

## ATHLETICS & ACTIVITIES CO-CURRICULAR CODE OF CONDUCT

### I. Philosophy

The School District of New Berlin believes that participation in interscholastic athletics and/or school sponsored activities provides a means for students to demonstrate talents and abilities; gain the respect of others and self, mature personally, and develop important skills that evolve from working together with teammates. We believe that the values that result from school-sponsored interscholastic athletic competition/activities include:

- Socialization
- Building of self-esteem
- Development of a sense of responsibility
- Development of a sense of commitment
- Provision for exploration and expansion of interests

The Athletic/Co-Curricular Program for the School District of New Berlin is a vital part of the educational program. Our primary purpose is to assist students in growing and maturing into responsible members of our school and community. Respect, courtesy, honesty and good sportsmanship are basic to good citizenship and should form the basis for all behavior.

This Athletic/Co-Curricular Code outlines the standards for students participating in our programs. These include standards of behavior in the areas of school attendance, academic achievement, and proper conduct.

As students experience the privilege of participating in the School District of New Berlin Athletic/Co-Curricular Programs, they must also accept the responsibility of maintaining a set of standards that will bring credit to themselves, their family, their school and their activity. A student's continued participation in the School District of New Berlin Athletic/Co-Curricular Program is at the discretion of the District. The following are established policies that support the standards and expectations of our Athletic/Co-Curricular Programs. Deviation from the standards will result in suspension from part of or the entire School District of New Berlin Athletic/Co-Curricular Program. Unless otherwise indicated, the term "violation" in the Athletic/Co-Curricular Code means a confirmed or admitted act.

### II. Mission

The School District of New Berlin Athletic/Co-Curricular Programs will provide opportunities for all students to become involved in a variety of athletics/co-curricular activities under the direction of trained, qualified coaches/advisors, and will offer a diverse program of opportunities that are designed to meet the needs of our students.

### III. Introduction

Students participating in athletics and/or co-curricular activities must comply with all current rules and regulations as established by the following organizations:

- The School District of New Berlin
- The Wisconsin Interscholastic Athletic Association (WIAA)
- The Woodland Conference
- Coach of the team/Advisor of the activity

Information regarding WIAA rules and regulations is included in this Athletic/Co-Curricular Code. Parents/Guardians and Students may access the entire WIAA Handbook at [www.wiaawi.org](http://www.wiaawi.org). Woodland Conference/Classic 8 Conference rules and regulations pertain mainly to schedules and the regulation of sports governed by the Woodland Conference and the Classic 8 Conference for Girls Golf. Special areas/topics such as "good sportsmanship" may have specific rules/guidelines

that are generated by the high school principals who represent each Woodland Conference and/or Classic 8 Conference School.

Rules and regulations for students participating in the interscholastic athletic programs/co-curricular activities for the School District of New Berlin are included in this handbook. Co-curricular activities include all school related organized activities that are offered outside of the School District of New Berlin's academic class requirements, including both curriculum-related and non-curriculum-related groups and activities.

Coaches/Advisors are responsible for establishing rules, regulations and procedures for teams/participants under their jurisdiction. While rules and safety procedures may be reiterated orally on a regular basis, information that is needed by participants on an ongoing basis will be distributed in writing to all students.

**IV. Discrimination**

The School District of New Berlin will comply with all federal and state laws that prohibit discrimination. The District will not discriminate in the eligibility for participation in athletic programs or activities, standards and rules of behavior, disciplinary actions or facilities usage on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability. However, the District may provide separate programs in interscholastic athletics for males and females if such programs are comparable in type, scope and support from the District. The District may also provide separate toilet, locker and shower facilities for males and females.

**V. Required Documentation and Fees**

All required documentation can be found on the Athletics & Activities web page at each school. All participation fees and policy may be found within the Infinite Campus fee portal. Once all documentation is complete students are eligible for participation.

**A. Co-Curricular Activities**

The documentation and fees required to participate in co-curricular activities vary for different co-curricular activities. Please see the activity advisor for more information.

**VI. Academic Standards**

In order to be academically eligible to participate in athletics/activities for the School District of New Berlin, a student must meet the following standards:

- A student must not have more than ONE FAILING GRADE (including Incompletes) in the last grading period.
- A student must be passing four (4) courses and maintain a grade point average (GPA) of 2.0 or above at the end of each of the four grading periods. Grading periods include, 1) first semester Progress Grade Report, 2) first semester grade, 3) second semester Progress Grade Report, and 4) second semester grade.

