

Marian High School Athletic Code of Conduct

PURPOSE

Athletic participation as a representative of Marian High School is considered an additional student privilege -- not a right. Our student-athletes are expected to always represent themselves and the school in an exemplary manner, and are expected to exert a positive influence on fellow students during school and at all school-related events.¹ Because athletic participation is considered an additional student privilege, student-athletes are subjected to a higher standard, and additional rules and consequences apply to their conduct. These are embodied in the Marian High School Athletic Code of Conduct (“the Athletic Code”).

Marian High School, as an entity of the Diocese of Fort Wayne-South Bend, adheres to Diocesan policies. The policies of the Diocese of Fort Wayne-South Bend and the policies in Marian’s Student/Parent Handbook are primary, and supersede the Athletic Code if there is a conflict. When applicable, the guidelines, procedures, and policies of the Diocese and those listed in Student/Parent Handbook will be followed and may be supplemented by the Athletic Code. However, the Athletic Code may also be considered and utilized even if a student-athlete’s conduct is determined not to be in violation of Diocesan policy or the Student/Parent Handbook.

EFFECTIVE PERIOD OF POLICY

The Athletic Code is in effect twenty-four (24) hours a day, seven (7) days a week, twelve (12) months a year. Violations of the Athletic Code are cumulative from season to season and year to year throughout the student-athlete’s high school career.²

COVERAGE

The Athletic Code shall apply to all Marian High School student-athletes, cheerleaders, managers, trainers, and others associated with Marian High School athletics. The consequences for a student-athlete’s violation of the Athletic Code may include an athletic participation penalty that is in addition to any discipline imposed under Diocesan Policy or the Student/Parent Handbook.

PROCEDURE

The determination of whether there has been a violation of the Athletic Code and the consequence imposed for such violation may occur as the result of a student-athlete’s accumulation of excessive disciplinary infractions in a given semester or as part of a disciplinary investigation and review procedure conducted pursuant to Diocesan Policy or the Student/Parent Handbook. A similar type of investigation and review procedure shall apply to any circumstance wherein a student-athlete is accused of wrongdoing that the principal determines is not in violation of Diocesan Policy or the

¹ Note that this policy applies to female and male student-athletes alike. The male pronoun “his” used throughout is solely to simplify the wording of the policy.

² Violations of Rule F, even if they are for different reasons, are counted cumulatively. For example, a student is cited Rule F for fighting, and then a year later is cited Rule F for academic dishonesty. The latter infraction would constitute a second offense of Rule F.

Student/Parent Handbook as applied to a student who is not a student-athlete. In such a case, the student-athlete will be given:

- A. An explanation of the alleged violation of the Athletic Code of Conduct by either the student-athlete's coach or the Athletic Director (a copy of the written notice will be separately delivered to the student-athlete's parents as well).
- B. An opportunity for the student-athlete, in the presence of the student's parents, to respond to the accusations before an administrator.

The Dean of Student Formation will make a decision regarding any Athletic Code violations. Families do have the right of appeal to the Principal. In such cases, the Principal's decision shall be final and binding on all parties. The Principal shall consider extenuating and mitigating circumstances in reviewing such matters.

Whenever a student-athlete is determined to have violated the Athletic Code, the student-athlete's coach is authorized to advise 1) only the team in which the student-athlete is a member, and 2) only that the student-athlete violated the Athletic Code and the particular sanction that has been imposed. This helps to accomplish two things: 1) dispel rumors and misinformation, and 2) reinforce that when rules are violated consequences will result. (Coaches should reinforce that student-athletes are expected to always represent themselves and the school in an exemplary manner, and are expected to exert a positive influence on fellow students through their conduct during school, at all school-related events, and at all other times.)

RULES

Note: The following rules do not constitute a complete list of prohibited activity and the Administration retains the right to exercise discretion in determining the need to impose consequences for inappropriate student-athlete conduct that occurs on or off of school grounds.

In the event that any student-athlete conduct alleged to be in violation of the Athletic Code is also the subject of a civil law enforcement investigation or procedure, the School may proceed with an investigation of the conduct and the Principal may take such action as is determined appropriate to enforce the Athletic Code while the civil matter is pending. The Principal's decision is independent of any civil law investigation or process.

