



The University Interscholastic League (UIL)  
Anabolic Steroid Testing Program Protocol

For purposes of this protocol and the UIL Anabolic Steroid Testing Program, the terms listed below have the following definitions:

**Anabolic Steroid(s)**: Any steroid as described in section 481.104 of the Texas Health and Safety Code.

**Beaker Bar Code**: Uniquely numbered stickers selected by the student-athlete from a supply of such and placed on the specimen collection beaker by the student-athlete. This number links the student-athletes identity to the specimen collection beaker.

**Client**: The School at which an Anabolic Steroid testing event is occurring.

**Collection Beaker**: Container with a cap utilized for the collection of the urine Specimen.

**Collection Station**: The entire facility used to collect the urine Specimen, including the restroom, toilet stall, and the area used by the Collector to process the Specimen.

**Collector**: Individual member of Testing Crew who works with the Crew Chief and assists in the testing Specimen collection process.

**Complete Specimen**: A Specimen that meets the volume, temperature, specific gravity and pH measurements contained in this protocol.

**Contractor**: The entity selected by the UIL to administer the Anabolic Steroid testing program.

**Crew Chief**: Individual in charge of the Testing Crew who is responsible for working with the School to schedule location and start time of the test as well as the general administration of the testing Specimen collection process.

**Digital pH Meter**: Instrument used by the Processing Collector to measure the pH of the Specimen for validity.

**Documented Medical History**: Medical records provided by a licensed practitioner with prescriptive authority documenting that an Anabolic Steroid was dispensed, prescribed, delivered and administered for a valid medical purpose in the course of professional practice.

**Excused Absence**: Has the meaning as defined in §25.087 of the Texas Education Code, or as delineated in local school district policy as approved, prior to the beginning of the current school year, by the board of trustees of the ISD the Student-athlete attends.

**Exit Test:** Anabolic Steroid test conducted by the Contractor as a condition of eligibility restoration for a Student-athlete who has been subjected to a penalty for a positive Anabolic Steroid test result.

**Laboratory:** Anabolic Steroid testing entity with a current certification from the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services, the World Anti-Doping Agency, or another appropriate national or international certifying organization contracted by the Contractor to analyze Complete Specimens provided in conjunction with this testing program.

**Medical Review Officer (MRO):** A physician holding a current, valid and unrestricted license to practice medicine, provided by the Contractor, who is responsible for reviewing requests for medical exception; reviewing the data of Anabolic Steroid tests; and reviewing documents submitted on behalf of a Student-athlete with a positive Specimen A result to determine whether there is a Documented Medical History which would qualify for a medical exception.

**Member School Representative (MSR):** A representative of the selected School, who is the primary liaison between the testing company and the School and is responsible for assisting the Testing Crew with notification and identification of the Student-athletes selected for testing.

**Monitor:** Member of the Testing Crew that accompanies a Student-athlete of the same gender into the restroom and supervises the voiding of a Specimen.

**Parent:** A biological or adoptive parent, a guardian or other person standing in parental relation to the Student-athlete.

**Processing Collector:** Member of the Testing Crew responsible for verifying the validity of the Specimen, according to Contractor specifications included in this protocol, working with **SCAN<sup>®</sup>**, and packaging the Specimen for shipment to the Laboratory.

**Reagent Strip:** Instrument used by the Processing Collector to measure the pH of the Specimen for validity.

**Refractometer:** Instrument used by the Processing Collector to measure the specific gravity of the Specimen for validity.

**SCAN<sup>®</sup> (Secure Collection Automated Network):** Computerized paperless system utilizing handheld mobile computers, barcode scanners, modems, data servers, and the Internet to provide automated drug-testing collections that is provided by the Contractor and used to document all information pertinent to the collection and testing of a Complete Specimen.

**School:** A school, which is a member of the University Interscholastic League, that is a unit of a school district and offers instruction in the ninth, tenth, eleventh or twelfth grades, or any combination thereof, whether all of the grades are offered instruction in the same building.

A school also fits this definition if it has: (1) only one ninth grade, one tenth grade, one eleventh grade, and one twelfth grade; (2) with one principal in charge of all four grades; and (3) if all grades have the same school colors, the same school song, and the same school paper. That school would be eligible for League membership as one four-year (grades nine through twelve) high school unit, even though all

grades are not on the same campus or in the same building.

**School Personnel:** An individual, who is an employee of the School or school district where Anabolic Steroid testing is occurring, and who may assist in identifying the Student-athletes selected for testing who do not have photo identification. This could include the MSR or TSC.

**Shipping Kit:** Box or bag used to package sealed Specimens for the purpose of shipping to the Laboratory.

**Specimen Collection Kit:** Supplies consisting of two vials (A and B), Specimen shipping bag, and shipping box.

**Specimen:** Urine provided by Student-athlete for Laboratory analysis for the presence of Anabolic Steroids.

**Specimen Bar Code:** Uniquely numbered set of bar codes selected by the student-athlete from a supply of such and after laboratory analysis is completed is used by the contractor to identify the Student-athlete who provided the specimen.

**Split Specimen Packaging:** Process of pouring a single urine Specimen into two vials, an A and a B.

**Student-athlete:** An individual enrolled as a student in a School who participates, through practices or contests before, during or after school, in any athletic activity listed in section 380 of the UIL Constitution and Contest Rules.

**Surrogate:** A person provided by the Laboratory who has no known bias concerning the test outcome, who, in lieu of the Student-Athlete and his/her Parent or their designated representative, will attend the testing of a Specimen B as described in 8.16-19 below.