A student who does not meet these academic standards will be ineligible to participate in athletics and activities for the School District of New Berlin until he or she regains eligibility, as described in this section.

**A. Failing/Incomplete Grades**

Per WIAA Rules (Article V, Section 2.A.1-3) a student regains eligibility immediately if "incompletes" are made up within fifteen (15) school days after a grading period. However, a student with more than one failing grade would be deemed ineligible for at least fifteen (15) scheduled school days and nights. On or after the 16th day of ineligibility, a student may regain eligibility if he/she has turned one of his/her failing grades to passing.

In the case of students participating in summer baseball and in fall sports in which the earliest allowed competition is before the first day students are in class:

1. Summer Baseball- The ineligibility period shall be a minimum of three weeks (21 consecutive calendar days) as of the end of the second semester
2. Fall Sports- The minimum ineligibility period shall be the lesser of :
  - a. 21 consecutive calendar days beginning with the date of earliest allowed competition in a sport, OR
  - b. One-third of the maximum number of games/meets allowed in a sport (rounded up if one-third results in a fraction).

#### **B. Minimum GPA**

Students failing to maintain a 2.0 GPA at the end of a grading period (as identified above) will become ineligible. If a student becomes academically ineligible, after fifteen (15) school days his/her academic standing will be reviewed and if it is determined his/her GPA is above a 2.0 he/she will become eligible for competition. A student will only be granted this fifteen (15) day comeback period once per school year. Fourth quarter GPA/course-work can be raised through summer school courses approved by the building principal/designee.

Students may participate in practice, but may not participate in games, contests or performances until the student maintains a 2.0 grade point average.

#### **C. Academic Dishonesty**

Students who are found to have violated the Academic Honesty guidelines as stated in the SDNB student handbook will be reported to the Athletics/Activities Director. Academic dishonesty can be and is not limited to instances of plagiarism and cheating. These examples are clearly defined by the Academic Honesty Policies found within the Student Handbook. Students who are found by teachers and administrators to have violated this policy will be subject to co-curricular violations.

### **VII. Attendance Requirements**

All student participants must be in attendance for at least one-half of the school day on the day of a contest, competition, performance and/or practice. If a student participant does not satisfy this attendance requirement, the student shall not participate in any contest, competition, performance and/or practice on the same day as the absence. Individual exceptions such as documented family emergencies, school field trips, college visits or other absences that are pre-excused by the athletic director or building administration are accepted. Students are reminded that school policy states tardiness beyond 10 minutes to their first period results in an unexcused absence.

Ø **Note:** The discovery of a violation of any of these attendance/eligibility rules after the contest or event will result in suspension from participation on the next event or contest date.

### **VIII. Rules of Conduct**

Participation in athletics/activities is a privilege and not a right. Therefore, students participating in athletics and activities are often held to a higher standard than other students by virtue of the fact that they are highly visible representatives of the School District of New Berlin whose negative behavior could adversely impact the image of the District. If a student violates this Athletic/Co-Curricular Code, he or she will be subject to the penalties described in Section VIII.D below.

As required by Section V.A. above, students must sign the Athletic/Co-Curricular Code Agreement prior to participating in athletics or co-curricular activities. Students who sign this Agreement accept that this Athletic/Co-Curricular Code is in effect at all times - 12 months a year, 24 hours per day, seven days per week, on or off campus...from the first day a student becomes involved in the School District of New Berlin Athletic/Co-Curricular Programs, until such time that the student graduates from high school or has completed all school-sponsored athletic events/activities including summer baseball. Please note that any student who signs the Code of Conduct is considered a student in the language used throughout this document. A student who participates in any school activity whether it is athletic related or not is held to the policies and procedures outlined in this code.

This Athletic/Co-Curricular Code does not preclude a coach/advisor or Director of Athletics and Activities from creating additional guidelines (bylaws) and/or reasonable additional penalties specific to a given activity.

