



Ohio Administrative Code

Rule 3344-48-05 Effect of positive test results.

Effective: October 27, 2019

(A) Any student-athlete who tests positive for a banned substance, who refuses to submit or fails to take a required drug test as described in this policy, shall be subject to the sanctions listed in this rule.

(B) Positive drug test results (using the NCAA threshold values) are cumulative throughout a student-athlete's career at Cleveland state university. Any student-athlete who tests positive shall be subject to repeated testing throughout their CSU career (a minimum of one calendar year). A positive test for cocaine, heroin or PCP will automatically be considered a third positive and the student-athlete will be removed from participation in Cleveland state university athletics.

(C) Notification: the head team physician or designee shall securely receive the results of all testing via the center for drug free sport, on-line reporting mechanism. All testing results shall be handled confidentially. The head athletic trainer or designee shall notify the student-athlete of a scheduled appointment to meet with the head team physician or his/her designee to inform the student-athlete of the positive drug screen.

(D) Once the student-athlete has met with the team physician to discuss a positive test result, the head athletic trainer or designee will notify the athletic director, sport supervisor, athletics compliance office and the head coach. If the student-athlete is under twenty-one years of age, the student's parent(s) or legal guardian(s) shall be notified of the positive test results by the head team physician. For the safety and well-being of the student-athlete, the director of athletics may notify the student-athlete's parent(s) or legal guardian(s) of the positive finding and sanctions if over the age of twenty-one. Likewise, the director of athletics may inform other university officials as appropriate. Results of positive drug tests shall be filed in the student-athlete's CSU medical record and handled according to all customary confidentiality procedures.

(E) Medical exception: if an athlete tests positive for a prescription medication, it shall be considered a positive test until the results are reviewed by the head team physician or designee.



Medical documentation from the treating physician(s) shall be reviewed for evidence to support the need for use of a banned drug. For medications used to treat ADD/ADHD, appropriate documentation shall be on file with the Cleveland state university sports medicine staff prior to being selected for a random drug screen. ADD/ADHD documentation shall be updated yearly (see appendix D to this rule). (Medical marijuana, CBD oils or related substances are still considered banned substances even with a prescription).

(F) Sanctions: since drug use is considered a violation of departmental and team rules, a positive test result shall have the following consequences:

(1) First positive:

(a) The student-athlete shall be required to meet with the head team physician or designee to discuss the positive drug test results and for assessment if athlete is in imminent danger to themselves or to others.

(b) The student-athlete's parent(s) or legal guardian shall be notified by the head team physician or designee of the positive result, if under twenty-one years of age.

(c) The student-athlete shall meet with the director of athletics and/or sport supervisor and head coach. Meeting will occur within forty-eight hours of the student-athlete notification of a positive test, and will be documented by sport supervisor. Student-athlete will sign the CSU drug testing disciplinary agreement (appendix E) and will be given the CSU positive drug screen sanctions form to complete (appendix F).

(d) The student-athlete shall participate in designated counseling, treatment, and intervention programs as deemed appropriate by the head team physician, team psychiatrist and/or CSU counseling center. Failure to comply with the treatment plan shall be classified as non-compliant and shall result in a second positive test. This includes completing the recommendations in a reasonable time schedule, determined by the team physician or designee.

(e) The student-athlete shall be suspended for seven days from all team activities, including practice, strength and conditioning, film, training trips, etc, as well as, ten per cent (using traditional,



mathematical rounding to the nearest whole number) of the championship season of their respective sport, excluding exhibition games (unless within the seven day period). Under this penalty, the student-athlete may not participate in any game-day activities, including pre-game meals, sideline access, travel, etc. These suspensions will be served immediately, unless determined otherwise by the director of athletics.

(f) The student-athlete shall be subjected to undergo repeated and unannounced follow-up drug tests for one calendar year from the date of the positive test result.

(g) The director of athletics, in consultation with the head coach and/or sports supervisor, has the discretion to add further sanctions, which may include, but are not limited to, additional suspensions, decrease/removal of athletic aid, travel limitations, etc. Additionally, the director of athletics and/or his/her designee may suspend or permanently dismiss any student-athlete that tests positive for a drug that is determined to be detrimental to the health and safety of the student-athlete, other student-athletes, or athletic department personnel, on a case by case basis.

