



INTERCOLLEGIATE ATHLETICS: Conditions for Involvement

Student Athlete Code of Conduct ALCOHOL/DRUGS POLICY

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I. PURPOSE

The purpose of this policy is to make student-athletes and the public aware of the existence of the _____ Intercollegiate Athletics Behavioral Standards. The purpose of this document is to establish standards of behavior for student athletes, as clear and consistent boundaries to deter behaviors of concern, criminal actions and insure the health, wellbeing and safety of all individuals.

II. DEFINITION

Policy Violation: A violation of the policy is that which includes but is not limited to a reportable offense (violations outlined in the General Student Handbook) and this document to a team coach, or the Director of Athletics or any official of this institution.

III. POLICY

A. Philosophy: The Department of Athletics at _____ coaching staff, athletic trainers, and administrators strongly believe that the abuse of alcohol and use of other drugs (excluding those prescribed by a physician to treat specific medical condition) is detrimental to the physical and mental well-being of its student-athletes, no matter when such use should occur during the year.

Additionally, use or abuse of alcohol and use of other drugs can seriously interfere with the performance of individuals as students and as athletes and can be injurious to student-athletes and their teammates, particularly when participating in athletic competition or practice.

The Department of Athletics at _____ strongly believes in the positive deterrence of student-athletes from using various forms of alcohol and other drugs. It is the Department's desire to encourage all student-athletes to take the responsibility for actions made while a member of any athletic team. Student-athletes should take pride in promoting healthy choices for healthy lives. Various forms of alcohol and other drugs have worked their way into practically every segment of modern society, and athletics are not immune to this phenomenon. Student-athletes can keep alcohol and other drugs out of the athletic environment through awareness, education, and self-responsibility. In light of health, safety, and social concerns, the Athletic Department at _____ has implemented a mandatory program of alcohol and other drug education to assist and benefit the men and women student-athletes at _____.

B. Purpose of the Program: The purpose of the _____ Intercollegiate Athletics Alcohol and Drug Education Program is to inform and help student-athletes at the

University. This program is based on the Athletic Department's policy that alcohol abuse and drug use are detrimental to the student-athlete and are a violation of team rules.

C. Specific Goals of this Program:

1. To educate student-athletes about the associated problems of alcohol abuse and other drug use and abuse.
2. To discourage any alcohol abuse or other drug use by student-athletes.
3. To identify any student-athlete who may be abusing alcohol or other drugs and to identify the drugs.
4. To educate any student-athlete identified about how such usage may affect the student-athlete and his or her team and teammates.
5. To see that any chronic dependency is treated and addressed properly.
6. To provide reasonable safeguards that every student-athlete is medically competent to participate in athletic competition.
7. To encourage discussion about any questions the student-athlete may have, either specifically or generally, about use and abuse of alcohol or other drugs.
8. To reduce risk for student athletes.
9. To Increase collective responsibility among members of teams.
10. To reduce and deter the associated negative out of character behaviors and criminal acts connected to use.

First and foremost, representing this institution shall be considered a privilege and student athletes shall be viewed as ambassadors of the institution.

Student athletes are expected to conduct themselves in a manner which conforms to reasonably accepted standards of the College and the community at large; the failure to do so is grounds for disciplinary action which may include suspensions, dismissal from teams and or sanctions including permanent exclusion from representing the institution as an athlete and or expulsion from the College. The College reserves the right to deny admission to any applicant or to discontinue the enrollment of any student athlete, if, in the opinion of College authorities, the student athlete's further association is not in the best interest of the student or of the College. A student who is expelled from the College shall be banned from being on campus property, unless written permission is explicitly given by the chief student affairs officer.

The purpose of publishing "prohibited conduct" is to provide general notice of unacceptable conduct by student athletes.

Procedural Protections

Student athletes accused of disciplinary violations are entitled the following procedural protections:

- To be informed of the charge and alleged misconduct upon which the charge is based
- To be informed of the evidence upon which any charge is based
- To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act (the nature of the case may require some disclosure as permissible under law)
- To be considered not responsible for the charge until shown to be responsible by the preponderance of evidence (more likely than not)
- To be allowed reasonable time to prepare a response
- To be advised by a person of their choice at a hearing

Authority for Student Athlete Discipline

Ultimate authority for student athlete discipline is vested in the College President.

Disciplinary authority may be delegated to College administrators, faculty, staff, committees,

and organizations, as set forth in this Code, or in other appropriate policies, rules, or regulations.

