

Eau Claire Middle Schools Athletic Code

I. INTRODUCTION

This athletic code has been developed and adopted by representatives of the middle schools' athletic teams, parents, athletic directors, coaches, and administrators. The purpose of the code is to provide assurance that public school athletes and their parents are informed of the standards of behavior, conduct, and appearance that are appropriate for the young people who represent this school system in various forms of competitive athletics.

Athletics is a voluntary activity. Therefore, when an athlete (includes cheerleaders and pompon squads) signs accepting the code, it means that he/she voluntarily accepts it as part of his/her athletic endeavors while attending Eau Claire Middle Schools.

All AOD and criminal violations will be enforceable for the athlete's career on a year-round basis.

Other violations will be enforceable only during the season in which the athlete is actually participating in a sport.

II. ELIGIBILITY

A. Scholastic. Students shall become scholastically ineligible in either of two (2) ways:

1. Obtain failing grades in one or more classes in nine-week grading period.

Students who receive one or more failing quarter grades will be placed on academic probation. An athlete who received one or more quarter F's may regain eligibility if he or she is passing all classes after the first contest has been played. The student is responsible for providing verification of acceptable academic performance to the athletic director and building principal. Students scholastically ineligible for this reason will be expected to practice during the suspension period. If, after one contest, the athlete is not eligible for competition, he/she will remain ineligible for the remainder of the quarter and will not be allowed to practice.

2. Students who receive any incomplete quarter grades will be placed on academic probation. A student will regain scholastic eligibility as soon as the incomplete grade is cleared. The student is responsible for providing verification of clearing the incomplete grade to the athletic director and building principal. If the incomplete grade turns to an F grade, the student will be subject to paragraph 1 above.

3. ~~EEN students will be expected to obtain passing grades for classes in which they are mainstreamed. Satisfactory progress toward meeting IEP objectives shall be considered passing in classes for which EEN students are not mainstreamed.~~ Students with disabilities will be expected to obtain passing grades for all general education classes they attend. Satisfactory progress toward meeting Individual Education Plan (IEP) objectives shall be considered passing in all other classes. (CHANGE MADE 7/04)
- B. Attendance. Student athletes are expected to be in attendance the full day of an athletic event with the exception of either a pre-arranged or approved appointment. Any exception beyond this **must** be authorized by the building administration. (Secondary Administrative Council Notes of February 5, 1987.)
- C. Suspension/Expulsion. Any athlete who is suspended or expelled from school shall be ineligible for all athletic participation including practices during the period of suspension or expulsion. They shall be eligible for athletic competition when they are readmitted to school, unless the reason for suspension or expulsion was based on a major violation of the athletic code.

III. CODE VIOLATIONS

- A. AOD/Tobacco. Any athlete involved in the use or possession of alcohol or tobacco or the use, possession, buying or selling of illegal drugs shall be suspended from athletic competition. (This shall include any violation of the Wisconsin drinking law which was enacted July 1, 1984.)
- B. Criminal. Any athlete who commits a legally punishable criminal act shall be suspended from athletic competition, whether or not the athlete is prosecuted by governmental authorities.
- C. Other
 1. Dress and Grooming--Standards shall be consistent with district established Administrative Rules and Regulations.
 2. Gambling—There shall be no gambling by athletes on trips.
 3. Travel—Players selected to take out-of-district trips are to travel to and from games with the squad. No other means of transportation is to be arranged unless prior approval of the coach has been granted and parent permission obtained.
 4. Practice Attendance—Athletes are required to attend all practices unless prior permission has been obtained from the coach of the specific sport or they have an excused absence from school.

IV. PENALTIES

AOD/Tobacco and criminal violations and penalties shall be cumulative for each violation committed during the athlete's middle school career. The student will start his/her high school athletic career with a clean record. Infractions occurring at the high school level will be cumulative in grades 9-12.

A. AOD/Tobacco Violations

1. **First Violation.** Violator will be suspended from further athletic competition for one athletic contest in the sport in which he/she is participating. The athlete, parent/guardian and coach or athletic director must meet with a designated counselor to discuss the violation.

The athlete will be expected to practice during the suspension period. If the suspension cannot be fulfilled during the present sport season, the suspension will carry over into the contests of the next sport in which the athlete participates.

2. **Second Violation.** Violator will be suspended from further athletic competition for one-half of the total number of athletic contests in which he or she is participating.

Athletes will continue to practice with the team during the suspension period. If less than one-half of the contests remain on the schedule, the remaining fraction of the suspension will carry over into the contests of the next sport in which the athlete participates.

3. **Third and Subsequent Violations.** Violators will be suspended from further athletic competition for one full year from the imposition of the penalty.

4. **Athlete Self-Referral.** Student athletes who want assistance with AODA concerns should self refer to a school counselor. The school counselor will act in a way to provide confidential assistance to the athlete.

Situations

It is recognized that under certain circumstances middle school students may legally enter places where beer or liquor is served. Since the intent of this code is not to punish athletes for association with friends or family or to curtail wholesome entertainment or employment, the following explanations are offered in an attempt to show the code's intent. It is fully recognized that these are only illustrative examples and each case involving like situations will, of necessity, have to be judged on its individual merits.

It shall be considered an AOD/Tobacco violation of the athletic code when an athlete:

1. Loiters in a place where beer or liquor is sold whether or not prosecuted for such violation.
2. Knowingly participates*, whether or not they actually consume, in any "party" or other occasion where violation of state law or local ordinance

regarding the possession, purchase, sale or consumption of alcohol, or illegal drugs occurs.

