; probenecid; spironolactone (canrenone); triameterene; trichlormethiazide; etc.

**5. Street Drugs:**

e.g., heroin; marijuana; tetrahydrocannabinol (THC); synthetic cannabinoids (e.g., spice, K2, JWH-018, JWH-073)

**6. Peptide Hormones and Analogues:**

e.g., growth hormone (hGH); human chorionic gonadotropin (hCG); erythropoietin (EPO); etc.

**7. Anti-Estrogens:**

e.g., anastrozole; tamoxifen; formestane; 3,17-dioxo-etiochol-1,4,6-triene (ATD), etc.

**8. Beta-2 Agonists:**

e.g., bambuterol; formoterol; salbutamol; salmeterol; etc.

**Any substance that is chemically related to the class, even if it is not listed as an example, is also banned (unless otherwise noted)!**

**Appendix B: University of Delaware Drug Testing Form-Informed Consent/Release of Liability**

I, \_\_\_\_\_ (print name), a student-athlete at the University of Delaware, acknowledge that I have been notified of the University of Delaware's Drug Testing Program policies and procedures. I have been given the chance to ask questions about it, fully understand its provisions, and the consequences of positive testing(s). I understand that a copy of the Drug Testing Program is available for my review in the Compliance Office and on the Athletic Department website.

I understand that drug use is a violation of team rules for all intercollegiate athletics at the University of Delaware and as such, I agree to abide by all the training rules established by the Athletic Governing Board. Accordingly, I hereby consent to be tested in accordance with procedures adopted by the University of Delaware to determine if I have utilized a substance listed in the above-mentioned document.

I further understand that this consent and my test results will become a part of my educational records in accordance with the Family Education Rights and Privacy Act of 1974 ("FERPA"), 20 USC §1232g.

I further understand that signing this consent form and agreeing to participate in the Drug Testing and Education Program is a mandatory prerequisite to my participation in intercollegiate athletics at the University of Delaware.

I understand by signing below, I consent to allow my drug testing sample to be used by Drug Free Sport laboratories for research purposes to improve drug testing detection.

To the extent set forth in this document, I hereby waive any privilege I may have in connection with the information that may be obtained as a result of my participation in the Drug Testing Program and Education Program.

I hereby release the University of Delaware and its Trustees, Officers, Employees and Agents from legal responsibility or liability for any action related to the implementation of the Drug Testing Program and Education Program or the release of information and records as authorized by the terms of the Program.

Student-athlete: \_\_\_\_\_

Sport: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Parent/Guardian of Minor: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix C: Supplement Notification Forms

### Student-Athlete Supplement Notification Form

I, \_\_\_\_\_, acknowledge that I am currently taking and/or have  
*Student-Athlete Print Name*

(within the past 6 months) taken the following: ergogenic aids, creatine powder, amino acids, protein supplements, or other similar substances, hereinafter referred to as "Supplements." (Use the back of this form if necessary.)

NAME	DOSAGE	MAIN INGREDIENTS	COMMENTS

I understand and agree:

- a) The University of Delaware Department of Intercollegiate Athletics neither approves of nor condones the use of Supplements;
- b) I have been informed of the University of Delaware Department of Intercollegiate Athletics, National Collegiate Athletic Association (NCAA), and United States Olympic Committee (USOC) policies with regards to the use of Supplements, and have had any questions about these policies answered;
- c) The use of Supplements may result in serious harm to me, possible permanent injury to my health, and even death.
- d) I risk losing my eligibility to participate in intercollegiate athletics if I test positive for an NCAA banned substance;
- e) I must list all Supplements on the Chain of Custody Forms at the time of any drug test.

I fully accept any and all risks and liability if I have used in the past, continue to use, or use at any time in the future any form of Supplements.

I further understand and agree the University of Delaware, its officers, employees, and agents are not responsible for any harm and possible permanent injury to my health caused by my past, present, and/or future use of Supplements. I agree to hold harmless, indemnify, and irrevocably and unconditionally release the University of Delaware, and their officers, employees and agents from any and all liability, and demands, claims and causes of action relating to my use of Supplements.