Student athletes are included as full and participating members of Judicial Councils. In these matters, students work side-by-side with faculty and staff members to resolve discipline cases. This participation enhances student contributions to the governance of the College community.

Definitions of Terms Used Within this Code

The term "Code" means Code of Student Athlete Conduct.

The term "group" means a number of persons who are associated with each other and have status as an officially recognized student organization which is Inter-Collegiate Athletics.

The term "team" means a number of persons who are members of an officially recognized and eligible member of an Inter-Collegiate Sport at the College.

The term "student athlete" means any person who is taking College classes on a full-time basis and is matriculated at the College.

The term "College premises" means buildings or grounds owned, leased, operated, controlled, or supervised by the College.

The term "college sponsored activity" means any activity on or off College premises that is directly initiated or supervised by the College or any sponsored or scheduled activity, trip, training camp or competition.

The term "disciplinary conference" or "administrative hearing" means an individual meeting with a hearing officer who is authorized to make determinations as to whether a student athlete, a student organization, or a student group or official college team is responsible for a violation of this Code. Determinations resulting from a disciplinary conference can not be appealed.

The term "Judicial Council" means a body of individuals appointed to hear matters involving alleged infractions and to make determinations as to whether a student athlete, a student organization, or a student group or official college team is responsible for a violation of this Code.

Disciplinary Action While Criminal Charges are Pending

Nothing shall prevent the College from pursuing disciplinary action against any student athlete who is reasonably thought to have violated the regulations within this Code even though the conduct may be the subject of criminal charges or other legal action.

The College may, if it chooses, pursue disciplinary charges against a student for a civil or criminal violation of any local, state, or federal law – on or off campus – whether or not the legal action is dismissed, or reduced. It shall also be noted that the significance of such acts must be of a magnitude that the college, the team and the department of athletics shall be compromised by reputation.

Prohibited Conduct

The following shall be considered unacceptable conduct by students:

Violation of written College Policy, regulation contained in any official publication, administrative announcement, or contractual obligation of

Disruptions or behavioral infractions in the classroom

Academic dishonesty including, but not limited, to cheating, plagiarism and fabricating material that is contrived or altered

Interference with the academic process, College sponsored activities or College operations including, but not limited to, studying, teaching, research, College administration, or fire, police or emergency services

Failure to abide by College policy on vehicle usage or obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored functions

Vandalism or damage to College property or the property of others

Forgery, alteration or misuse of College documents, instrument of identification, or records

Theft of property or of services or knowing possession of stolen property

Furnishing false information to the College or to any member of the College community with intent to deceive or defraud, including initiating any false report, warning or threat of fire, explosion or other emergency

Failing to identify oneself when requested to do so or failing to comply with the reasonable directions of College officials, including College police and residence hall staff, acting in the performance of their duties

Abuse of the College judicial system, including but not limited to failure to obey a judicial summons, misrepresentation of information or falsification of information, knowingly instituting a judicial proceeding without cause, attempting to discourage an individual's participation in, or use of, the judicial system, attempting to influence the impartiality of judicial board members, harassing and/or intimidating judicial board members, failing to comply with a sanction, influencing or attempting to influence another person to commit an infraction of the Student Code of Conduct

Violating the terms of any disciplinary sanction imposed in accordance with this Code

Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises

DRUGS/Chemical Health Violations; listed below

Code of Ethics for Student-Athlete Alcohol /Drug Use

CONDITIONS FOR INVOLVEMENT IN COLLEGIATE ATHLETICS CHEMICAL HEALTH STANDARDS

The prevalence of social drug use among collegiate athletes is well documented and must be addressed by athletic administrators, coaches and student athletes. These chemical substances have been shown to compromise and reduce athletic performance and performance potential, team effectiveness and have the potential for serious health hazards including long term effects. Student athletes at _____ may not consume alcoholic beverages during the athletic season. (no student athlete under 21 years of age shall use alcohol under any circumstances) or use marijuana or any illicit drug, controlled substance, prescription drug (without established medical need and proper identification and documentation with our head athletic trainer) or banned performance enhancing drugs, substances or practices as outlined by the NCAA, WADA,USADA, and state and federal laws and statutes.

Any student athlete found to be under the influence of these substances will face immediate suspension for the first violation and termination for a second violation.

Additionally any student athlete who through their behavior brings negative or detrimental publicity to themselves, the team or the institution shall face suspension for a first incident and

termination for a second incident. This includes proof from cyber images, photos, videos, emails, electronic mail and communications or any implications from criminal arrest or investigation. Any reported violations or accusations or behaviors of concern will be investigated by the institution and the department of athletics.