**Testing Crew (Crew Member):** Individual(s) who perform the role(s) of Monitor, Collector, and Processing Collector and work under the direction of the Crew Chief to assist in the testing Specimen collection process. Members of the Testing Crew may perform multiple roles in the collection process.

**Testing Site Coordinator (TSC):** A representative of the School, who is responsible for assisting the Testing Crew by providing a Collection Station in which to administer Anabolic Steroid testing.

## **1.0. Standards.**

- 1.1. The presence in a Student-athlete's urine of an Anabolic Steroid is cause for the loss of athletic eligibility, unless a medical exception has been granted.
- 1.2. Presence of an Anabolic Steroid will be determined from analysis of the Student-athlete's urine and confirmation by an Anabolic Steroid testing laboratory with a current certification from the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services, the World Anti-Doping Agency, or another appropriate national or international certifying organization through mass spectrometry in combination with gas chromatography, liquid chromatography or isotope mass spectrometry.

- 1.3 Only Anabolic Steroid tests conducted by the Contractor will be considered for the purposes of this program.
- 1.4. The current UIL Anabolic Steroid List is available from the UIL and can be found at [www.uil.utexas.edu](http://www.uil.utexas.edu). The UIL Anabolic Steroid List includes the substances listed below which meet the description of Anabolic Steroid contained in section 481.104 of the Texas Health and Safety Code. The 2009-2010 Anabolic Steroid List will be posted prior to August 1, 2009.

### UIL Anabolic Steroid List

androstenediol	methandrostenolone
androstenedione	methenolone
boldenone	methyltestosterone
chlorotestosterone (4-chlorotestosterone)	mibolerone
clostebol	methandriol
dehydrochlormethyltestosterone	nandrolone
dehydroepiandrosterone (DHEA)	norandrostenediol
dihydrotestosterone (DHT)	norandrostenedione
dromostanolone	norethandrolone
drostanolone	oxandrolone
epitrenbolone	oxymesterone
ethylestrenol	oxymetholone
fluoxymesterone	stanolone
formebulone	stanozolol
gestrinone	testolactone
mesterolone	testosterone*
methandienone	tetrahydrogestrinone (THG)
methandranone	trenbolone
	<b>and</b> any substance, such as a compound or metabolite, that is chemically or pharmacologically related to testosterone, other than an estrogen, progestin, or corticosteroid, and promotes muscle growth

\* For testosterone the definition of positive depends on an adverse analytical finding (positive result) based on the methods listed in section 1.2 which shows that the testosterone is of exogenous origin, or if the ratio of the total concentration of testosterone to that of epitestosterone in the urine is greater than 6:1, unless there is evidence that this ratio is due to a physiological or pathological condition. Student-athletes who provide a urine specimen with a T/E of greater than 6:1 may be subject to additional tests to determine if the T/E ratio is elevated due to exogenous use of testosterone or due to a physiological or pathological condition.

- 1.5. The UIL Anabolic Steroid Testing program shall be limited to testing to determine the presence or use of Anabolic Steroids. Recreational drugs are not included in the testing program.
- 1.6. Results of an Anabolic Steroid test conducted under this program are confidential and, unless required by court order, may be disclosed only to the Student-athlete and the Student-athlete's Parent and the activity directors, principal, and assistant principals of the School attended by the

Student-athlete. If a Student-athlete who is under penalty imposed by this protocol enrolls in another School within Texas, the sending School MSR is required to notify the receiving School MSR that the Student-athlete in question has tested positive for an Anabolic Steroid and inform the receiving School of the length of the applicable penalty for that Student-athlete.

## **2.0. Organization.**

- 2.1. The UIL has final authority over the procedures and implementation of the UIL Anabolic Steroid testing program.
- 2.2. The Contractor will be responsible for the general administration of the Anabolic Steroid testing program under the supervision of the Director of the UIL.
- 2.3. Contractor is responsible for selection, certification and training of the Crew Chiefs and the Testing Crews.
- 2.4. Contractor may utilize the services of outside collection agencies to conduct Anabolic Steroid testing Specimen collections.
- 2.5. Crew Chief assignments and the random selection of Schools and Student-athletes for testing are the responsibility of Contractor.
- 2.6. No member of an Anabolic Steroid Testing Crew may participate in Anabolic Steroid testing at a School at which they are employed, or at which they would have any other conflict of interest as determined by the UIL.
- 2.7. At the beginning of each school year, Schools shall identify one (1) Member School Representative (MSR) and two (2) individuals (one male and one female) to serve as Testing Site Coordinators (TSC) to assist the Crew Chief assigned to that testing event. The identities of these individuals shall be reported to the UIL at the beginning of each school year.
- 2.8. All testing for Anabolic Steroids within this program will be performed only by an Anabolic Steroid testing laboratory with a current certification from the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services, the World Anti-Doping Agency, or another appropriate national or international certifying organization.

## **3.0. Causes for Loss of Eligibility.**

### **3.1. Acknowledgement and Consent Required**

A Student-athlete is prohibited from participating in an athletic competition sponsored or sanctioned by the UIL unless:

- 1) the Student-athlete agrees not to use Anabolic Steroids; and,
- 2) if enrolled in high school, the Student-athlete submits to random testing for the presence of Anabolic Steroids in the Student-athlete's body; and

- 3) the UIL obtains from the Student-athlete's Parent, a UIL-approved acknowledgement and consent form signed by the Parent and acknowledging that:
  - a) the Parent's child, if enrolled in high school, may be subject to random Anabolic Steroid testing; and
  - b) the Parent or guardian consents to such testing; and
  - c) state law prohibits possessing, dispensing, delivering, or administering a steroid in a manner not allowed by state law;
  - d) state law provides that bodybuilding, muscle enhancement, or the increase of muscle bulk or strength through the use of a steroid by a person who is in good health is not a valid medical purpose;
  - e) only a licensed practitioner with prescriptive authority may prescribe a steroid for a person; and
  - f) a violation of state law concerning steroids is a criminal offense punishable by confinement in jail or imprisonment in the Texas Department of Criminal Justice.