*Knowingly participates is defined as: (a) being at a party or place where violation cited in No. 2 occurs, or (b) not making reasonable efforts to leave the premises.

3. Violates any state law or local ordinance regarding the possession, purchase, sale or consumption of beer or liquor.
- B. Criminal Violations. Any athlete who commits a legally punishable “criminal act”* shall be suspended from athletic competition, commensurate with the severity of the offense, whether or not the athlete is prosecuted by governmental authorities.

*The commission of any felony, or the commission of any misdemeanor or other legal offense, which evidences moral turpitude or a willful or reckless disregard for the lives, or property of others.

NOTE: A felony is a crime for which punishment is provided of imprisonment of one year or more in the state prison. Illustrations of actions evidencing moral turpitude include, but are not limited to, theft, burglary, perjury, and criminal damage to property.

- C. Other Violations. These violations and penalties shall not be cumulative. Athletes found guilty of “other” code violations shall be suspended from competition for one contest.

V. PROCEDURE

- A. General—Suspensions shall begin immediately after the athlete has been found to have committed a violation. Suspensions will be served by remaining on the team in all respects except for participation in games, scrimmages or trips. Exceptions to this procedure will be decided by the building administrator upon consultation with appropriate parties. Athletes may serve a suspension in another sport provided the athlete completes the season in good standing in that particular sport as determined by documentation provided by the coach of the sport in which the suspension was served.
- B. AOD/Tobacco and Criminal Violations—Procedures will be followed in each school which will provide opportunity for the athlete to have his/her case reviewed. A copy of the procedures will be made available to an athlete at the time he/she is notified of an alleged violation or whenever they may be requested.

An athlete shall begin a suspension when one or more of the following conditions are met:

1. The athlete admits the violation.
2. The athletic director or a building administrator has met with the athlete, investigated the case, and determined the athlete has committed an AOD/Tobacco violation of the athletic code.

3. The coach may impose a temporary suspension not to exceed 48 hours or the next school day when a coach is made aware of a violation at a time that makes it impossible to have a meeting prior to a scheduled contest.
- C. Other Violations—Procedures for “other” violations will consist of the coach confronting the athlete and notifying him/her of the charge. The athlete will be asked and given an opportunity to provide any information in his/her defense as may be pertinent. The coach will render a decision which will not be able to be appealed except to the athletic director.

VI. VALID EVIDENCE

Any information or evidence considered to be relevant, valid, and accurate by any person(s) reviewing a particular alleged violation shall be considered. Parties who provide anonymous information will be asked to provide specific names, dates, times, and infractions. If hearsay evidence cannot be substantiated on the basis of subsequent investigation, it will be treated as rumor.

VII. AWARDS

Awards are presented as an honor to any athlete. The athlete will receive each award with the understanding that the athlete will keep his/her character above reproach during his/her entire school career. No awards shall be granted until all suspensions are satisfactorily served or the athlete graduates.

PROCEDURES FOR PROCESSING AOD/TOBACCO AND CRIMINAL ATHLETIC CODE VIOLATIONS IN EAU CLAIRE SECONDARY SCHOOLS

The procedures outlined hereafter will be adhered to as closely as possible when suspending students from participation in athletic activities for AOD/Tobacco or Criminal violations of the Athletic Code. Procedures to be followed in processing other violations of the Athletic Code are spelled out in the Athletic Code.

1. The athlete shall be notified of any alleged major violation of the Athletic Code and given a copy of these procedural guidelines by the athletic director or administrator as soon as it becomes known to him/her. The athletic director or building administrator will then render a decision which will result in one of three actions:
 - a. The athlete has admitted the violation and a suspension will be assessed and served.
 - b. The athlete has denied the charge; however, the athletic director or administrator will assess a suspension based on the evidence.
 - c. The alleged violation will be dropped due to insufficient evidence. If a suspension is assessed at this time, the athletic director or building administrator shall send a letter to the parent(s)/guardian(s) informing them of the decision and the basis for it.
2. If the athlete or his/her parent(s)/guardian(s) are dissatisfied with the decision rendered by the athletic director or administrator in Step 1, they may appeal the decision to the person who made the decision within five (5) school days after receipt of the letter notifying them of the Step 1 decision.

The athletic director or building administrator and, if appropriate, the head coach of the sport involved, shall schedule a meeting as soon as possible (no later than three (3) school days after reviewing the appeal) to discuss the issue. The athlete may be accompanied by parent(s) or guardian(s) at the meeting with the athletic director or administrator and coach. The athlete will have an opportunity to present evidence and challenge evidence presented against him/her at this meeting. The athletic director or building administrator will determine if the suspension should be sustained.

The athletic director or building administrator shall notify the athlete and his/her parent(s)/guardian(s) of the decision following this meeting.

3. The parent(s)/guardian(s) or athlete may appeal this decision in writing to the superintendent of schools within five (5) school days after the decision of the athletic director or building administrator. The superintendent or superintendent's designee will, within five (5) school days of receipt of the written appeal, arrange a meeting between the appropriate parties to review the suspension. This meeting will be conducted by the superintendent or superintendent's designee.

At this meeting the athlete will be provided the opportunity to present evidence on his/her behalf and to challenge evidence that has been presented. A summary of the meeting including the decision made, will be put in writing by the person conducting the meeting and a copy sent to the athlete and his/her parents within three (3) school days after the meeting has been held.

4. The school shall consider this decision final.

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