I understand the statements in this form, and have had all questions about the information in this form answered to my satisfaction.

\_\_\_\_\_  
 Student-Athlete Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Parent/Guardian Signature (if under 18 years old)

\_\_\_\_\_  
 Date

**Receipt of Student-Athlete Supplement Notification Form-Banned Substances**

Date \_\_\_\_\_

Dear \_\_\_\_\_

We are in receipt of the attached Supplement Notification Form in which you indicated that you are currently taking and/or have (within the past 6 months) taken the following substance(s) which is (are) considered “Banned” and in violation of NCAA Bylaw 31.2.3.4.

---

**Effective immediately, you must discontinue taking the aforementioned product(s) and discard appropriately.** Per NCAA Bylaw 31.2.3, any student-athlete who is found to have utilized a banned substance as a result of a drug test administered by the University or NCAA shall, in the case of an NCAA-administered drug test be declared ineligible for further participation in postseason and regular-season competition for a period of one (1) calendar year after the positive drug test and shall be charged with the loss of a minimum of one (1) season of competition in all sports.

**The University of Delaware Department of Intercollegiate Athletics neither approves of nor condones the use of “Supplements”, and its officers, employees, and agents are not responsible for any harm and possible permanent injury to your health caused by your past, present, and/or future use of “Supplements.” If you continue to use the aforementioned product(s), you may also be risking serious harm, including possible permanent injury and/or death, to yourself.**

If at any time you have any questions or concerns regarding the listed items and/or “Supplements” in general, please do not hesitate to contact a University of Delaware Sports Medicine Team Physician and/or Sports Nutritionist..

## Receipt of Student-Athlete Supplement Notification Form

Date \_\_\_\_\_

Dear \_\_\_\_\_,

We are in receipt of the attached Supplement Notification Form in which you indicated that you are currently taking and/or have (within the past 6 months) taken nutrition / dietary supplements, ergogenic aids, creatine powder, amino acids, protein supplements, or other similar substances, hereinafter referred to as “Supplements”, and are consequently advised of the following.

1. Many “Supplements” contain substances banned by the NCAA (Bylaw 31.2.3) and/or the United States Olympic Committee (USOC). In addition, the U.S. Food and Drug Administration (FDA) does not strictly regulate the supplement industry; therefore the purity and safety of “Supplements” cannot be guaranteed. The use of “Supplements” is at your own risk and you will be held responsible for every substance that enters your body.
2. **The University of Delaware Department of Intercollegiate Athletics neither approves of nor condones the use of “Supplements.”**
3. **The University of Delaware, its officers, employees, and agents are not responsible for any harm and possible permanent injury to your health caused by your past, present, and/or future use of “Supplements.”**
4. **If you continue to use the “Supplements” listed on the attached form, you may be in violation of University of Delaware Department of Intercollegiate Athletics, Colonial Athletic Conference, National Collegiate Athletic Association (NCAA), and United States Olympic Committee (USOC) policies with regards to the use of “Supplements”, and may be risking serious harm, including possible permanent injury and/or death, to yourself through the use of the listed products.**

If at any time you have any questions or concerns regarding the listed items and/or “Supplements” in general, please do not hesitate to contact a University of Delaware Sports Medicine Team Physician and/or Sports Nutritionist.

## Appendix D: Drug Testing Notification Form

***Drug Free Sport™***

### Institutional Drug-Testing Program Student-Athlete Notification Form

[After student-athlete signs, institution may provide the student-athlete with a copy of this form.]