### 3.2. Positive Anabolic Steroid Test Results

3.2.1. First Positive Test Result. Upon a report of confirmation of a first positive Specimen B Anabolic Steroid test result during his/her high school participation, or upon a refusal to submit to testing after random selection, a Student-athlete shall be suspended for thirty (30) school days of competition in all UIL athletic activities. Prior to eligibility restoration, a Student-athlete must undergo an Exit Test and receive a negative result.

3.2.2. Second Positive Test Result. Upon a report of confirmation of a second positive Specimen B Anabolic Steroid test result during his/her high school participation, or upon a refusal to submit to testing after random selection of a Student-athlete who has previously been subjected to the first positive test penalty, a Student-athlete shall be suspended from all UIL athletic contests for one (1) calendar year. Prior to eligibility restoration, a Student-athlete must undergo an Exit Test and receive a negative result.

3.2.3. Third Positive Test Result. Upon a report of confirmation of a third positive Specimen B Anabolic Steroid test result during his/her high school participation, or upon a refusal to submit to testing after random selection of a Student-athlete who has previously been subjected to the first and second positive test penalties, a Student-athlete shall be suspended from all UIL athletic contests for the remainder of his/her high school career at any UIL member school.

The UIL will cover the cost for the first Exit Test for purposes of eligibility restoration for the penalties outlined in 3.2.1 and 3.2.2 above. Any subsequent Exit Test(s) for purposes of eligibility restoration are conducted at the expense of the School, Student-athlete or the family of the Student-athlete. Only Anabolic Steroid tests conducted by the Contractor will be considered for the purposes of this program.

- 3.3. Any violation by the Student-athlete of this protocol as determined by the Crew Chief, will be treated as if there was a positive Specimen B result for an Anabolic Steroid and subject the Student-athlete to applicable penalties as described in 3.2.1. through 3.2.3. These violations will be noted on the Crew Chief's report that is filed with the Contractor after a testing event. The Contractor will report such violations to the Student-athlete, his/her parent and the MSR in the same manner as positive specimen B results are reported under this protocol. Subsequent to

serving the penalty for a first positive test, a violation by the Student-athlete of this protocol in relation to a later test, will subject the Student-athlete to penalties as described in 3.2.2 and 3.2.3, as applicable.

#### **4.0. School and Student-athlete Selection.**

- 4.1. The method for randomly selecting Schools or Student-athletes to be tested for Anabolic Steroids will be approved by the UIL in advance of Anabolic Steroid testing, administered by Contractor and implemented by the assigned Anabolic Steroid testing Crew Chief.
- 4.2. Student-athletes in the 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> grades at Schools are subject to random selection for Anabolic Steroid testing.
- 4.3. Selection of Student-athletes will be based upon a random selection process approved by the UIL and conducted by the Contractor.
- 4.4. Student-athletes will be randomly selected from the current UIL Anabolic Steroid Testing Student-athlete Listing Form. The UIL Anabolic Steroid Testing Student-athlete Form shall be the official list of all Student-athletes in grades 9-12 participating in UIL athletic activities. The School is required to utilize the UIL Anabolic Steroid Testing Student-athlete Listing Form, which is available for download on the UIL web site.
- 4.5. A substitution, who will also have been randomly selected, shall be made for a Student-athlete who is selected for Anabolic Steroid testing but is absent on the day of Anabolic Steroid testing. Randomly selected Student-athletes who do not appear for testing for reasons other than an Excused Absence will be treated as if there was a positive test result for an Anabolic Steroid and subject to applicable penalties as described in 3.2.

#### **5.0. School and Student-athlete Notification of Testing.**

- 5.1. The MSR and TSCs at a selected School will be officially notified of the Anabolic Steroid testing a minimum of twenty-four (24) hours (1 business day) but no more than forty-eight (48) hours (2 business days) before the day of testing by the Contractor.
- 5.2. The MSR, TSCs and/or any other School Personnel notified of an Anabolic Steroid testing event are required to keep such notification confidential. Failure of a MSR, TSC(s) and/or any other School Personnel so notified to keep such notification information confidential will be considered a violation of UIL rules and appropriate sanctions from the range of penalties in section 27 of the UIL Constitution and Contest Rules will be applied.
- 5.3. Upon notification of testing, the MSR will be required to provide an accurate and current list of all Student-athletes in grades 9-12 participating in UIL athletic activities at the School to Contractor for Student-athlete random selection. The MSR will be required to submit the list within the time frame specified by the Contractor in their notification. The School is required to utilize the UIL Anabolic Steroid Testing Student-athlete Listing Form, which will be available for download on the UIL web site. The UIL has the authority to perform audits to ensure that schools are providing complete and accurate Anabolic Steroid Testing Student-athlete Listing Forms to the Contractor.

- 5.4. Upon arrival at the School, the Anabolic Steroid testing Crew Chief will provide the MSR with a list of the randomly selected Student-athletes for Anabolic Steroid testing. The randomly selected Student-athletes will be notified of Anabolic Steroid testing by the MSR. The MSR will notify the Student-athlete in person to report immediately to the Collection Station.
- 5.5. Upon notification the MSR will have the Student-athlete read and sign the UIL Student-athlete Notification Form. The time of notification will be recorded on the form. The Student-athlete will report for Anabolic Steroid testing immediately upon notification. Failure of the Student-athlete to report immediately may be found by the Crew Chief to be a violation of this protocol.
- 5.6. School Personnel will be available in the Collection Station at all times to certify the identity of Student-athletes who cannot provide photo identification and will be responsible for security of the Collection Station at all times.

