

**McGill**

Memorandum

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TO: Senate

FROM: Morton J. Mendelson, Deputy Provost (Student Life and Learning)

SUBJECT: Anti-Doping Policy

DATE: **October 21, 2009**

DOCUMENT #: D09-06

ACTION REQUIRED: ☐ INFORMATION ☐ DISCUSSION ☒ APPROVAL / DECISION

ISSUE: Revision of McGill's current Anti-Doping Policy.

BACKGROUND & RATIONALE: This extensive revision of the current anti-doping policy will bring our policy in line with the updated policies of regulatory bodies. It will also tie infractions of anti-doping regulations to the Code of Student Conduct and Disciplinary Procedures and to other relevant regulations and will ensure that students at McGill receive the warnings and protection to which they have a right.

MOTION OR RESOLUTION FOR APPROVAL: N/A

PRIOR CONSULTATION: Provost, Associate Provost (Policies and Procedures), Committee on Student Affairs, Legal Council, SSMU, PGSS, MCSS and the Varsity Athletic Council Executives.

NEXT STEPS: Submit to Senate for approval.
Submit to the Board of Governors for approval.
Implementation of the revised Anti-Doping Policy.

APPENDICES: Anti-Doping Policy (Amended March 1995)
Final Draft of McGill's Anti-Doping Policy (dated October 20, 2009).

ANTI-DOPING POLICY

SECTION 1: POLICY STATEMENT

McGill University is unequivocally opposed to any use by student athletes of any banned substance or performance-enhancing drugs or practices in contravention of the rules of the national and/or international sport federations, the International Olympic Committee and the Federation International du Sport Universitaire.

McGill University is equally opposed to the condoning of the use of or trafficking in such substances by individuals in positions of leadership in amateur sport, (including coaches, athletic staff, medical practitioners, sport scientists and administrators) or by student-athletes themselves. The provision or administration of banned substances to student-athletes is also forbidden.

For the purposes of this document, the term varsity sports shall mean Level I and II sports.

SECTION 2: OBJECTIVE OF THE PLAN

To educate student-athletes of McGill University on the hazards and consequences of using performance-enhancing drugs or procedures and to enforce the policy expressed in Section 1.

SECTION 3: EDUCATION

Educational seminars in CIAU and other varsity sports shall be conducted by the McGill University Department of Athletics. Student-athletes in those sports must attend such seminars in each academic year.

SECTION 4: TESTING

The McGill University Department of Athletics shall implement a mandatory testing program for all McGill student-athletes registered for CIAU and other varsity sports.

SECTION 5: DOPING CONTROL AGREEMENTS

All student-athletes registered in CIAU and varsity sports at McGill shall be required to sign an agreement to accept the policy and to allow McGill University to implement the testing procedure referred to in Section 9.

Such an agreement must be signed before any testing procedure is initiated. Failure to sign such an agreement will result in the student-athlete being denied playing and practicing privileges with any McGill team.

Any member of the McGill staff who may act as a coach, therapist or other official involved in intercollegiate sport shall also sign an agreement accepting this policy and undertaking to be bound (insofar as it relates to their involvement in intercollegiate athletics) by this policy, including penalties for non-compliance and the appeal procedure.

SECTION 6: TEST SCHEDULE

Testing may be conducted at any time, in-or-out-of competition. Once a student-athlete has been contacted, he or she will have 36 hours to report to the assigned doping control officer.

SECTION 7: ATHLETE SELECTION

Athletes shall be selected for testing on the basis of current eligibility lists on file in McGill University's Department of Athletics. A student-athlete may also be selected for testing by a request from the Head Coach or Intercollegiate Coordinator to the Director of Athletics.

