

**WEST VIRGINIA UNIVERSITY
INTERCOLLEGIATE ATHLETICS**

**CONSENT TO PARTICIPATE IN THE DRUG SCREENING POLICY AND
SUBSTANCE ABUSE PROGRAM**

I, _____ [print name of Student-Athlete], hereby acknowledge that I have received a copy of the West Virginia University Department of Intercollegiate Athletics Drug Screening Policy and Substance Abuse Program (Program). I further acknowledge that I have read the Program documentation and that I fully understand the provisions of the Program. The Program applies only to the Morgantown campus of West Virginia University.

I hereby voluntarily and under no threat, inducement or compulsion, consent to have a sample of my urine collected and tested for the presence of certain drugs or substances on a random, unannounced basis, in accordance with the provisions of the Program, and at such times as required under the Program.

I further agree and consent to the disclosure of said records and results relating to me only to those persons involved in the administration of the program, and only under the circumstances described in the Program. This consent is given pursuant to all State and Federal privacy statutes including, but not limited to the Family Educational Rights and Privacy Act (FERPA), and is a waiver of my rights to non-disclosure of such test records and results only to the extent of the disclosures authorized in the Program.

I understand that the contracted laboratory shall release the technical results of the urinalysis to the Medical Review Officer (MRO) of the Athletics' Drug Advisory Committee only. I further understand that the MRO is obligated to keep my identity confidential and, to the extent permitted by law, will not furnish my name or identity in any state or local civil, criminal, administrative legislative or other proceedings.

I hereby release the West Virginia University Board of Governors, West Virginia University, and their employees and agents from legal responsibility or liability for the disclosure or release of any information from the records or forms kept pursuant to this Program.

Date

Student-Athlete Signature

*** Birthdate

*** If Student-Athlete is under the age of eighteen (18), please include a parent or guardian signature:

Date

Parent / Guardian Signature

Attachment A

The following is only a summary of the penalties associated with the West Virginia University Department of Intercollegiate Athletics' Drug Screening Program and Substance Abuse Program (Program):

General Results

In accordance with the purpose of this Program, the Department of Intercollegiate Athletics assumes that all student-athletes will test negative for the use of the Banned Substances as listed above. There will be no maximum number of times a student-athlete may be tested during his/her career at WVU. If a student-athlete does have a positive urine test, then the student-athlete will be placed on an active list, which will result in an increased likelihood of selection for a random test for the remainder of the student-athlete's career at WVU.

Effect of Negative Results in Retesting to Confirm Positive Test Result

Any positive urine test will result in a violation pursuant to this Program. All positive test results will be immediately retested by the contracted laboratory to assure there is no error in the result. In the event that a retest is negative, the immediately prior positive result will be considered an error, and the initial positive test will not result in a violation.

Incidents Involving Alcohol and/or Banned Substances

On-campus and off-campus incidents involving alcohol and/or Banned Substances may, at the discretion of the MRO, result in a violation pursuant to this Program; all incidents resulting in a conviction will be a violation. Determination of whether an incident involving alcohol and/or Banned Substances is a violation will be made on a case-by-case basis; nevertheless, to the extent practicable, the MRO will make determinations that are consistent with past practices. In the event that the MRO deems an on-campus or off-campus incident involving alcohol and/or Banned Substances to be a violation, the violation shall be counted as if the student-athlete's urine sample had tested positive for use of Banned Substances.

Positive Results - First Violation

If the student-athlete's urine sample tests positive for the use of Banned Substances for a first time or, if the student-athlete is involved in an alcohol and/or Banned Substances incident for a first time, the student-athlete shall be deemed to be in violation of this Program.

If a positive result is confirmed, the MRO will be notified by the laboratory and in turn, the MRO will notify the student-athlete who tested positive in writing. In addition, copies of this letter will be sent to the Director of Athletics, the Head Coach, the supervising Athletic Trainer, and Psychologist. The student-athlete will be directed by the MRO to arrange a meeting with his/her Head Coach and supervising Athletic Trainer within three (3) business days. At this meeting, the student-athlete, in the presence of these individuals, will telephone his/her parent or guardian and advise them of the violation and results (if applicable) unless waived by the Committee. The student-athlete will be expected to make an appointment to be seen by the Psychologist within seven (7) consecutive days for an evaluation of Banned Substances, alcohol or other substance abuse or dependence.

For a positive result for a banned substance other than marijuana, the student-athlete will be suspended from participation in team practices, games and activities until the student-athlete has a subsequent NEGATIVE drug screen as monitored by Psychologist. Such records shall be treatment records and, with respect to this Program, positive results will not have adverse impact on the student-athlete. The student-athlete may attend practices, meetings, meals and games (it is permissible to be in uniform, but not participate in warm-ups or competition). The student-athlete will continue participation with the Psychologist until the student-athlete is released by this service.