## **6.0. Specimen Collection Procedures.**

### Management of the Collection Station

- 6.1. Only those persons authorized by the Crew Chief or the TSCs will be allowed in the Collection Station. Should there be disagreement over who is allowed in the Collection Station, the decision of the Crew Chief will prevail.
- 6.2. Upon entering the Collection Station, the Student-athlete will provide photo identification or, in the absence of photo identification, the School Personnel present shall identify the Student-athlete and the Student-athlete will be officially signed into the Collection Station. Time of sign-in to the Collection Station will be noted in the Secure Collection Automated Network (SCAN<sup>®</sup>) Device.
- 6.3. The use of a cell phone, camera, and any video or audio recording device or any other recording or electronic communication device in the Collection Station is prohibited.
- 6.4. Only the Crew Chief may release a sick or injured Student-athlete from the Collection Station or may release a Student-athlete to meet academic or other approved obligations. Such release shall only be made after appropriate arrangements for having the Student-athlete tested have been made and documented by the Crew Chief. Randomly selected Student-athletes who are excused from the Collection Station as described above prior to providing a Complete Specimen and do not return to complete the process, shall be subject to a test by the Contractor at a later date.
- 6.5. The Student-athlete will select a Collection Beaker and a Beaker Bar Code bearing a unique identifier at the direction of a Testing Crew member.
- 6.6. Student-athletes may not carry any item other than his/her Collection Beaker into the restroom when providing a Specimen. The Student-athlete must remove all outer clothing, such as a jacket, sweater, or sweatshirt, prior to entering the restroom. Failure to follow the direction of a crew member to remove outer clothing may be found by the Crew Chief to be a violation of this protocol.

### Specimen Collection Process

- 6.7. A crew member will serve as a Monitor to assure the integrity of the Specimen until the designated volume (approximately 90 mL) of urine has been collected and will stay with the Student-athlete in the restroom. The crew member serving as a Monitor must secure the room being used for the collection so that no one except the Student-athlete, and the crew member serving as a Monitor can enter it until after the collection has been completed. The crew member serving as a Monitor will add dyeing agents to toilet bowls, as needed to keep the water in the toilet dyed, to prevent Specimen substitution. No unsupervised access to water will be permitted during the collection process.
- 6.8. Any crew member serving as a Monitor must be a member of the official Anabolic Steroid Testing Crew and of the same gender as the Student-athlete providing the Specimen. After entering the restroom but prior to entering an individual restroom stall, the Student-athlete is required to empty contents of all pockets and place those contents in a container to be placed in a location where the Student-athlete and a crew member serving as a Monitor can observe. The Student-athlete is required to raise his/her shirt/clothing high enough to observe the midsection area in an effort to rule out attempts to manipulate or substitute a Specimen.
- 6.9. The crew member serving as a Monitor will instruct the Student-athlete to rinse their hands with water only.
- 6.10. The crew member serving as a Monitor will allow the Student-athlete to enter the stall and close the door for privacy during the voiding process.
- 6.11. Fluids given to Student-athletes who have difficulty voiding must be from sealed containers, approved by the Crew Chief, which are opened and consumed in the Collection Station.
- 6.12. If the Specimen is not complete, the Student-athlete must remain in the Collection Station until a Complete Specimen is provided. An initial temperature reading from the Collection Beaker containing the incomplete Specimen will be recorded. During this period, the Student-athlete is responsible for keeping the Collection Beaker closed and controlled.
  - a) If the Student-athlete with a Specimen that is not complete must leave the Collection Station for a reason approved by the Crew Chief, the Specimen may be discarded at the discretion of the Crew Chief.
  - b) Upon return to the Collection Station, this Student-athlete will begin the collection procedure again.
- 6.13. Once a Specimen of adequate volume is provided (approximately 90 mL), the Student-athlete is responsible for keeping the Collection Beaker closed and controlled. After collection, the crew member serving as a Monitor will escort the Student-athlete to the collection processing area.
- 6.14. Following collection of the Specimen, the Processing Collector will take an initial temperature reading, which must be between 90.5 and 99.8 degrees Fahrenheit, from the Collection Beaker and it will be recorded. If the Specimen has a temperature outside the limits mentioned above, the Specimen will be discarded by the Student-athlete. The Student-athlete must remain in the Collection Station until another Specimen is provided in compliance with this protocol.
- 6.15. Once a Specimen is provided that meets the temperature requirements, the Processing Collector will pour off a small volume of the Specimen into a separate container to perform Specimen validity checks, including specific gravity and pH measurements. Specific gravity will be

measured first with a Refractometer, followed by pH measurement with a Reagent Strip or Digital pH Meter. The following parameters will be used for processing the Specimen:

a) If the specific gravity is greater than or equal to 1.005, the Collector will then measure the pH of the urine in the presence of the Student-athlete.

b) If the specific gravity is below 1.005, the Specimen will be discarded by the Student-athlete. The Student-athlete must remain in the Collection Station until another Specimen is provided in compliance with this protocol.

c) If the Specimen has a pH less than 4.5 as measured with a Reagent Strip or Digital pH Meter, the Specimen will be packaged and sent to the Laboratory. The Student-athlete must remain in the Collection Station until another Specimen is provided. If the pH is greater than 7.5, the Specimen will be discarded by the Student-athlete and the Student-athlete must remain in the Collection Station until another Specimen is provided. No more than three Specimens with a pH greater than 7.5 will be collected. The third Specimen with a pH greater than 7.5 will be packaged and sent to the Laboratory.

d) If the Specimen has a specific gravity of greater than or equal to 1.005 as measured with a Refractometer and the urine has a pH between 4.5 and 7.5 inclusive, as measured with a Reagent Strip or Digital pH Meter, the Specimen will be processed and sent to the Laboratory.