These standards are universal and non-negotiable for any student athlete.

The _____ College/University Intercollegiate Athletic Department expects each student to adhere to a set of standards that positively represents this Department and the University. The Athletic Department sets forth a code of ethics for alcohol and drug use to clearly define the Department's position regarding these issues. A student-athlete is responsible for following all Federal, State, University and Athletic Department guidelines pertaining to alcohol and drug use. The Code of Ethics for Alcohol Use is considered minimum guidelines, and each coach may set higher standards in a separate team policy.

UNACCEPTABLE

Drinking and driving a motor vehicle.

Use of alcohol before, during or after department sponsored athletic events either at home or during road trips.

Disclaimer: Situations pertaining to specific cultural norms may warrant Head Coach/Administrator discretion. If questions regarding appropriate behavior arise, the teams' administrator should be contacted.

Use of alcohol that interferes with scholastic success, athletic performance, personal relationships, finances, or leads to legal problems.

Irresponsible use and/or being intoxicated in a public place (i.e., downtown or in public, hotels while on road trips, restaurants, etc.)

Drinking in department-issued _____ Athletic Team Gear (i.e., sponsor gear, apparel with specific sport name on it.

Drinking with recruits; specifically the individual host(s) responsible for the safety and well-being of the recruit.

Statement: In order to develop a positive culture at _____ regarding alcohol, athletes need to be leaders in the fight against alcohol misuse. In the quest for excellence, both on and off the playing field, athletes need to make smart choices and realize the long-term athletic, career, and health benefits of choosing not to drink alcohol and/or drink responsibly after age 21.

Drugs

_____ Intercollegiate Athletics do not condone the medically-unsupervised use, possession, sale, manufacture or distribution of drugs that are illegal, that may involve medical or psychological hazards to individuals, that are possessed without medical verification, or that may tend to interfere with the rights and privileges of others.

The student-athlete will annually, prior to participation in intercollegiate competition during the academic year, sign a statement in a form prescribed by the NCAA and _____ in which he or she consents to be tested for the use of drugs prohibited by NCAA legislation. Failure to complete and sign the statement annually shall result in the student-athlete's ineligibility for participation in all intercollegiate competition. _____ has a drug-screening program for all intercollegiate sports and provides educational opportunities to enhance the student-athletes' awareness of the effects of substance abuse.

Public intoxication, use, possession, or distribution of alcoholic beverages except as

permitted by _____ law and College regulations
Sale, use, distribution, manufacture, dispensing, or possession of illegal drugs and drug paraphernalia. See statement on the Drug-Free Schools and Communities Act

Misuse of, or tampering, with the fire alarm systems, fire extinguishers or other security

Cyber Image/Cyber Violations: Any student implicated by using any cyber network system or mass communication method to commit a criminal act or make any threat or post any images for private or public domain which may bring undue negative publicity to the individual, or institution or may be considered to be in violation of state or federal law. This includes any negative impact to team, teammates, individuals, the institution officials, coaching staff, athletic department administration or any ancillary staff.

Conduct that is disorderly, lewd or indecent; breach of peace; or aiding, abetting or procuring another person to breach the peace on College premises or at functions sponsored by or participated in by the College

Use or possession of explosives, firecrackers, smoke bombs, firearms, or explosive materials on campus premises

Willful or negligent actions that endanger the health and safety of one's self or others

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion or other conduct that threatens or endangers the health or safety of any person

Sexual assault or sexual harassment.

Behavior that would constitute a violation of local, state or federal law on College property or off campus when such behavior has a substantial adverse effect upon the College or upon individual members of the College community.

Sanctions

The following student athlete sanctions are listed in order of severity. Any one or a combination of these sanctions may be imposed on a student athlete who has violated this Code. Sanctions may be imposed in any order at the discretion of the College.

Warning - A notice, orally or in writing

Probation - A written reprimand for a violation of a specified regulation. Probation is for a designated period of time and includes the probability of more severe sanctions if the student athlete is found to be violating any College regulation during the probationary period. Probation may include a loss of privileges.

Parental Notification - Parents of a student athlete under the age of 21 or who is a dependent as outlined under Federal legislation (34CFR99) may be notified of their son or daughter's violation.

Loss of Privileges - Denial of specific privileges or the ability to participate in specified Team and College activities for a designated period of time including permanent denial of privileges.