Student-Athlete: \_\_\_\_\_ Date of Notification: \_\_\_\_\_  
 Institution: \_\_\_\_\_ Time of Notification: \_\_\_\_\_ am/pm  
 Sport: \_\_\_\_\_ Notification:  in person  direct phone contact

**I, The Undersigned:**

- Acknowledge being notified (either in person or by direct telephone contact) to appear for institutional drug testing and have been notified to report to the drug-testing station with **picture identification** at  
 \_\_\_\_\_, on \_\_\_\_\_ at \_\_\_\_\_ am/pm.  
(location of test) (date of test) (time of test)
- I will be prepared to provide an adequate specimen and will not over hydrate. **(Do not drink too many fluids.)**  
 I understand that providing numerous diluted specimens will be cause for follow-up drug testing.
- I understand failure to appear at the site on or before the designated time may constitute a withdrawal of my previous consent to be tested as previously indicated on the Drug-Testing Consent Form and could result in a penalty.

By signing, I have been notified of my selection for drug testing, and am aware of what is expected of me in preparation for this drug-testing event.

**Student-Athlete's Signature:** \_\_\_\_\_

Phone number on test day: \_\_\_\_\_

Comments: \_\_\_\_\_

**For Collection Crew Use Only:**

Void 1: Validator: \_\_\_\_\_ SG: \_\_\_\_\_ Beaker Bar Code Label: \_\_\_\_\_

Void 2: Validator: \_\_\_\_\_ SG: \_\_\_\_\_ Beaker Bar Code Label: \_\_\_\_\_

Void 3: Validator: \_\_\_\_\_ SG: \_\_\_\_\_ Beaker Bar Code Label: \_\_\_\_\_

Void 4: Validator: \_\_\_\_\_ SG: \_\_\_\_\_ Beaker Bar Code Label: \_\_\_\_\_

**Specimen Bar Code Label:** \_\_\_\_\_

### **Appendix E: Drug Testing Protocol**

1. Upon entering the collection station, the athlete will provide photo identification and/or a client representative/site coordinator will identify the athlete and the athlete will officially enter the station.
2. The athlete will select a sealed collection beaker from a supply of such.
3. A collector, serving as validator, will monitor the furnishing of the specimen by observation in order to assure the integrity of the specimen until a volume of at least 50 mL is provided (100 mL if testing for anabolic steroids).
4. Validators who are of the same gender as the athlete must observe the voiding process and should be members of the official drug-testing crew. The procedure does not allow for validators to stand outside the immediate area or outside the restroom. The athlete must urinate in full view of the validator (validator must observe flow of urine). The validator may request the athlete raise his/her shirt high enough to observe the midsection area completely ruling out any attempt to manipulate or substitute a sample.
5. Athletes may not carry any item other than his/her beaker into the restroom when providing a specimen. Any problem or concern should be brought to the attention of the collection crew chief or client representation for documentation. Athletes will rinse and dry hands, with water only, prior to urination, and wash with soap and water following urination.
6. Once a specimen is provided, the athlete is responsible for keeping the collection beaker closed and controlled.
7. Fluids and food given to athletes who have difficulty voiding must be from sealed containers (approved by the collector) that are opened and consumed in the station. These items must be caffeine- and alcohol-free and free of any other banned substances.
8. If the specimen is incomplete, the athlete must remain in the collection station until the sample is completed. During this period, the athlete is responsible for keeping the collection beaker closed and controlled.
9. If the specimen is incomplete and the athlete must leave the collection station for a reason approved by the collector, specimen must be discarded.
10. Upon return to the collection station, the athlete will begin the collection procedure again.
11. Once an adequate volume of the specimen is provided, the collector who monitored the furnishing of the specimen by observation will sign that the specimen was directly validated and a collector will check the specific gravity of the urine in the presence of the athlete.
12. If the urine has a specific gravity below 1.005 (1.010 if measured with a reagent strip), the specimen will be discarded by the athlete. The athlete must remain in the collection station until another specimen is provided. The athlete will provide another specimen.