6.16. If the Student-athlete is having difficulty providing a Complete Specimen, the Crew Chief immediately will notify the Contractor to determine how to proceed.

#### Packaging the Specimen

6.17. Once a Complete Specimen has been provided, the Student-athlete will select a Specimen Collection Kit and a uniquely numbered set of Specimen Bar Code seals.

6.18. A Collector will record the temperature, specific gravity and pH values for the Complete Specimen on the Student-athlete notification form.

6.19. The UIL Anabolic Steroid Testing Program will utilize Split Specimen Packaging. For split Specimen testing, the Collector will pour a minimum of 60 mL (90 mL maximum) of the Specimen into the A vial and the remaining amount (approximately 25 mL) into the B vial in the presence of the Student-athlete.

6.20. The Collector will place the cap on each vial and will then seal each vial with the Specimen Bar Code seal, in the presence of the Student-athlete.

6.21. The Student-athlete, crew member serving as Processing Collector and Monitor will sign confirming that all procedures were followed as described in the protocol. Any deviation from the procedures contained in this protocol, by anyone other than the Student-athlete being tested, must be documented. Such occurrences will be documented in the Crew Chief's report that is filed with the Contractor following a testing event.

If deviations from the procedures contained in this document, by anyone other than the Student-athlete being tested, are alleged, the Student-athlete will be required to provide another Specimen following this protocol, during that testing event. Both Complete Specimens will be packaged and forwarded to the Laboratory for analysis.

- 6.22. After the collection has been completed, all sealed vials will be secured in a Shipping Kit. The Collector will prepare the kit for forwarding to an Anabolic Steroid testing laboratory with a current certification from the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services, the World Anti-Doping Agency, or another appropriate national or international certifying organization. All copies of all forms, if any, will be forwarded to the designated persons.
- 6.23. Vials and any paperwork sent to the Laboratory shall not contain the name of the Student-athlete.
- 6.24. The Specimens are the property of the UIL.

#### **7.0. Chain of Custody.**

- 7.1. The Crew Chief will deliver the Shipping Kit(s) to a common carrier for transport to the Laboratory. The Crew Chief shall forward the common carrier tracking numbers to the Contractor.
- 7.2. Upon arrival at the Laboratory, the receipt of the Shipping Kit(s) from the carrier will be recorded by a Laboratory employee. The Laboratory shall retain as part of its records all shipping related documents.
- 7.3. The Laboratory will record whether the Specimen Bar Code seal on each vial arrived intact.
- 7.4. If a Specimen arrives at the Laboratory with any Specimen Bar Code seal not intact, the UIL may require that Contractor collect another Specimen from the Student-athlete. Any Specimen that arrives at the Laboratory with any Specimen Bar Code seal not intact will not be tested and will be discarded by the Laboratory.

#### **8.0. Laboratory Procedures, Notification of Results, and Medical Exceptions.**

##### **Laboratory Procedures**

- 8.1. The Laboratory will make the final determination of Specimen adequacy.
- 8.2. If the Laboratory determines that a Student-athlete's Specimen is inadequate for analysis, the UIL may require that Contractor collect another Specimen from the Student-athlete.
- 8.3. Once the Laboratory determines that a Student-athlete's Specimen is adequate for analysis, the Laboratory will use a portion of Specimen A for its initial analysis.
- 8.4. Analysis will consist of Specimen preparation, instrument analysis and data interpretation.
- 8.5. The Laboratory director or designated certifying scientist will review all results showing a positive finding for an Anabolic Steroid in Specimen A.
- 8.6. The Laboratory will inform Contractor of the results by each respective Specimen Bar Code.

##### **Notification of Results**

- 8.7. Upon receipt of the results, the Contractor will reconcile the Specimen Bar Code with the information contained in **SCAN**<sup>®</sup> to identify individuals with positive and negative findings. The Contractor will inform the MSR of all negative results. The MSR shall notify the Student-athlete and their Parent of the negative result. Test results are confidential as described in section 1.6 of this protocol.
- 8.8. When Specimen A of a Student-athlete is found to be positive for an Anabolic Steroid by the Laboratory, the Contractor will contact the designated MRO by telephone as soon as possible. The MRO will provide the final review of Specimen A results.

Contractor will provide the Student-athlete's contact information to the MRO. The telephone contact notifying the MRO of positive findings on Specimen A will be followed by a letter (marked "confidential"), which will be provided to the MRO.

- 8.9. The MRO will contact the Parent of the Student-athlete with a positive finding on Specimen A to tell the Parent of the test result and to inform the Parent how to request a medical exception. Initial contact by the MRO will be attempted by telephone to be followed by letter to the Parent. The letter will include information and forms applicable to seeking a medical exception. The MRO will attempt to contact the Parent of the Student-athlete for 48 hours (2 business days). If the MRO is unable to make contact with the Parent of the Student-athlete within 48 hours (2 business days), the time period for submission of materials mentioned in 8.10 will begin.