If a student-athlete is found to have engaged in any of the following behavior, the student-athlete will be disciplined in accordance with the penalties section of this policy:

- A. Consume, possess or distribute alcoholic beverages.
- B. Knowingly misuse or distribute any prescription drug or knowingly use, possess or distribute controlled substances in any form (e.g., anabolic steroids, marijuana, cocaine, stimulants, intoxicants, depressants, narcotics, hallucinogens, etc.), substances made to look like those listed above, or drug paraphernalia. This includes the use, possession, and distribution of vapor pens that use controlled substance-based liquids, waxes, and concentrates.

- C. Conviction of a criminal offense.
- D. Use, possess or distribute tobacco in any form (cigarettes, cigars, chewing tobacco, snuff, etc.). This includes the use, possession, or distribution of vapor pens (e-cigarettes) that use nicotine-infused liquid.
- E. Presence at a social gathering/party where there is under-aged alcohol consumption or illegal drugs being used or consumed.
- F. Participation in or in the presence of behavior that tends to bring dishonor to the school or community, including but not limited to:
- Fighting, or other acts of physical aggression or violence.
 - Horseplay or pranks that involve vandalizing or misappropriating school property or that of another.
 - Language and behavior that is not reflective of the mission and Catholic character of Marian High School.
 - Deliberate insubordination with respect to established rules and regulations or any law, or disrespect for persons in authority.
 - Serious or repeated instances of academic dishonesty.
 - Accumulation of 7 detentions or disciplinary infractions of the Student/Parent Handbook in one semester.
 - At any other time when the Administration determines that the student's conduct either causes harm or could potentially cause harm to other students, school employees or property, or the reputation of the School or the Diocese.

PENALTIES

Violations of the Rules will result in the imposition of penalties as follows.³ Violations that occur while a Student-athlete is “in-season”⁴ are effective immediately, include tournament participation, and may carry over to another season if the suspension assigned exceeds the number of season contests remaining. For violations that occur at/ toward the end of a given season or while a Student-athlete is “out of season,” the requisite penalty will carry over or apply to his or her next season's contests. If a typically one-sport student-athlete elects to participate in a new sport in order

³ Here the language of the Athletic Code has been revised to clarify when a student is “suspended” from competition/ contests but may continue to practice/ participate in team activities, and when he or she is “excluded” from participation and is banned from any and all activities. These words are italicized for emphasis.

⁴ “In-season” means the period of time from the IHSAA's first authorized practice to the date when the coach acknowledges receipt of equipment and releases the student-athlete from further responsibility to the team.

to serve a suspension, he or she will be required to complete the season for that sport in good standing in order to satisfy the requirements of the rule.

A. Violations of Rule A above (consumption, possession or distribution of alcohol).

1. First Offense: Student-athlete will be *suspended* from athletic participation for a minimum of 25% of the current season's contests (this includes tournaments) and will further be relieved of any team leadership role, including loss of their position as a team captain. If a violation occurs and the suspension assigned exceeds the number of season contests remaining, the suspension will continue into the next season of participation until the remaining time of the suspension is reached.

2. Second Offense: Student-athlete will be *suspended* from athletic participation for one (1) calendar year from the date of the related offense.

For a second alcohol violation, professional substance abuse screening must be done at the parent's expense to determine if there is a dependency problem. Student-athlete may be *excluded* from any and all participation pending the completion of such an evaluation.

If the student-athlete has a dependency problem, the student-athlete must enroll and successfully complete a school-approved educational/treatment program, at the parent's expense. While receiving treatment, the student would be able to resume team activities.

Refusal to adhere to any of the above conditions results in a one (1) year *exclusion* from all athletic participation.

3. Third Offense: Student-athlete will be *excluded* from athletic participation for the remainder of his high school career.

B & C. Violations of Rule B above (use, possession or distribution of controlled substances) or Rule C above (engaging in criminal activity).

1. First Offense: Student-athlete will be *suspended* from athletic participation for one (1) calendar year from the first offense and will further be relieved of any team leadership role, including loss of their position as a team captain.

