

Norwich University
Policy, Procedures and Regulations Implementing
Reasonable Suspicion Drug Testing for All Students

OVERVIEW

Norwich University is concerned with the health, safety, and welfare of all of our students. Substance abuse is one of the most important issues facing our society today. Substance use and abuse can pose risks to the student's health, negatively affect the student's academic and co-curricular performance, and also can compromise the integrity of our institution and the ideals we hold so dear.

Our Norwich Guiding Values state: "We stress being physically fit and drug-free." Norwich University prides itself in promoting a healthy lifestyle. We have a *zero tolerance* for illegal substances. This summer, President Schneider, in his 15 July 03 letter to all returning students and parents, stated that the University would adopt reasonable suspicion drug testing for students. We have already established a drug testing policy for student athletes, dated 6 Nov 03. This document codifies that reasonable suspicion policy for all students (i.e., cadets, civilian residential, and civilian commuter), which will aid all of us in maintaining our high standards of self-discipline, personal integrity and social responsibility.

In addition, Norwich University is an educational institution. Therefore, we encourage our students to seek out the advice of our Substance Abuse Counselor, our Strength Coach / Wellness Director, or our training staff. We want our students to grow in this very important arena.

POLICY

Norwich University condemns the use of illegal drugs, the misuse of legal drugs and dietary supplements, and the use of performance-enhancing substances. Our Norwich University Student Rules and Regulations (NURR) clearly indicate that unauthorized drugs have no place in our learning community. See Chapter 3 of the current NURR. This policy does not change any of the existing policies. We are now supplementing our drug policy to allow for reasonable suspicion testing. This separate policy will be incorporated into our next edition of the NURR.

Amendments to these policies and procedures may be issued with or without notice, as the University deems appropriate. Nothing in these procedures shall be construed to create a contract between a student and Norwich University.

PROCEDURES AND SANCTIONS – SUPPLEMENTAL TO OTHER REQUIREMENTS

These procedures supplement the NURR, and the laws of the State of Vermont.

The procedures and sanctions set forth herein address and apply only in regard to this policy. Acts, conduct, violations, and/or failure to comply with other requirements subject the student to additional procedures and sanctions in accordance with the laws of the State of Vermont and the NURR.

CONSENT AND RELEASE AS CONDITIONS OF CONTINUED ENROLLMENT

Enrollment in Norwich University is a privilege, not a right. As a condition of being permitted to enroll or continue enrollment at Norwich, all students must comply with this policy and all other applicable requirements and procedures including: complying with and consenting to the drug education and drug testing procedures; signing any forms developed to document the understanding and voluntary consent to these requirements; releasing of results and other information to those who have a specific need to know; and waiving liability as deemed appropriate by the University.

Failure to consent to and/or to comply with the requirements of this policy and its procedures shall result in the immediate and involuntary resignation of the student.

Each student will have the opportunity to appraised of this policy, and any changes, by review of appropriate CLiC announcements, student open forum meetings, and when included in the NURR. After having read the policy, students can always direct their questions on this policy to the Dean of Students (DOS) or Deputy Commandant (DC), and their staffs, as appropriate.

DIETARY SUPPLEMENTS

Norwich University will not distribute or encourage the use of any dietary supplements or ergogenic aids. A dietary supplement is a product, intended to supplement the diet, which contains one or more of the following dietary ingredients: vitamins, minerals, amino acids, herbs or other botanicals, and metabolites. Many dietary supplements or ergogenic aids contain banned substances. Often the labeling of dietary supplements is not accurate and is misleading. Terms such as “healthy” or “all natural” do not mean dietary supplements do not contain a banned substance or are safe to take. Using dietary supplements may cause positive drug tests. ***Students who are currently taking dietary supplements or intend to take any dietary supplements are strongly advised to review the product with the Strength Coach / Wellness Director, Athletic Training Staff, or University Physician before commencing use or upon notification of this policy.***

PROHIBITED DRUGS / SUBSTANCES

The list of unauthorized substances continues to grow. Norwich University has established the comprehensive NCAA list as the authoritative source to define prohibited drugs / substances. The NU drug screening process may include analysis of, but is not limited to, the NCAA list of banned-drug classes.