### **Medical Exceptions**

- 8.10. A Student-athlete or his/her Parent may request a medical exception for use of an Anabolic Steroid either (1) prior to being selected for Anabolic Steroid testing, or (2) after being informed of a positive result for Specimen A.

8.10.1. A Student-athlete or his/her Parent may request a medical exception prior to being selected for Anabolic Steroid testing by (1) providing the Contractor with the Request For Medical Exception Form, and (2) requesting the Student-athlete's physician to provide a Documented Medical History of the need for the use of an Anabolic Steroid to the Contractor. The Documented Medical History is to be sent directly from the physician to the Contractor. Upon receipt, the Contractor will forward the Student-athlete's Request For Medical Exception Form and the Documented Medical History from the Student-athlete's physician to the Contractor-approved MRO for review. Only the Contractor-approved MRO may grant a medical exception. The MRO will make a decision regarding a medical exception within five (5) business days of receiving the Request for Medical Exception Form and Documented Medical History, and forward that decision to the Contractor. Contractor will inform the Student-athlete and his/her Parent regarding the outcome of the exception request by telephone. The telephone contact will be followed by a letter from the Contractor (marked "confidential") to the Student-athlete and his/her Parent documenting the MRO's decision.

The decision of the MRO is final and is not subject to appeal. The Contractor will keep the MRO's decision on file for the remainder of that school year for use if the Student-athlete is selected for Anabolic Steroid testing.

8.10.2. A Student-athlete or his/her Parent may request a medical exception within 48 hours (2 business days) of the first notification of a positive test result for Specimen A by (1) providing the MRO with the Request For Medical Exception Form, and (2) requesting the Student-athlete's physician to provide a Documented Medical History of the need for the use of an Anabolic Steroid to the MRO. A Student-athlete's Request For Medical Exception Form and Documented Medical History must be received by the MRO within 48 hours (2 business days) after the first notification or it will not be reviewed. Only the Contractor-approved MRO may grant a medical exception under this program. The MRO will make a decision regarding a medical exception within five (5) business days of receiving the Request for Medical Exception Form and Documented Medical History, and forward that decision to the Contractor. Contractor will inform the Student-athlete and his/her Parent regarding the outcome of the exception request by telephone. The telephone contact will be followed by a letter (marked "confidential") from the Contractor to the Student-athlete and his/her Parent documenting the MRO's decision.

The decision of the MRO is final and is not subject to appeal.

- 8.11. If a medical exception is already on file with or granted by the MRO for a Student-athlete with a positive finding on Specimen A, no further action will be taken. The Contractor will report the Student-athlete's result as 'medical exception granted' to the MSR.
- 8.12. If a medical exception is not granted by the MRO for a Student-athlete with a positive finding on Specimen A, Specimen B will automatically be tested. The Contractor will notify the MSR by telephone as soon as possible of the initial positive finding on Specimen A. The telephone contact will be followed by a letter (marked "confidential"), which will be mailed to the MSR. Contractor will, during the telephone conversation, advise the MSR that Specimen B will be tested.

### **Specimen B**

- 8.13. For Student-athlete's not granted a medical exception and with a positive finding on Specimen A, there is no penalty imposed until completion of analysis of Specimen B.
- 8.14. Contractor will contact the Parent by telephone as soon as possible and notify them of the positive finding in reference to Specimen A and that Specimen B will be tested. The telephone contact will be followed by a letter (marked "confidential"), which will be mailed to the Parent. A UIL Positive Anabolic Steroid Test Appeal Form (see section 9.0 below) will be included with this mailing.
- 8.15. Contractor will, during the telephone conversation, advise the Parent that Specimen B will be tested. Contractor also will inform the Parent that the Student-athlete may have representation at the Laboratory for the testing of Specimen B and that the Student-athlete in question is not subject to penalty until completion of analysis of Specimen B.
- 8.16. Notification by the Parent of the intent to have representation at the Laboratory must be given to Contractor within 48 hours (2 business days) of being advised that Specimen B will be tested. Notification of the desire to have a representation at the Laboratory can be accomplished via telephone, fax, e-mail or in writing to the Contractor.

- 8.17. If the Parent desires representation for the Student-athlete at the Laboratory, they must present themselves, or, upon appropriate permissions for confidentiality being granted, their representative, at the Laboratory, at an appointed date and time, within 2 business days of the notification of intent to have representation. Any expenses associated with travel to the Laboratory for this purpose are the responsibility of the Student-athlete or their Parent. If the Parent of the Student-athlete cannot arrange for such representation, the Laboratory will arrange for a Surrogate to attend the testing of Specimen B.
- 8.18. The Surrogate will not otherwise be involved with the analysis of the Specimen.
- 8.19. At the testing for Specimen B, the Student-athlete, the Parent, their representative or the Surrogate will verify by signature as to the Specimen Bar Code on Specimen B, that the Specimen Bar Code seal is intact, and that there is no evidence of tampering. If the Specimen Bar Code seal on Specimen B does not match, is not intact or there is evidence of tampering, Specimen B will not be tested and will be discarded by the Laboratory. The result for that Specimen Bar Code will be reported to the Contractor as negative and the Student-athlete will not be subject to penalty. In this scenario, the UIL may require that the Contractor collect another Specimen from the Student-athlete.
- 8.20. Specimen preparation, analysis and interpretation for Specimen B analysis will be conducted by a Laboratory staff member other than the individual who prepared, analyzed and interpreted the Student-athlete's Specimen A.
- 8.21. Specimen B findings will be final. The Laboratory will inform Contractor of the results.
- 8.22. For Student-athletes who have a Specimen B negative finding, no further action will be taken and the Student-athlete will not be subject to penalty. Negative results for Specimen B will be communicated in the same manner that negative results for Specimen A are communicated. For Student-athletes who have a Specimen B positive finding, Contractor will contact the Parent and the MSR by telephone as soon as possible and notify each of the Specimen B positive finding and of the ability to appeal the finding, the process for filing the appeal and refer them to the Appeal Form previously mailed.
- 8.23. Upon notification of the Specimen B positive finding, the School shall be required to immediately enforce the applicable penalty to the Student-athlete as referenced in section 3.2.
- 8.24. A positive finding may be appealed by the Student-athlete or by the Parent on the Student-athlete's behalf to the UIL.
- 8.25. Specimens with negative results are kept for five (5) business days and then discarded by the Laboratory. Specimens with positive results are kept by the Laboratory for a minimum of one (1) year.