SECTION 8: NOTIFICATION

1. The student-athlete selected to be tested will be notified verbally (which shall be confirmed in writing), by the Director of Athletics. The notice shall contain a) the student-athlete's name, b) student number, c) location of doping control station, d) a warning that the student-athlete must present him/herself at the doping control station within 24 hours of the verbal notice, together with a statement setting out the penalty for failure to comply, e) a contact person to whom the student-athlete can appeal if there are special circumstances that prevent the student-athlete from complying.
2. Failure to comply with the terms of the notice shall render the student-athlete immediately ineligible from further participation in McGill Intercollegiate sports for a period of four years from the date of failure to comply. If a student-athlete fails to comply with the terms of notice a second time, then he/she will be suspended permanently from participating in McGill Intercollegiate sports programs.

SECTION 9: TESTING PROCEDURES

The "Standard Operating Procedures Manual" of the Canadian Centre for Drug free Sport (CCDS) shall be followed except to the extent where it may be inconsistent with this policy. Only Doping Control certified by the CCDS will conduct the doping control sessions. All samples will be sent to and analyzed by an IOC-accredited laboratory.

SECTION 10: PENALTIES

The penalties listed below shall apply to any student-athlete found with positive test results. Coaches, athletic staff, administrators, and medical staff who have trafficked, administered, or condoned the use of banned substances shall be subject to the disciplinary action which is appropriate to their conditions of employment. Other student-athletes who are implicated are subject to the same penalties as the student-athletes they have aided or abetted.

SECTION 11: FIRST OFFENCE

A student-athlete with a positive "A" test result shall be suspended immediately until the "B" test result is received. If the "B" test is also positive, the student-athlete shall be suspended from competition for four years from the date of the "B" test results.

Before reinstatement by the McGill University Department of Athletics will be considered, the suspended student-athlete must:

- a) have undergone counselling during the period of the suspension

- b) have disclosed the source of the substance or procedure which led to his/her suspension
- c) undergo a doping control session, the cost of which will be the responsibility of the student athlete
- d) have a negative test result

SECTION 12: SECOND OFFENCE

A student-athlete having a second positive test result shall be suspended for life from further participation in any capacity in McGill's Intercollegiate sports programs.

SECTION 13: REFUSAL TO SUBMIT TO A TEST

A student-athlete who refuses to undergo a test will be subject to the same sanctions as the student-athlete who has had a positive test result (Section II: First Offence). If after reinstatement the student-athlete refuses to undergo testing for a second time, he/she will be subject to the penalties as outlined under Section 12 (Second Offence).

SECTION 14: APPEALS

Appeals will be subject to the CCDS "Standard Operating Procedures" and those of the CIAU. Appeals outside the jurisdiction of the CCDS and the CIAU are the responsibility of the McGill Doping Control Committee (DCC). This committee is composed of:

1. The Chairman of the McGill Athletics Board (or Vice Chairman)
2. The Dean of Students (or Associate Dean of Students)
3. The Director of Athletics (or Intercollegiate Coordinator)
4. Two full-time McGill students selected by the Students' Athletics Council

The Committee will be chaired by the Chairman of the Athletics Board or in his absence, the Dean of Students. Any member of the Committee who may have a conflict of interest shall not participate as a member thereof. Cases of doubt shall be referred to the Chairman.

The McGill D.C.C. will not entertain appeals concerning the scientific results or reliability of the technology involved in the testing. For all purposes of this policy such results shall be deemed to be correct.

A request for an appeal is to be made in writing to the Director of Athletics within 15 days of the date of suspension. The appeal will be held within a reasonable time.

The individual who appeals is entitled to have an advisor present at the appeal. The principles of natural justice shall apply, such that the individual may address the Committee, call witnesses and examine any other witnesses who may be called before the Committee.

This appeal mechanism will also be available to those members of staff and other athletes who come under the jurisdiction of Section 10 (Penalties).

SECTION 15: NOTIFICATION OF RESULTS

In the case of a positive "A" sample, the student-athlete shall be notified by the Director of Athletics of the procedure and time for testing of the "B" sample.

Upon notice that a “B” sample is positive, the Director of Athletics shall notify the student-athlete and the Head Coach of the sport, of the student-athlete’s suspension from Intercollegiate sports at McGill.