13. If the urine has a specific gravity above 1.005 (1.010 if measured with a reagent strip) the specimen will be processed and sent to the laboratory.
14. The laboratory will make final determination of specimen adequacy.
15. If the laboratory determines that an athlete's specimen is inadequate for analysis, at the client's discretion, another specimen may be collected.
16. If an athlete is suspected of manipulating specimens (e.g., via dilution), the client will have the authority to perform additional tests on the athlete.
17. Once a specimen has been provided that meets the on-site specific gravity, the athlete will select a specimen collection kit and a uniquely numbered Chain of Custody Form from a supply of such.
18. A collector will record the specific gravity.
19. The collector will pour approximately 35 mL of the specimen into the "A vial" and the remaining amount (approximately 15 mL) into the "B vial" (another A=35 mL, B=15 mL in a second split sample kit for anabolic steroid testing, which will be shipped to a WADA accredited laboratory) in the presence of the athlete. Therefore, two split sample kits will be used when testing for both "drugs of abuse" and anabolic steroids. The vials will be packaged identically, but shipped to two different laboratories.
20. The collector will place the cap on each vial in the presence of the athlete; the collector will then seal each vial in the required manner under the observation of the athlete and witness (if present).
21. Vials and forms (if any) sent to the laboratory shall not contain the name of the athlete.
22. All sealed specimens will be secured in a shipping case. The collector will prepare the case for forwarding.
23. The athlete, collector and witness (if present) will sign certifying that the procedures were followed as described in the protocol. Any deviation from the procedures must be described and recorded. If deviations are alleged, the athlete will be required to provide another specimen.
24. After the collection has been completed, the specimens will be forwarded to the laboratory and copies of any forms forwarded to the designated persons.
25. The specimens become the property of the client.

If the athlete does not comply with the collection process, the collector will notify the client representative/site coordinator and third party administrator responsible for management of the drug-testing program. The National Center for Drug Free Sport 9/21/10

## Appendix F: Conditions of Positive Tests for Marijuana

### Conditions of a First Positive Drug Test for Marijuana

I understand the following conditions:

1. I have been informed that I have had a positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians, as appropriate, will be notified of the results by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. I will participate in at least three one-on-one sessions with a substance abuse counselor within one month after notifications of a positive drug test, (302) 831-3457, and sign the Waiver to Release Information to Athletics Department Staff (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments.
7. I understand if I do not meet with a substance abuse counselor within one month after my notification of a positive drug test, I will be immediately suspended from 10% of the competition of intercollegiate athletic team in the championship season in the current and/or next applicable year.
8. If my Substance Abuse Counselor, after the initial three meetings, determines that I need further evaluation, education, and/or counseling sessions, I must comply with these recommendations.
9. I may be tested while undergoing sanctions. A positive test while under sanctions will result in next level sanctions.
10. I may be subject to follow-up drug testing at any time during the remainder of my athletic career at the University of Delaware.
11. If I fail to comply with any provision of the Conditions of a First Positive Drug Test for Marijuana, I will be suspended from my intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completion of every step in the Conditions of a First Positive Drug Test for Marijuana.

---

Student-athlete signature

---

Date

## Conditions of a Second Positive Drug Test for Marijuana

I understand the following conditions:

1. I have been informed that I have had a second positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians will be notified of the results, as appropriate, by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. I will be immediately suspended from 20% of the competition of my intercollegiate athletic team in the championship season in the current and/or next applicable year.
7. I will participate in at least three one-on-one sessions with a substance abuse counselor at and sign the Waiver to Release Information to Athletics Department Staff (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments.
8. I understand if I do not attend the required three meetings with a substance abuse counselor within one month after my notification of a positive drug test, an additional 10% loss of competition in the championship season will be added to the required 20% suspension of the competition in the championship season in the current and/or next applicable year.
9. If my Substance Abuse Counselor, after the initial three meetings, determines that I need further evaluation, education, and/or counseling sessions, I must comply with these recommendations.
10. I may be tested while undergoing sanctions. A positive test while under sanctions will result in next level sanctions.
11. I may be subject to follow-up drug testing at any time during the remainder of my athletic career at the University of Delaware.
12. All athletically-related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution. If I lose my athletically related financial aid as a result of a positive retest, I shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.
13. If I fail to comply with any provision of the Conditions of a Second Positive Drug Test for Marijuana, I will be suspended from my intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completion of every step in the Conditions of a Second Positive Drug Test for Marijuana.