For an ongoing updated listing of the banned-drug list view the NCAA’s web site at <http://www.ncaa.org>. At the NCAA web site - clic on *Education Programs, Grants & Research*, then clic on *Drug Testing*. The specific list, attached as of the preparation of this document, can be located at: http://www1.ncaa.org/membership/ed_outreach/health-safety/drug_testing/banned_drug_classes.pdf

Prohibited substances that may be screened for includes but is not limited to marijuana, PCP, opiates, MDMA (Ecstasy), amphetamines, cocaine, flunitrazepam (Rohypnol) and anabolic steroids.

Norwich University requires that all students keep the University Physician informed of any prescribed medications and prescribed dietary supplements that the student may be taking.

REASONABLE SUSPICION SCREENING

Any student, [regardless of lifestyle (cadet or civilian) or status (resident or commuter)] may be subject to testing at any time when the Vice President of Student Affairs/Commandant (VPSS/C) determines there is individualized reasonable suspicion to believe the participant is using or has used a prohibited drug. Such reasonable suspicion shall be based on objective information as determined by a Student Affairs / Commandant Staff member (e.g., Assistant Commandant, Head Coach, Assistant Director of Residence Life, Strength Coach / Wellness Director) or another university official and deemed reliable by a another counselor who did not originate the action (e.g., University Physician, Counseling Center Director, Substance Abuse Counselor, Fitness / Wellness Director, or Head Athletic Trainer) and upheld by the DC or DOS. The DC or DOS presents the reasonable suspicion analysis to the Vice President of Student Affairs/Commandant for approval. Upon certification by the VPSS/C that reasonable suspicion exists the DC or DOS will order the reasonable suspicion screening.

Reasonable suspicion may be found, but not limited to 1) observed possession or use of substances appearing to be prohibited drugs, 2) arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs or substances, or 3) observed abnormal appearance, conduct or behavior reasonably interpretable as being caused by the use of prohibited drugs or substances. Among the indicators which may be used in evaluating a student’s abnormal appearance, conduct or performance are: decrease in class attendance, significant GPA changes, decrease in co-curricular event attendance, increased injury rate or illness rate, physical appearance changes,

academic/athletic/co-curricular motivational level, emotional condition, mood changes, and legal involvement. See attached form.

The DC or DOS will make a recommendation to the VPSS/C within 48 hours of receiving the objective information from the individual(s) mentioned above. The VPSS/C will render a decision within 48 hours certifying or decertifying the reasonable suspicion.

Note: The 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 using such substances, he/she will be subject to the same procedures that would be followed in the case of a positive drug test result.

NOTIFICATION AND REPORTING FOR COLLECTION OF SAMPLE

The DC or DOS will notify the student to report to their office immediately. Once the student has reported, the student will be informed of the reasonable suspicion testing and certification. The student will then report to the infirmary, escorted by an appropriate (by sex) Student Affairs / Commandant's staff professional, who must then stay with the student until the sample is obtained.

COLLECTION OF SAMPLE

Urine samples will be collected at the infirmary using all required laboratory directed procedures. Chain of custody, and sample holding and shipping procedures will be scrupulously followed.

REPORTING RESULTS

Urine samples will be sent to a certified lab for analysis. Each sample will be tested to determine if banned substances are present. A test result confirmed as positive by the laboratory does not automatically identify the student as having engaged in prohibited drug use. Results will confidentially be made available to the DC / DOS, as appropriate. The DC / DOS will then consult with the University Physician, the Fitness / Wellness Director and the Head Athletic Trainer. All four will review the results. If there is a positive drug test, the DC or DOS will set up a confidential meeting with the student. The student may present evidence of any mitigating circumstances that he/she feels may be important to the outcome of the drug test. The four parties above will then make the determination of the outcome of the drug test. If the outcome is determined as negative the process stops and all student affairs records regarding this process are sealed in an envelope, maintained in student records, and may be opened only upon order of the VPSS/C. If the outcome is determined as positive the student will be immediately so notified in person and in writing and the process continues.