No statement will be released by the University regarding the results of the testing, suspension, or appeals, except for the statistical summary of the testing program. However, the IOC accredited laboratory must advise the CCDS of any positive test results. The CCDS must in turn advise the respective National Sports Organization and the CIAU (in CIAU sports) of any positive test results. Upon public disclosure, of the name of a McGill student-athlete by any of the above agencies, the University may release an explanatory statement of its own.

Source:

Senate	March 28, 1990
Board of Governors	April 23, 1990

Amendments:

Senate	March 6, 1995
Board of Governors	March 27, 1995

MCGILL UNIVERSITY

ANTI-DOPING POLICY

(October 20, 2009)

STATEMENT OF PRINCIPLE

In keeping with McGill University's commitment to education and innovation, Athletics and Recreation vows to provide students opportunities to participate in sport and physical activity within an inclusive environment that values health, well-being and fair-play.

McGill University is unequivocally opposed to any use by student athletes of any banned substance or performance-enhancing drugs or practices in contravention of the rules of the Canadian Centre for Ethics in Sports (CCES) and of the World Anti-Doping Agency (WADA).

McGill University is equally opposed to the condoning of the use of or trafficking in such substances by individuals in positions of leadership in amateur sports (including coaches, athletic staff, medical practitioners, sport scientists and administrators) or by student-athletes themselves. The provision or administration of banned substances to student-athletes is also forbidden.

McGill University abides by the Canadian Anti-Doping Program (CADP), which is the set of rules that govern doping control in Canada.

This Policy is to be interpreted in a manner that is consistent with the goals in the Statement of Principle as well as with the principles and conditions set out from time to time by the Canadian Anti-Doping Program (CADP), Canadian Centre for Ethics in Sports (CCES) and of the World Anti-Doping Agency (WADA).

1. SCOPE

This Policy shall apply to all Members of the University Community, in particular, to Student-Athletes, Athletics Staff, other students and employees in Varsity Sports.

2. DEFINITIONS

For the purposes of this Policy:

- 2.1 "Athletics Staff" includes a coach, trainer, manager, team staff, official, medical personnel, para-medical personnel or any other person working with, treating or assisting a Student-Athlete participating or preparing to participate in Varsity Sports.

- 2.2 “Student-Athlete” means a student registered in McGill Athletics and Recreation in an intercollegiate sport.
- 2.3 Member of the University Community means:
- i) anyone holding office under the University Charter and Statutes;
 - ii) an appointee or employee of the University; or
 - iii) a student as defined in Section 1(a) of the Code of Student Conduct and Disciplinary Procedures
- 2.4 “Prohibited Substances” includes any banned performance-enhancing drugs, substances, practices and methods identified on the latest up-to-date WADA Prohibited Substance List.
- 2.5 “Varsity Sport(s)” means all sports programs under the umbrella of McGill Athletics & Recreation, including all athletic activities, and competitive clubs, that are recognized, organized, or hosted by McGill.

3. THE STUDENT-ATHLETE

- 3.1 It is the responsibility of the Student-Athlete to:

- (i) Know, keep abreast of and comply with all applicable anti-doping policies and rules adopted pursuant to the [World Anti-Doping Code](#) and the principles and conditions set out from time to time by the [Canadian Anti-Doping Program \(CADP\)](#), [Canadian Centre for Ethics in Sports \(CCES\)](#) and of the [World Anti-Doping Agency \(WADA\)](#);
- (ii) know and keep abreast of what constitutes an anti-doping rule violation and what are the *Prohibited Substances and Methods*;
- (iii) be available for and participate in the testing programs applicable to their sporting activity.

3.2 Conditions of Participation

All Student-Athletes, regardless of their Canadian InterUniversity Sports (CIS) status or whether their sport is governed by an organization other than CIS, as a condition of their participation in any Varsity Sport shall:

- (i) complete and pass with a minimum grade of sixty six percent (66%) the “CCES Online Learning: CIS Anti-Doping Course”;
- (ii) acknowledge in writing that they are subject to the rules and procedures of CADP;

- (iii) complete the *CIS Student-Athlete Acknowledgement Form (Appendix A)*;
- (iv) consent to participate in “in-competition”, “out-of-competition” and, where appropriate, “target testing” programs conducted in accordance with the rules of CADP.