---

Student-athlete signature

---

Date

### **Conditions of a Third Positive Drug Test for Marijuana**

I understand the following conditions:

1. I have been informed that I have had a third positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians as appropriate, will be notified of the results by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. I will be immediately dismissed from my intercollegiate athletic team and will be prohibited from representing the University of Delaware in intercollegiate athletic competition for the remainder of my matriculation at the University of Delaware.
7. All athletically related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution. If I lose my athletically related financial aid as a result of a positive retest, I shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

---

Student-athlete signature

---

Date

## **Appendix G: Conditions of Positive Drug Tests for Other Illicit Drugs**

### **Conditions of a First Positive Drug Test for Other Illicit Drugs**

I understand the following conditions:

1. I have been informed that I have had a positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians, as appropriate, will be notified of the results by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. I will be immediately suspended from 10% of the competition of my intercollegiate athletic team in the championship season in the current and/or next applicable year.
7. I will participate in at least three one-on-one sessions with a substance abuse counselor and sign the Waiver to Release Information to Athletics Department Staff (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments.
8. I understand if I do not meet with a substance abuse counselor within one month after my notification of a positive drug test, I will be immediately suspended from an additional 10% of the competition of the championship season in the current and/or next applicable year.
9. If my Substance Abuse Counselor, after the initial three meetings, determines that I need further evaluation, education, and/or counseling sessions, I must comply with these recommendations.
10. I may be tested while undergoing sanctions. A positive test while under sanctions will result in next level sanctions.
11. I may be subject to follow-up drug testing at any time during the remainder of my athletic career at the University of Delaware.
12. If I fail to comply with any provision of the Conditions of a First Positive Drug Test for Other Illicit Drugs, I will be suspended from my intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completion of every step in the Conditions of a First Positive Drug Test for other Illicit Drugs.

---

Student-athlete signature

---

Date

### Conditions of a Second Positive Drug Test for Other Illicit Drugs

I understand the following conditions:

1. I have been informed that I have had a second positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians will be notified of the results, as appropriate, by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. I will be immediately suspended from 20% of the competition of my intercollegiate athletic team in the championship season in the current and/or next applicable year.
7. I will participate in at least three one-on-one sessions with a substance abuse counselor at and sign the Waiver to Release Information to Athletics Department Staff (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments.
8. I understand if I do not attend the required three meetings with a substance abuse counselor within one month after my notification of a positive drug test, an additional 10% loss of competition in the championship season will be added to the required 20% suspension of the competition in the championship season in the current and/or next applicable year.
9. If my Substance Abuse Counselor, after the initial three meetings, determines that I need further evaluation, education, and/or counseling sessions, I must comply with these recommendations.
10. I may be tested while undergoing sanctions. A positive test while under sanctions will result in next level sanctions.
11. I may be subject to follow-up drug testing at any time during the remainder of my athletic career at the University of Delaware.
12. All athletically related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution. If I lose my athletically related financial aid as a result of a positive retest, I shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.
13. If I fail to comply with any provision of the Conditions of a Second Positive Drug Test for other Illicit Drugs, I will be suspended from my intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completion of every step in the Conditions of a Second Positive Drug Test for Other Illicit Drugs.

