



Ohio Administrative Code Rule 3344-48-07 Safe harbor program.

Effective: [October 27, 2019](#)

(A) A student-athlete may voluntarily refer him/herself to the sports medicine staff for evaluation, testing, and counseling for substance use/abuse. This provision allows a student-athlete to self-report a substance problem without repercussions of a positive test.

(B) These individuals shall still be required to undergo an evaluation by the head team physician or his/her designee. Cleveland state university staff shall work with the student-athlete to prepare a safe harbor treatment plan, which may include confidential drug testing.

(C) The student-athlete may be tested for banned substances upon entry into the safe harbor program and such a positive initial test shall not result in any administrative sanction, though the head team physician or his/her designee may suspend the student-athlete from all athletic activities, if medically necessary.

(D) The student-athlete's parent(s) or legal guardian shall be notified of the entry of their child into the safe harbor program, if under twenty-one years of age. For the safety and well-being of the student-athlete over the age of twenty-one, the director of athletics may notify the student-athlete's parent(s) or legal guardian(s) of the entry into the safe harbor program.

(E) A substance abuse counselor will determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete on a case-by-case basis. In addition, the student-athlete may be financially responsible for any outside treatment or counseling.

(F) A student-athlete shall be permitted to remain in the safe harbor program for a reasonable period of time, as determined by the treatment plan. A student-athlete may be permitted to remain in the safe harbor program while actively complying and undergoing documented treatment as deemed medically necessary by the head team physician, team psychiatrist, and or their designee. Any missed appointment or failure to comply will result in the removal of the student-athlete from the safe harbor program. While in compliance with the safe harbor program treatment plan, the student-



athlete shall not be included in the list of students eligible for random drug testing.

(G) Students in the safe harbor program may be selected for drug testing by the NCAA and subject to NCAA sanctions.

(H) Upon release from the safe harbor program, the student-athlete will be placed in the cycle for institutional drug testing for at least one calendar year.

(I) The safe harbor provision shall be available for the student-athlete only one time during their athletic eligibility. It shall not be available after notification of an impending test or after a prior positive test result as set forth in the Cleveland state university drug education and screening program policy.

(J) A student-athlete, who enters the safe harbor program but does not comply with the terms of their rehabilitation, shall be sanctioned according to post-test procedures for a first positive result. Thereafter, the student-athlete shall serve the penalty phases for a second positive, if a positive test occurs in any future testing.

(K) If a student-athlete is determined to have been using, misusing or abusing substances after the initial safe harbor program treatment, as determined by follow-up testing, the student-athlete shall be subject to sanctions and follow-up testing as detailed for a first positive test result as outlined in the Cleveland state university drug education and screening policy.

(L) The director of athletics, associate athletic directors, the head athletic trainer, the student-athlete's head coach and the team physician may be informed of the student's participation in the safe harbor program. The athletic trainer assigned to that sport may also be notified, if medically appropriate. The assistant coach(es) may also be informed at the discretion of the head coach. Other university employees may be informed at the discretion of the director of athletics. The athletics compliance office will be notified of any student-athlete that does not comply and is subject to the penalty phase.