## **9.0. UIL Anabolic Steroid Testing Appeals Process.**

### **General Provisions**

- 9.1. After notice that a Student-athlete's Specimen B has been found to be positive for Anabolic Steroids, the Student-athlete and his/her Parent or the School (all of whom are referred to

elsewhere in this section as Appellants) may file an appeal. The student athlete and his/her Parent must waive their right of confidentiality to allow the UIL and any other persons necessary to the appeals process to review and make use of the test results as well as other relevant documents and information. However, the School may only appeal if the student athlete or his/her Parent waives their right to confidentiality and the Student-athlete and his/her Parent do not object to the appeal.

The filing of an appeal does not suspend imposition of the penalty. Upon notice of a positive Specimen B test, the School must enforce the penalty applicable to the Student-athlete who is the subject of the appeal as referenced in section 3.2. The penalty may only be lifted upon exhaustion of the appeals process and a finding in favor of the Student-athlete.

All appeals will be considered and ruled upon by a hearing officer chosen by UIL from a pool of hearing officers appointed by the UIL State Executive Committee. Any challenge to the hearing officer appointed to preside over the appeal must be based on evidence of actual bias. The hearing officer's decision in any appeal is final.

### **Scope of Appeal and Method of Consideration**

- 9.2. Appeals may only be based upon alleged errors in the collecting, testing and analysis of the Specimen that, if true, would materially affect the test result. The alleged errors that form the basis of the appeal must be clearly stated in the Appeal Form. No other allegations or issues will be considered on appeal. There is no appeal concerning a medical exception.

As provided below in 9.4, an Appellant may choose for the appeal to be considered by the hearing officer in one of two ways: either by written submission or by telephonic hearing. Generally, the two methods are conducted as follows:

Written Submission- All matters are submitted in writing to the hearing officer. There is no hearing of any sort and the hearing officer only considers the written submissions of the student athlete and his/her Parent and/or the School along with any written submission from the UIL and other relevant entities or persons.

Telephonic Hearing- After being given a reasonable time to submit any written documentation to the hearing officer, a telephonic hearing is conducted during which Student-athlete and his/her Parent and/or School and UIL staff present their respective cases to the hearing officer in a conference call.

The choice of whether to proceed by written submission or telephonic hearing must be clearly shown on the Appeal Form at the time of its submission to UIL. Failure to clearly indicate a choice will result in the appeal being considered by written submission.

### **Initiating an Appeal**

- 9.3. An appeal of a positive Anabolic Steroid test result must be initiated by the filing of a properly completed UIL Anabolic Steroid Testing Program Appeal Form (Appeal Form). The completed Appeal Form must be received by the UIL office not later than three (3) business days after notification by telephone to the Parent of the Student-athlete and the MSR of the Specimen B positive finding. (Telephone notification to the Student-athlete and his/her Parent and the MSR, will be confirmed subsequently by confidential letter.) As part of the Appeal Form, the Student-athlete and his/her Parents must agree to waive confidentiality of the test results and any other

documents and information relevant to the appeal in favor of UIL and persons such as employees of the testing program Contractor, members of the Testing Crew, the Laboratory and other persons that UIL determines are necessary to conduct the appeal.

The Student-athlete and his/her Parent or School may be represented by legal counsel at any point in the process. However, if not previously provided as part of the Appeal Form, the hearing officer and the UIL must be provided the counsel's name and contact information at least twenty-four (24) hours prior to any deadline for written submission or telephonic hearing.

Additionally, representatives of the Contractor, the Laboratory and/or Testing Crew, in addition to UIL staff members, may participate in either the written submissions or telephonic hearing and provide relevant testimony, evidence, information and/or documentation.

### **Hearing Officer, Scheduling and Process**

- 9.4. As soon as practical after the receipt of the completed Appeal Form from a Student-athlete and his/her Parent or the School, a hearing officer shall be appointed to hear the appeal. Appellants are to be given notice of the name of the hearing officer appointed to hear the appeal as soon as practical. Any objection along with any relevant evidence showing actual bias by the hearing officer must be submitted to the hearing officer within seven (7) days from the date of an Appellant being notified of the hearing officer's identity. The hearing officer will make the determination whether or not he or she can continue forward and preside over the appeal.

If the appeal is one where a telephonic hearing has been requested, as soon as practical after his or her appointment, the hearing officer shall set a conference call with the parties, or their respective counsel, to set a date for the telephonic hearing.

A written schedule for either the written submission or telephonic hearing appeal process shall be issued by the hearing officer within seven (7) calendar days of his or her appointment. If the hearing officer has not been able to conference with the parties to set a date for a telephonic hearing, he or she may set a hearing date in the scheduling order.

No ex-parte communications with the hearing officer are permitted. Each party must copy the other side on all written communications with the hearing officer and allow participation in any phone calls to the hearing officer.