3.3 On-going Obligations

Student-Athletes are responsible, in the context of this policy, for what they ingest, apply or use; this includes:

- (i) ensuring that no Prohibited Substance enters their body directly or indirectly;
- (ii) making themselves available for sample collection in accordance with the rules of the applicable testing program;
- (iii) ensuring that any medical treatment received does not violate this policy or any anti-doping policies and rules;
- (iv) informing medical personnel of their obligation not to ingest, apply or use Prohibited Substances;
- (v) informing Athletic Staff if they are aware of having ingested, applied or used Prohibited Substances.

4. THE ATHLETICS STAFF

4.1 It is the responsibility of the Athletics Staff to:

- (i) Know, keep abreast of and comply with all applicable anti-doping policies and rules adopted pursuant to the [World Anti-Doping Code](#) and the principles and conditions set out from time to time by the [Canadian Anti-Doping Program](#) (CADP), [Canadian Centre for Ethics in Sports](#) (CCES) and of the [World Anti-Doping Agency](#) (WADA);
- (i) know and keep abreast of what constitutes an anti-doping-rule violation and what are the *Prohibited Substances and Methods*;
- (ii) ensure compliance with this Policy and the policies and rules adopted pursuant to the *World Anti-Doping Code*;
- (iii) promote and inculcate in the Student-Athletes the values, ethics and public policies that support fair, ethical and doping-free sport;

- (iv) provide support and direction to student-athletes to obtain expert advice and accurate information on anti-doping related matters and the CADP;
- (v) enforce the anti-doping testing program.

5. VIOLATION OF THIS POLICY

5.1 Student-Athletes:

5.1.1 A violation of this Policy by a Student-Athlete shall constitute a violation under the Code of Student Conduct and Disciplinary Procedures and may lead to the imposition of disciplinary measures pursuant to and in accordance with the provisions of that Code in addition to any disciplinary measures that may be imposed by the relevant sports organization.

5.1.2 A violation by a Student-Athlete of any anti-doping policy of the CIS shall constitute a violation of this Policy. The Student-Athlete shall be subject to disciplinary measures under the Code of Student Conduct and Disciplinary Procedures, and may lead to the imposition of disciplinary measures pursuant to and in accordance with the provisions of that Code in addition to any disciplinary measures that may be imposed by the relevant sports organization.

5.2 Athletic Staff:

5.2.1 A violation of this Policy by an Athletic Staff shall be subject to disciplinary measures pursuant to and in accordance with such internal regulations, policies, code or collective agreement applicable to the staff member.

5.2.2 A violation by an Athletic Staff of any anti-doping policy of the CIS or any external agencies involved with competitive sports shall constitute a violation of this Policy. The Athletic Staff shall be subject to disciplinary measures pursuant to and in accordance with such internal regulations, policies, code or collective agreement applicable to the staff member, and may lead to the imposition of disciplinary measures under such internal regulations, policies, code or collective agreement in addition to any disciplinary measures that may be imposed by the relevant sports organization.

5.3. Other Members of the University Community

5.3.1 A violation of this Policy by other members of the University Community shall be subject to disciplinary measures pursuant to and in accordance with such internal regulations, policies, code or collective agreement to which they are subject, and may lead to the imposition of disciplinary measures under such internal

regulations, policies, code or collective agreement in addition to any disciplinary measures that may be imposed by the relevant sports organization.

6. STUDENT-ATHLETE PRIVACY

Upon the public disclosure of the name of a Student-Athlete by a recognized sports organization in respect of a violation of this Policy or any anti-doping policy of an external agency involved with competitive sports, the University shall have the right to issue a public statement in respect of the violation and the Student-Athlete's status with the University.