If the laboratory reports a specimen as diluted, substituted, manipulated, or adulterated, the student will be deemed to have refused to submit to testing and treated as if the test were positive for a banned substance.

SANCTIONS

Any student who tests positive for a banned substance or who refuses to submit a urine sample or fails to take a required drug test as described in this policy shall be subject to the sanctions outlined in the NURR for possession of a banned substance on campus.

The DC / DOS or his/her designee will notify the student's parent(s) or legal guardian(s) by telephone and in writing of the positive drug test result. The Director of Athletics will be consulted by the DC / DOS at this time to determine if the student is an athlete. If the student in question is an athlete then the Director of Athletics will immediately suspend the athlete from competition in any intercollegiate or club sports under at Norwich University. The DC / DOS will caution the student that he /she is also subject to Vermont state laws pertaining to possession, sale and consumption of controlled substances and related paraphernalia. Violators of this policy are subject to

suspension or dismissal from the University. The DC / DOS will then initiate the appropriate disciplinary process as defined by the NURR and so notify the student. In addition, any student who tests positive will be interim suspended from all co-curricular activities and positions of student leadership at Norwich.

If a student is ever suspended for illegal drugs and allowed readmission, that student is subject to periodic drug testing, at student expense, at a frequency determined by the DC / DOS, for the remainder of that student's time at NU.

APPEAL PROCESS

A student who tests positive for a banned substance may, within 48 hours following receipt of the written notice of a positive test result, contest the finding of the positive results in writing to the DC / DOS. Upon the student's request for further testing of the sample, the DC / DOS will formally request the laboratory retained by the University to perform testing on specimen B. Specimen B findings will be final, subject to the results of any appeal. If specimen B results are negative, the drug test will be considered negative and will be at the expense of the University. Records will be treated as previously discussed. A positive test result of specimen B will be at the expense of the student.

A student who tests positive, or who disputes that they have refused or failed to take a required test, under the terms of this policy, and who receives a sanction of suspension or dismissal via due process as applied by the NURR, can appeal the sanction to the VPSS/C as specified in the NURR. The VPSS/C has the authority to delegate the appeal process to the President of Norwich University. The VPSS/C, the DOS, and the DC have the authority to uphold, rescind or amend any decision to include increasing or decreasing a punishment. A student may not appeal a sanction more than once.

Decisions regarding suspension and dismissal, like all other actions taken at the university, are administrative rather than judicial in nature. As the VPSS/C makes these decisions for the President and the Board of Trustees, his/her decisions are considered final.

NCAA Banned-Drug Classes

The NCAA list of banned-drug classes is subject to change by the NCAA Executive Committee. Contact NCAA education services or www.ncaa.org/sports_sciences/drugtesting for the current list. The term "related compounds" comprises substances that are included in the class by their pharmacological action and/or chemical structure. No substance belonging to the prohibited class may be used, regardless of whether it is specifically listed as an example.

Many nutritional/dietary supplements contain NCAA banned substances. In addition, the U.S. Food and Drug Administration (FDA) does not strictly regulate the supplement industry; therefore purity and safety of nutritional/dietary supplements cannot be guaranteed. Impure supplements may lead to a positive NCAA drug test. The use of supplements is at the student-athlete's own risk. Student-athletes should contact their institution's team physician or athletic trainer for further information.

Bylaw 31.2.3.1 Banned Drugs

The following is a list of banned-drug classes, with examples of substances under each class:

a) Stimulants:

amiphenazole	dimethylamphetamine	(MDMA (ecstasy)	effective August 2003
amphetamine	doxapram	methylphenidate	picrotoxine
bemigrade	ephedrine (ephedra, ma	nikethamide	pipradol
benzphetamine	huang)	pemoline	prolintane
bromantan	ethamivan	pentetrazol	strychnine
Caffeine 1 (guarana)	ethylamphetamine	phendimetrazine	synephrine (citrus
chlorphentermine	fencamfamine	phenmetrazine	aurantium, zhi shi, bitter
cocaine	meclofenoxate	phentermine	orange)
cropropamide	methamphetamine	phenylephrine	and related compounds
crothetamide	methylene-	phenylpropanolamine	
diethylpropion	dioxymethamphetamine	(ppa)	