- 9.5. Every appeal will be scheduled and conducted substantially as follows:

a) The appeal schedule will require that within fourteen (14) calendar days of the issuance of the schedule, each party to the appeal to submit to the hearing officer, and exchange with each other, written statements of their respective positions and any written evidence, such as documents or sworn affidavits, that support or refute the allegations of errors put forth by the Appellants in the Appeals Form. When a telephonic hearing is to be held, the parties shall also exchange a list of witnesses and a summary of their expected testimony. No written statements by witnesses will be considered unless they are in the form of a sworn affidavit.

b) The hearing officer may grant extensions of time regarding the submission and exchange of documents or concerning any other scheduling deadline in the appeals process at his or her discretion as circumstances warrant. Agreed motions by the parties for extensions of time will be given particular consideration. However, unless an extension of time has been previously

granted by the hearing officer, the failure to comply with the schedule may result in the hearing officer imposing sanctions on the offending party, including the exclusion of evidence or witnesses.

c) The schedule shall include all relevant contact information of the parties. If it is reasonably believed that confidentiality can be maintained, the contact information shall include fax numbers and email addresses. Fax numbers and email addresses that are so identified may be used as a method for communication between the parties and the hearing officer.

d) Members of the UIL Medical Advisory Committee or other experts in the field of Anabolic Steroid testing may be utilized as consultants by the hearing officer. Any documents or opinions from such advisory experts that are considered by the hearing officer will be promptly made available to each party to the appeal.

e) If the appeal is by written submission, each side shall be given seven (7) calendar days after the receipt of the other party's initial submission and exchange of documents to submit to the hearing officer a rebuttal statement along with any additional relevant documents. Each side may submit one such rebuttal, after which the evidence will be closed and no further argument or evidence will be considered.

f) If the appeal is by telephonic hearing, the parties shall take turns presenting their respective cases to the hearing officer with the Appellants going first. Witnesses may be called to testify provided that the other party has been given timely prior notice of the name of the witness and the summary of their expected testimony. Witnesses may be questioned by the hearing officer. No cross-examination of witnesses by the parties will be allowed. A court reporter shall make a record of the telephonic hearing in its entirety and place any witnesses under oath. A transcript of the telephonic hearing may be purchased from the court reporter by either party. The conclusion of the hearing will close the evidence and no further argument or evidence will be considered.

g) The hearing officer may set page limits on written submissions and time limits on all or any part of a telephonic hearing and otherwise oversee and manage the appeals process in order to achieve a fair and just result.

h) Within seven (7) business days after the evidence is closed in either the written submission or telephonic hearing appeals process, the hearing officer will issue a written finding as to whether or not the Appellant has met the burden of proving by the greater weight of the credible evidence that errors in the collecting, testing and analysis of the Specimen materially affected the test result.

If the hearing officer finds that the Appellant has met the burden of proof, the Appeal will be sustained and the Student-athlete regains eligibility for participation immediately.

If the hearing office finds that the Appellant has not met the burden of proof, the Appeal will be denied and the Student-athlete remains subject to the applicable sanction as contained in 3.2. Upon completion of the applicable sanction period, the Student-athlete is required to follow the restoration of eligibility procedures outlined in section 10.

## **10.0. Restoration of Eligibility.**

- 10.1. Any Student-athlete found to be positive for an Anabolic Steroid, or who refuses to submit to testing after random selection, shall be subject to penalties as outlined in section 3.2. Student-athletes who are ineligible for athletic contests as a result of a UIL positive Anabolic Steroid test finding must be tested by the Contractor and receive a negative result to qualify for eligibility restoration. Only Anabolic Steroid tests conducted by the Contractor will be considered for the purposes of this program.
- 10.2. Student-athletes who are ineligible for athletic contests as a result of a first positive Anabolic Steroid test finding may request the mandatory Exit Test no earlier than the 20<sup>th</sup> school day of the 30 school day suspension for a first positive Specimen B Anabolic Steroid test result or refusal to submit to testing after random selection of a Student-athlete.

Student-athletes who are ineligible as a result of a second positive test finding may request the mandatory exit Anabolic Steroid test no earlier than the eleventh month of the 12 month suspension for a second positive Specimen B test result or refusal to submit to testing after random selection of a Student-athlete who has previously been subjected to the first positive test penalty.

- 10.3. The MSR shall submit a request for an Exit Test to the Contractor upon the request of the suspended Student-athlete. The Student-athlete is not required to make such request until they choose to do so, regardless of whether this is a first or second positive test.

Upon receiving the request for the Exit Test, the Contractor shall determine the date that the Student-athlete will be tested.

- 10.4. Exit Tests will be conducted according to the UIL Anabolic Steroid Testing Program Protocol.
- 10.5. Restoration of eligibility shall not occur until after the Student-athlete serves the applicable penalty in section 3.2, tests negative on the Exit Test and the MSR has received the negative results from the Contractor.
- 10.6. Should an exit Anabolic Steroid test show 'new use' of an Anabolic Steroid, including, but not limited to, a different Anabolic Steroid from the previous positive test, an increased level of the same Anabolic Steroid, or show continuing use of the same Anabolic Steroid from the previous positive test, the Student-athlete in question is subject to the next highest penalty as outlined in section 3.2 of this document. The UIL Anabolic Steroid Testing Program Protocol applies.
- 10.7. The UIL will cover the cost for the first Exit Test for purposes of eligibility restoration for the penalties outlined in 3.2.1 and 3.2.2. Any subsequent Exit Test(s) for purposes of eligibility restoration are conducted at the expense of the School, Student-athlete or the family of the Student-athlete.