In all controlled substance violations, the student-athlete will be placed on a contract that will mandate routine and random drug testing, and the student may be asked to enter and successfully complete a school approved educational treatment program, at the parent's expense. Student may be temporarily *excluded* from any and all participation, pending passage of drug test(s) and/or evaluation and enrollment in a treatment program.

Refusal to adhere to any of the above conditions results in a one (1) year *exclusion* from any and all athletic activities.

2. Second Offense: Student-athlete will be *excluded* from athletic participation for the remainder of his high school career.

D & E. Violations of Rule D and E above (use, possession or distribution of tobacco/presence at social gatherings)

1. First Offense: Student-athlete will be *suspended* from athletic participation for one (1) game (this includes tournaments) and will further be relieved of any team leadership role, including loss of their position as a team captain. If violation occurs at the end of the season the suspension will continue into the next season of participation until the one-game suspension is served.

2. Second Offense: Student-athlete will be *suspended* from athletic participation for a minimum of 25% of the season's contests. If violation occurs out of season or with less than 25% of the season contests remaining, the suspension will continue into the next season of participation until the equivalent of a minimum of 25% of a season is reached.

3. Third Offense: Student-athlete will be *suspended* from athletic participation for one (1) calendar year from the date of the related offense.

4. Fourth Offense: Student-athlete will be *excluded* from athletic participation for the remainder of his high school career.

F. Violations of Rule F above (behavior that brings dishonor to the school or community).

1. First Offense: Student-athlete will be *suspended* from athletic participation for a minimum of 10% to a maximum of 25% of the season's contests, within the Administration's discretion for violation of Rule F above. If a first violation occurs and the suspension assigned exceeds the number of season contests remaining, the suspension will continue into the next season of participation until the remaining time of the suspension is reached.

2. Second Offense: Student-athlete will be *suspended* for a minimum of (or an additional) 25% of the season's contests, within the discretion of the Administration. If the second violation occurs and the suspension assigned exceeds the number of season contests remaining, the suspension will continue into the next season of participation until the remaining time of the suspension is reached.

3. Third Offense: Student-athlete will be *suspended* from athletic participation for one (1) calendar year from the date of the related offense.

4. Fourth Offense: Student-athlete will be *excluded* from athletic participation for the remainder of his high school career.

APPEAL PROCEDURE

Student-athletes may appeal the decision of *suspension* or *exclusion*; however, appeals will be considered only in the event there is new information to present to the Principal or if there was some procedural violation prior to the *suspension* or *exclusion*. Appeals will be reviewed by the Principal. Parent(s) of the student or the student must notify the Principal, in writing, of the desire for a conference within three (3) school days of the decision to suspend or exclude.

ADDITIONAL WARNINGS/POSSIBLE PENALTIES

In an effort to discourage social gatherings where alcohol, tobacco, or drugs are being used, the following warning should be used as guides:

A student-athlete who sponsors a gathering where alcohol or drugs are possessed, distributed or used, shall be found in violation of the Athletic Code and shall have a similar penalty imposed as would be imposed on the possessor, distributor, or user (Rule A or B as opposed to rule E), in order to discourage sponsoring of such gatherings where this type of conduct takes place, unless there is some mitigating circumstance which the principal determines makes such a finding or penalty unfair or unreasonable.

DEPENDENCY ASSISTANCE

In order to retain eligibility to dress for and play in athletic contests, a student-athlete who believes he has an addiction or dependency on tobacco, alcohol or drugs, may seek assistance from the school by contacting the Principal, Assistant Principal, Athletic Director, or Dean of Student Formation prior to engaging in conduct which causes the student-athlete to be investigated for possible violation of the Athletic Code.

The school administration will assist the student-athlete in obtaining a professional evaluation and enrollment in an appropriate school-approved program to help the student-athlete conquer the problem if one is determined to exist. The cost of the assessment and the program must be paid for by the parent(s). Under such circumstances, the student-athlete will be eligible to participate and play on an athletic team as long as the student-athlete follows the recommendations of the professional or the program in which he is enrolled. Violation of any rules in the Athletic Code, or failure to meet the attendance or behavioral requirements of the program in which the student-athlete is enrolled shall subject him to the investigation and penalties contained in the Athletic Code.