(2) Second positive:

(a) The student-athlete shall be required to meet with the head team physician or designee to discuss the positive drug test results and for assessment if athlete is in imminent danger to themselves or to others.

(b) The student-athletes parent(s) or legal guardian shall be notified by the head team physician or designee of the positive result, if under twenty-one years of age.

(c) The student-athlete shall meet with the director of athletics and/or sport supervisor and head coach. Meeting will occur within forty-eight hours of the student-athlete notification of a positive test, and will be documented by sport supervisor. Student-athlete will sign the CSU drug testing disciplinary agreement (appendix E) and will be given the CSU positive drug screen sanctions form to complete (appendix F).

(d) The student-athlete, at their own expense shall participate in designated counseling, treatment, and intervention programs as deemed appropriate by the head team physician, the team psychiatrist and/or



CSU counseling center. Failure to comply with the treatment plan shall be classified as non-compliant and shall result in a third positive test. This includes completing the recommendations in a reasonable time schedule, determined by the team physician or designee.

(e) The student-athlete shall be suspended for ten days from all team activities, including practice, strength and conditioning, film, training trips, etc; as well as for thirty per cent (using traditional, mathematical rounding to the nearest whole number) of the championship season of their respective sport excluding exhibition games (unless within the ten day period). Under this penalty, the student-athlete may not participate in any game-day activities, including pre-game meals, sideline access, travel, etc. These suspensions will be served immediately, unless determined otherwise by the director of athletics.

(f) The student-athlete shall be subjected to undergo repeated and unannounced follow-up drug tests for one calendar year from the date of the positive test result.

(g) The director of athletics, in consultation with the head coach and/or sport supervisor, has the discretion to add further sanctions, which may include, but are not limited to, additional suspensions, decrease/removal of athletic aid, travel limitations, etc. Additionally, the director of athletics and/or his/her designee may suspend or permanently dismiss any student-athlete that tests positive for a drug that is determined to be detrimental to the health and safety of the student-athlete, other student-athletes, or athletic department personnel, on a case by case basis.

(3) Third positive: a student-athlete who has had two previous positive drug tests, has undergone drug counseling and has a third positive test shall be permanently banned from the participation in intercollegiate athletics at Cleveland state university and will not be eligible for reinstatement, and any athletic grant-in-aid shall be revoked.

(G) There are financial considerations that pertain to the sanctions of a positive drug test.

(1) Payment for an intake evaluation by a designated medical provider to assess the student-athlete's individual situation and determine the appropriate follow-up treatment plan may be provided at no cost by the department of athletics.



(2) Any outside designated counseling, treatment and/or intervention programs deemed appropriate by the head team physician, team psychiatrist and/or counseling center shall be sought through the student-athlete's primary health insurance plan and may be determined to be the full financial responsibility of the student-athlete.

(H) Missing scheduled appointments and counseling: student-athletes shall comply with the schedule of appointments within the treatment plan. If the student-athlete is not able to keep the appointment, they shall cancel and reschedule the appointment by nine a.m. the day of the appointment. Failure to do so shall result in an additional positive test.

(I) Drug violations outside of the CSU drug education and screening program:

(1) Any CSU student-athlete who is found to be under the influence of any illegal/banned substance by local or campus police, either on or off campus, may be subject to possible criminal penalties, CSU judicial sanctions, and CSU department of athletics sanctions.

(2) This includes, but is not limited to, drug or alcohol-related arrests or infractions, violations of the student judicial code of conduct, violations of campus residential policies, unlawful alcohol procurement and drug distribution.

(3) An alcohol-related charge of DUI, conviction or plea of guilty to such charge by any student-athlete will result in the sanctions imposed herein for positive drug tests. Each DUI charge, conviction or plea of guilty will be viewed as a separate offense and are cumulative. Other alcohol-related citations (MIP, open container) may result in sanctions as deemed appropriate by the director of athletics and/or the head coach.