STUDENT-ATHLETE ACKNOWLEDGEMENT FORM

Participation within Canadian Interuniversity Sport is a privilege that requires full compliance with Canadian Interuniversity Sport regulations, including Canadian Interuniversity Sport Eligibility, Athletic Financial Awards, and Drug Education & Control Regulations. Student-athletes are responsible for obtaining these regulations from their coaches and/or Athletic Department and to inquire how their respective circumstance relates to each. A copy is also available at www.universitysport.ca

ELIGIBILITY AND ATHLETIC FINANCIAL AWARD REQUIREMENTS FOR STUDENT-ATHLETES:

It is critical that student-athletes familiarize themselves with the Canadian Interuniversity Sport Policies and Procedures entitled "Eligibility" and "Athletic Financial Awards". Student-athletes are responsible for obtaining these rules from their coaches and/or Athletic Department and to inquire how their respective circumstance relates to Canadian Interuniversity Sport eligibility and athletic financial award requirements. This is important, as student-athletes need to be aware that those who participate in Canadian Interuniversity Sport competition and are found to be in violation of Canadian Interuniversity Sport Rules, may, among other sanctions, forfeit their eligibility for the remainder of the current competitive year and subsequent years.

USE OF BANNED OR RESTRICTED SUBSTANCES OR METHODS:

Canadian Interuniversity Sport is unequivocally opposed to the use by student-athletes of any banned or restricted substances or methods in contravention of the rules of the national and/or international sport federations, the International Olympic Committee or Fédération Internationale du Sport Universitaire. Canadian Interuniversity Sport is equally opposed to any encouragement of the use of such substances and methods by individuals in positions of leadership in amateur sport (i.e. coaches, medical practitioners, sport scientists, administrators, team managers, etc.) or by the student-athletes themselves. Any student-athlete who has been proven through appropriate and due process to be in contravention of the rules of Canadian Interuniversity Sport and/or the respective National and/or International Sport Federation will be suspended from all Canadian Interuniversity Sport competition, including Conference and non-Conference play as per Canadian Interuniversity Sport policy.

COLLECTION, USE AND DISCLOSURE OF INFORMATION:

In consideration of being permitted to participate in Canadian Interuniversity Sport, student-athletes allow Canadian Interuniversity Sport to:

- disclose their telephone number(s) and address to the Canadian Centre for Ethics in Sport for its use in the conduct of the Canadian Interuniversity Sport Doping Control Program;
- use and disclose the information on the Athlete Registration Form and the Eligibility Certificate as well as their photograph and information about their athletic performances for promotional purposes which, as defined by the Canadian Interuniversity Sport Board of Directors, are in the best interest of the student-athlete or in the best interest of the public;

As part of its developmental and promotional partnerships with professional and national sport organizations, Canadian Interuniversity Sport will also disclose from time to time, telephone numbers and addresses only of current Canadian Interuniversity Sport student-athletes to such other organizations involved in the recruitment and drafting of athletes.

Subject to the following paragraph, I understand that the provision of the personal information contained in the Student-Athlete Registration Form and the Eligibility Certificate (hereinafter "my Personal Information") constitutes my consent to such information being used and disclosed in the manner provided for above. I also understand that CIS is responsible only for information that is in its custody or control and that any information collected, used or disclosed by or under the control of a member of CIS or any other organization is subject to the privacy practices and procedures of that member or organization, as the case may be.

By checking this box ☐, I do not wish my Personal Information to be disclosed for the purposes listed above or for the purposes described in CIS' Personal Information Protection Policy, except for the purpose of administering the Canadian Interuniversity Sport Doping Control Program. By doing so however, I recognize that CIS may not be able to provide me or continue to provide me with some products, services or information which may be of value to me.

ATHLETE ACKNOWLEDGEMENT:

By signing this form, I acknowledge that I have read, understand and will abide by Canadian Interuniversity Sport Eligibility, Athletic Financial Awards, and Doping Control Regulations. I also acknowledge having read CIS' Personal Information Protection Policy and understand the contents thereof.

Signature _____

Print Name _____

Date _____