(b) Anabolic Agents:

anabolic steroids	boldenone	dromostanolone	methandienone
androstenediol	methenolone	fluoxymesterone	methyltestosteron
androstenedione	dihydrotestosterone	mesterolone	
clostebol	nandrolone	norandrostenedione	other anabolic agents
Dehydrochlormethyl-	stanozolol	norethandrolone	
testosterone	norandrostenediol	oxandrolone	
dehydroepiandrosterone	Testosterone 2 and	oxymesterone	
(DHEA)	related compounds	oxymetholone	

(c) Substances Banned for Specific Sports

Rifle:			
Alcohol	metoprolol	pindolol	timolol and related
atenolol	nadolol	propranolol	compounds

(d) Diuretics:

acetazolamide	chlorthalidone	hydroflumethiazide	spironolactone
bendroflumethiazide	ethacrynic acid	methylclothiazide	triamterene
benzthiazide	flumethiazide	metolazone	trichlormethiazide
bumetanide	furosemide	polythiazide	and related compounds
chlorothiazide	hydroflumethiazide	quinethazone	

e) Street Drugs:

heroin	marijuana ³	THC (tetrahydrocannabinol) ³
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f. Peptide Hormones and Analogues

chorionic gonadotrophin (HCG-human chorionic gonadotrophin)	All the respective releasing factors of the above-mentioned substances also are banned.
corticotrophin (ACTH)	erythropoietin (EPO)
growth hormone (HGH, somatotrophin)	sermorelin

(g) Definitions of positive depends on the following:

- 1 for caffeine—if the concentration in urine exceeds 15 micrograms/ml.
- 2 for testosterone—if the administration of testosterone or (DHT) use of any other manipulation has the result of increasing the ratio of the total concentration of testosterone to that of epitestosterone in the urine to greater than 6:1, unless there is evidence that this ratio is due to a physiological or pathological condition.
- 3 for marijuana and THC—if the concentration in the urine of THC metabolite exceeds 15 nanograms/ml.

**NORWICH UNIVERSITY
DRUG TESTING REASONABLE SUSPICION DOCUMENTATION**

I, (Name of Norwich University Staff Member) _____,
under the reasonable suspicion clause that is outlined in the Norwich University Drug Testing Policy, report the
following objective sign(s), symptom(s) or behavior(s) that I reasonably

believe warrant (Name of Student) _____ to be referred to the Dean of Students /
Deputy Commandant or his/her designee for possible drug testing. I observed the following sign(s), symptom(s) or
behavior(s) were observed by me over the past

_____ hours and/or _____ days.

Please check below all that apply:

The Student has shown:

- _____ irritability
- _____ loss of temper
- _____ poor motivation
- _____ failure to follow directions
- _____ verbal outburst (e.g. to faculty, staff, teammates)
- _____ physical outburst (e.g. throwing room furnishings or equipment)
- _____ emotional outburst (e.g. crying)
- _____ weight gain
- _____ weight loss
- _____ sloppy hygiene and/or appearance

The Student has been:

- _____ late for practice
- _____ late for class
- _____ not attending class
- _____ receiving poor grades
- _____ staying up too late
- _____ missing appointments
- _____ missing/skipping meals

The Student has demonstrated the following:

- _____ dilated pupils
- _____ constricted pupils
- _____ red eyes
- _____ smell of alcohol on the breath
- _____ smell of marijuana
- _____ staggering or difficulty walking
- _____ constantly running and/or red nose
- _____ recurrent bouts with a cold or the flu (give dates _____)
- _____ over stimulated or "hyper"
- _____ excessive talking
- _____ withdrawn and/or less communicative
- _____ periods of memory loss
- _____ slurred speech
- _____ recurrent motor vehicle accidents and/or violations (give dates _____)
- _____ recurrent violations of Norwich University Student Code of Conduct