Restitution - Repayment to the College or other party for damage caused by one's actions. This may take the form of service and/or monetary or material replacement.

Discretionary Sanction - Service and/or research projects or other discretionary assignments.

Residence Hall Suspension - Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

Residence Hall Eviction - Permanent separation of the student from the residence halls.

Interim Suspension - In certain circumstances, the chief student affairs officer or a designee may impose a College or residence hall suspension prior to the hearing before a judicial body. Interim suspension may be imposed: a) to insure the safety and well-being of

members of the College community or preservation of College premises; b) to insure the student athlete's own physical or emotional safety and well-being; or c) if the student poses a definite threat of disruption of or interference with normal operations of the College. During the interim suspension, student athletes shall be denied access to the residence halls and/or to the campus (including classes) and/or all other activities or privileges for which the student might otherwise be eligible, as the Vice President for Student Affairs may determine to be appropriate.

College Suspension - The termination of student status and the separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. While a student is suspended, he or she is prohibited from being on College premises and excluded from all student courses, privileges, and activities.

College Expulsion - Permanent separation of the student from the College. When a student is expelled, he or she is prohibited from being on College premises and excluded from all student privileges and activities.

More than one sanction may be imposed for any single violation. Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary action other than residence hall eviction, College expulsion, or suspension upon application to the vice president for student affairs. Cases involving the imposition of sanctions other than residence hall eviction, College suspension or expulsion shall be expunged from the student's record upon expiration of five years after the adjudication of the student's disciplinary violation.

A hold may be placed on a student's record if that student does not complete the terms of any adjudication resolution, including not fulfilling required community service hours and/or required educational experiences.

Results of College Suspension and Expulsion

Students who are expelled or suspended from the institution for academic reasons may be assigned "F" grades for all courses in which they are currently enrolled.

Students who are expelled or suspended from the institution for behavioral reasons may be assigned "T" grades for all courses in which they are currently enrolled.

Students expelled or suspended from College-owned housing or the College for appropriate cause are not entitled to refunds of housing or tuition charges.

Complaint Procedure

Any member of the campus community (faculty, staff, student, or other affiliated party) may initiate a charge against a student for a breach of this Code.

The party who initiates the charge is generally expected to serve as the complainant, although, in cases of sexual harassment or other issues in which the Vice President for Student Affairs determines it is appropriate, another party may serve as the complainant.

In all matters a preliminary review of the incident may be conducted to determine if charges should be filed.

Academic Complaint Procedure- If the matter involves a charge of academic dishonesty, the process outlined under Academic Complaint Procedure (below) will ensue.

Non-Academic Procedure – If the matter involves a charge other than academic dishonesty, the process outlined under Non-academic Complaint Procedure (below) will ensue.

Student conflicts may be resolved through a mediation session with a counselor. In such cases, both parties, as well as the chief student affairs officer or designee, must agree that the situation is appropriate for mediation. Resolutions reached through mediation

must be approved by the mediator and the chief student affairs officer. Mediated resolutions are binding. If a resolution is not reached, the parties may, at the discretion of the chief student affairs officer, or designee, be directed to resolve the matter through an informal disciplinary conference or a formal Judicial Council

Academic Complaint Procedure

This procedure outlines the handling of matters involving academic charges. The instructor should meet with the student and present him/her with the complaint, any evidence and the instructor's recommended sanction. A student charged with academic dishonesty will not be allowed to drop the course until the issue is resolved satisfactorily. The instructor, by memo, should inform the Registrar, the appropriate dean and the chief academic officer, that a hold should be put on the student's grade pending resolution. If the student accepts the charges, evidence, and sanction, the process is complete. If the student denies the charges, the instructor forwards the charge to the appropriate school dean who will proceed with an investigation of the charges and a review of the evidence. The dean will meet with the student and instructor to attempt to reconcile a final decision. If reconciliation is successful, the process is complete. If reconciliation fails, the charge is submitted to the Judicial Council, by the chief academic officer, or designee. The Judicial Council process is outlined below. If the case has not been adjudicated by the end of the semester, the instructor is responsible for submitting a "no grade" symbol for the course. At the end of the sixth week of the following semester, the College Registrar will contact the instructor's school dean and request the status of the case. If adjudicated, the appropriate grade should be submitted. If not adjudicated, the school dean should inform the Registrar to extend the deferred grade until a specific date; on that date, the Registrar again will request a grade. The dean should also inform the chief student affairs officer for record-keeping purposes.