---

Student-athlete signature

---

Date

### Conditions of a Third Positive Drug Test for Other Illicit Drugs

I understand the following conditions:

1. I have been informed that I have had a third positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians as appropriate, will be notified of the results by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. I will be immediately dismissed from my intercollegiate athletic team and will be prohibited from representing the University of Delaware in intercollegiate athletic competition for the remainder of my matriculation at the University of Delaware.
7. All athletically related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution. If I lose my athletically related financial aid as a result of a positive retest, I shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

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Student-athlete signature

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Date

## Appendix H: Conditions of Positive Drug Tests for Performance Enhancing Drugs (P.E.D.s)

### Conditions of a First Positive Drug Test for Performance Enhancing Drugs (P.E.D.s)

I understand the following conditions:

1. I have been informed that I have had a positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians, as appropriate, will be notified of the results by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. I will be suspended for one full year of eligibility for the first offense (25 percent of their total eligibility) and are withheld from competition for 365 days from the date of the test, and
7. I will participate in at least three one-on-one sessions with a substance abuse counselor within one month after notifications of a positive drug test and sign the Waiver to Release Information to Athletics Department Staff (see [Appendix I](#)) at this time in order for the athletic department to monitor appointments.
8. If my Substance Abuse Counselor, after the initial three meetings, determines that I need further evaluation, education, and/or counseling sessions, I must comply with these recommendations.
9. I may be tested while undergoing sanctions. A positive test while under sanctions will result in next level sanctions.
10. I may be subject to follow-up drug testing at any time during the remainder of my athletic career at the University of Delaware.
11. If I fail to comply with any provision of the Conditions of a First Positive Drug Test for Performance Enhancing Drugs, I will be suspended from my intercollegiate athletic team until reinstated by the Director of Compliance. Reinstatement consists of completion of every step in the Conditions of a First Positive Drug Test for Performance Enhancing Drugs.

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Student-athlete signature

---

Date

### Conditions of a Second Positive Drug Test for Performance Enhancing Drugs (P.E.D.s)

I understand the following conditions:

1. I have been informed that I have had a positive drug test.
2. I am required to schedule a meeting with the Director of Compliance within three (3) business days of notification.
3. Prior to scheduling a meeting with the Director of Compliance, I am suspended from all activities involving my intercollegiate athletic team.
4. My Head Coach, sport administrator, and parents or guardians, as appropriate, will be notified of the results by the Director of Compliance.
5. I have the right to appeal in accordance with the appellate procedures (see [Appeal Process](#) p.15). If I choose to appeal the results of a positive test, the competition suspension will not take effect until the completion of the appeals process. If my appeal is successful, I understand that the positive result will be discarded. If my appeal is unsuccessful, then I understand the sanctions below will be imposed.
6. A second positive test for a PED results in the loss of all remaining eligibility per NCAA rules.
7. All athletically related financial aid may cease at the earliest possible date consistent with the NCAA Bylaws and Constitution. If I lose my athletically related financial aid as a result of a positive retest, I shall be granted the opportunity for a hearing by the appropriate University authority consistent with the procedures set forth by the NCAA Bylaws and Constitution.

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Student-athlete signature

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Date

**Appendix I: Waiver to Release Information to Athletics Department Staff**

I, \_\_\_\_\_, consent to allowing the Substance Abuse Counselor to communicate my compliance with the assessment meeting(s) (as stated in the University of Delaware's Athletics Drug Testing Program policy manual) to the Athletics Staff.

I understand that only verification of my attendance at meetings will be communicated, not content of the meeting(s).

\_\_\_\_\_  
Student Athlete's Signature

\_\_\_\_\_  
Date

**Appendix J: Approval for Opening of Sample B**

I, \_\_\_\_\_, want to appeal my positive Drug Test and have Sample B tested. I understand that per the University of Delaware Division of Intercollegiate Athletics Drug Testing Program that this test will be conducted at the same laboratory as Sample A.

\_\_\_\_\_

Student Athlete Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Drug Testing Representative

\_\_\_\_\_

Date

**Appendix K: Acknowledgement of Appeal Process**

I, \_\_\_\_\_, want to appeal my positive drug test and will provide a written request, within three (3) business days, of the reasons I believe the decision was improper, or without merit or just cause.

\_\_\_\_\_

Student Athlete Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Drug Testing Representative

\_\_\_\_\_

Date