A positive result during the first violation for marijuana only, including synthetic marijuana, will not cause the student-athlete from being suspended from participation in team activities including competition; however, the student-athlete must attend counseling sessions with the Psychologist until the student-athlete is released by this service. Notwithstanding the foregoing, on a case-by-case determination, a student-athlete who has a first violation for marijuana only, including synthetic marijuana, may be suspended from participation in team activities including competition if, in the opinion of the MRO, Head Coach, or Psychologist the student-athlete poses a likely threat to the safety or well-being of others.

Failure to comply or refusal to participate with the counseling program set forth above will result in immediate disqualification from all athletic participation until the above guidelines are met. The student-athlete's Head Coach may impose additional penalties beyond these guidelines, subject to the approval of the Director of Athletics. In all cases the student-athlete will be referred for appropriate counseling and rehabilitation.

Positive Results - Second Violation

If the student-athlete's urine sample tests positive for the use of Banned Substances for a second time or, if the student-athlete is involved in an alcohol and/or Banned Substances incident for a second time, the student-athlete shall be deemed to be in violation of this Program.

If a positive result is confirmed, the MRO will be notified by the laboratory and in turn, the MRO will notify the student-athlete who tested positive in writing. In addition, copies of this letter will be sent to the Director of Athletics, the Head Coach, the supervising Athletic Trainer, and Psychologist. The student-athlete will be directed to arrange a meeting with his/her Head Coach, supervising Athletic Trainer, and the Director of Athletics within three (3) days. At this meeting the student-athlete in the presence of these individuals, will telephone his/her parent or guardian and advise them of the violation and results (if applicable) unless waived by the Committee. The student-athlete will be expected to make an appointment to be seen by the Psychologist within seven (7) consecutive days for an evaluation of Banned Substances, alcohol or other substance abuse or dependence.

The student-athlete will be suspended from any and all participation in team practices, games, and activities, including team meetings and meals, until the student-athlete has a subsequent NEGATIVE drug screen as monitored by the Psychologist, such records shall be treatment records and, with respect to this Program, positive results will not have adverse impact on the student-athlete. The student-athlete will continue participation with the Psychologist until the student-athlete is released by this service. The suspension will also include a time period of 10% of the team's season competition schedule including postseason events. In computing the 10% penalty, .50 is rounded down, and .51 is rounded up. The suspension will also include no traveling either to home or away events during this period. The suspension will begin immediately upon the student-athlete's notification of positive results. If a team completes its competition schedule while a student-athlete is under the above suspension, the student-athlete's participation suspension will carry over into the following year's (next season's) competition. The student-athlete's Head Coach may impose additional penalties beyond these guidelines subject to the approval of the Director of Athletics. In all cases the student-athlete will be referred for appropriate counseling and rehabilitation.

Failure to comply with the guidelines set forth above will result in immediate disqualification from all athletic participation and removal of all financial support provided by the Department of Intercollegiate Athletics for the remainder of the student-athlete's athletic career.

Positive Results - Third Violation

If a student-athlete's urine sample tests positive for the use of Banned Substances for a third time or, if the student-athlete is involved in an alcohol and/or Banned Substances incident for a third time, the student-athlete shall be deemed to be in violation of the Program.

If the positive result is confirmed, the MRO will notify the student-athlete in writing to arrange an appointment with the Head Coach, Director of Athletics, Team Physician, and supervising Athletic Trainer. At this meeting the Director of Athletics will notify the student-athlete's parent or guardian and advise them that the student-athlete will be removed from all further athletic participation and all financial aid provided by the Department of Intercollegiate Athletics will be withdrawn for the remainder of the student-athlete's athletic career. The student-athlete will also be referred for appropriate counseling and rehabilitation.

Reasonable Suspicion

As part of the Program, student-athletes may be tested based upon reasonable suspicion of the Head Coach, supervising Athletic Trainer, or the Director of Athletics. Reasonable suspicion will be based on the observation of behavior or conduct, or the presence of certain physical and emotional characteristics or patterns, which are symptomatic of the use of Banned Substances or abuse of alcohol which includes but is not limited to chronic fatigue or loss of vitality, decreased interest or effort in practices and competitions, prolonged illness or injuries, unexpected weight and/or strength gains or losses, unexplained fluctuations in moods expressed as inappropriate irritability, hostility, anxiety, anger or withdrawal, other unexplained behavior changes, or outward signs (odor of marijuana or alcohol). Student-athletes tested as a result of reasonable suspicion may be required to see the Psychologist without a positive result being counted as a violation as long as they comply with the counseling.