Non-Academic Complaint Procedure

This procedure outlines the handling of matters involving non-academic charges.

Disciplinary Conference/Administrative Hearing - For matters in which a student would not face a suspension or expulsion from the College the incident will be resolved through a disciplinary conference between the student and the designated person (usually a member of the student affairs staff) hearing the matter. Matters that will not result in suspension or expulsion may include minor alcohol infractions, noise violations, or other behaviors that the College deems to be within the discretion of sanctions below the level of suspension or expulsion.

Decisions of a disciplinary conference are final and cannot be appealed. The process will proceed even if the student fails to appear at the disciplinary conference.

Judicial Council

For matters which may result in suspension or expulsion (such as assaults, severe harassment, drug trafficking, or other serious behavioral infractions which the College deems to be severe enough as to warrant the consideration of possible suspension or expulsion), and in cases of academic dishonesty where the faculty and the student cannot informally resolve the matter, the incident will be resolved through the Judicial Council which shall consist of no less than three members of the campus community and will be comprised of any mix of the following: staff, faculty, administrators, and students.

The chief student affairs officer will designate a hearing officer in matters involving non-academic charges. In academic matters, the chief academic officer will designate the

hearing officer.

The hearing officer will assure the hearing is conducted within the parameters of this policy and will

- Have discretion over the proceedings

- Excuse disruptive parties from the room

- Participate in deliberations and discussions, but not to vote

Respondents will receive written notice of the charges no less than five calendar days prior to the disciplinary conference. Notices may be sent by email to the student's account.

Hearings can be conducted in the absence of the respondent.

Complainants and respondents may bring an advisor of their choosing to the hearing.

- Advisors cannot address any persons other than their advisee. Hearings shall be tape recorded and this record will be kept for 90 days after the hearing.

Hearings are closed to the public although, at the discretion of the hearing officer, other parties such as family members of the complainant or respondent may be admitted.

Complainants and respondents shall have an opportunity to ask relevant questions of each other and of any witnesses.

The Council and the hearing officer may ask questions of the complainant, respondent, and any witnesses.

The Council will conduct deliberations in a closed session without the complainant, respondent or any persons other than the hearing officer present. The Council will determine if they find the student responsible or not responsible for the charges.

To provide information to the Judicial Council that is relevant to the case, such as any past behavioral infractions of the respondent.

If the respondent is found responsible for a violation of the Code, the Council and hearing officer will recommend the sanction/s.

The appropriate vice president, or designee, will have the final determination of any applicable sanctions.

Student Groups and Organizations

Student groups and registered student organizations including athletic teams may be charged with violations of this Code either as a collective unit, as individual members, or as both. As such, the chief student affairs officer will designate a member of the group/organization as the spokesperson for any discipline proceedings involving the group/organization.

A student group or registered student organization may be held responsible for violations of this Code either as a collective unit, as individual members, or as both. Student groups and organizations are bound by any sanctions imposed through the discipline process outlined in this Code.

Sanctions for student groups or organization may include a loss of privileges, a loss of funding opportunities, a loss of recognized student organization status, or other discretionary sanctions approved through the chief student affairs officer, or designee.

For matters in which a student group or organization would not face a suspension or expulsion from the College, the incident will be resolved through a disciplinary conference between the group and the designated person hearing the matter.

For matters which may result in suspension or expulsion of a student organization or group, the incident can be resolved through the Judicial Council consisting of no less than three members of the campus community and comprised of any mix of the following: staff, faculty, administrators, and students.

Appeals

Any involved party may appeal the Judicial Council's finding of responsibility or non-responsibility. An appeal is possible only when material new information has been discovered or there is a question of the fairness of the process or sanction. Appeals are made to the President of the College.

To appeal, the party must submit in five business days, in writing, his or her reasons for the appeal.

The President will respond to the student in writing within ten business days.

While a student is appealing, the sanctions of the Judicial Council will be enforced unless the Vice President for Student Affairs specifically delays the imposition of the sanctions, via written notice to the respondent.

The decision of the President is final in all appeals.

Appeals are based on the record of the hearing, the written submissions, responses of the respondent(s) and complainant, and any other information deemed appropriate in determining the outcome.

Student Record Hold

In pending cases that could result in suspension or expulsion, a temporary record hold will normally be placed on a student's records by the chief student affairs officer.

Revocation of Degrees

The College reserves the right to revoke an awarded degree for fraud in receipt of the degree, or for serious disciplinary violations committed while the individual was a student