#### **A. Alcohol, Tobacco and Other Drug Violations**

1. Any student who uses, possesses, purchases or sells any tobacco products (including chewing tobacco), smoking products, aids, or materials (including e-cigarettes, vapor pens, and/or similar devices) drug paraphernalia, alcoholic beverages, controlled substances, illegal drugs, street drugs or performance enhancing substances shall be suspended.
2. Any student who participates, whether or not they actually consume, in any party or other occasion where a violation of state law or local ordinance regarding the possession, purchase, sale, or consumption of alcohol, tobacco, controlled substances, illegal drugs, street drugs or performance enhancing substances occurs shall be suspended.
  - a. "Participates" is defined as:
    - i. Being at a party or place where a violation occurs, OR
    - ii. Not leaving the premises immediately or not arranging for a ride, if necessary, and violating the Athletic/Co-Curricular Code while still on the premises.
3. It is recognized that under certain circumstances students may legally enter places where alcohol is served. The intent of the Athletic/Co-Curricular Code is not to penalize students for association with friends and family or to curtail generally wholesome activities. It is recognized that each of these cases will have to be judged on its individual merits.
4. Any student who hosts a party by providing a location knowingly or unknowingly, in which alcohol, tobacco, controlled substances, illegal drugs, street drugs or performance enhancing substances are provided or consumed shall be suspended. Students found to have hosted a party in which these violations occurred will have penalties doubled for first and second offense violations.
  - a. *A student who has been found to have hosted the party will not be able to invoke the Honesty Clause in Section E below to reduce penalties.*

#### **B. General Conduct Violations**

Conduct that is unacceptable and constitutes a violation of this Athletic/Co-Curricular Code includes but is not limited to:

1. Theft or misuse of school property.
2. Violation of criminal law.
  - Any student charged with any felony, or a misdemeanor related to possession or the sale of illegal substances, threats to another person or theft, in any jurisdiction will be immediately suspended from competition where the Athletic Director determines that there is reasonable cause to believe that the student engaged in the criminal conduct alleged. Said student will remain suspended pending the outcome of his/her legal proceedings. At the discretion of the athletic director, the student may be permitted to continue to participate if there is sufficient information to indicate a wrongful charge. Upon dismissal or a determination of not guilty, the student may be reinstated to the team. Any student convicted of or pleading guilty or no contest to a felony charge shall permanently be dismissed from the team including practices and competitions and will not be allowed to participate on any other co-curricular event for the duration of his/her attendance at any School District of New Berlin school.
3. Suspension from school for disciplinary action (District Board of Education Policy 5131.2).
4. Conduct, in or out of school that brings discredit to the student, parent/guardian, school and/or athletic/activity team.
5. Conduct that is inconsistent with or contrary to the philosophies, ideals and principals of the School District of New Berlin.

#### **C. Hazing/Bullying/Harassment Violations (BOE Policy 5130)**

Any student who violates District Board of Education Policy 5130 regarding "Bullying, Cyberbullying, Harassment, Hazing and other forms of Intimidation or Discrimination" shall be suspended (refer to Board of Education Policy 5130 on the School District of New Berlin

website to read the entire document). Violations include all forms of intimidation or discrimination mentioned below including physical, verbal, psychological, and technology transmitted behavior. All first offense bullying, hazing, harassment violations will be treated as a second violation of the Athletic/Co-Curricular Code. A subsequent violation will be treated as a third violation of the Athletic/Co-Curricular Code. Penalties for Athletic/Co-Curricular Code violations are described in Section VIII.D. below.

1. **Bullying.** Bullying is defined as a form of coercion in which there is an imbalance of control between the perpetrator and the victim resulting in the dominant person exerting power over the victim for the purposes of personal satisfaction or tangible gain at the sole expense of the victim.
2. **Hazing.** Hazing occurs when an act is committed against a student, or a student is coerced into committing an act, that creates a substantial risk of harm to the student or to any third party in order for the student to be initiated into, or affiliated with, any school group, club, athletic team, grade level, activity or organization. The School District of New Berlin strictly prohibits hazing and will subject the violators to enhanced disciplinary action as explained below. Hazing is defined as:
  - a. Any activity involving unreasonable risk of physical harm including, but not limited to paddling, beating, whipping, branding, electric shock, sleep deprivation, exposure to weather, placement of harmful substances on the body, and participation in physically dangerous activities.
  - b. Any activity involving the consumption of alcohol, drugs, tobacco products or any other food, liquid or other substances that subjects the student to an unreasonable risk of physical harm.
  - c. Any activity involving actions of a sexual nature or the simulation of actions of a sexual nature.
  - d. Any activity that subjects a student to an unreasonable level of embarrassment, shame or humiliation, or which creates a hostile, abusive and intimidating environment for the student.
3. **Harassment.** Harassment refers to repeated physical or verbal conduct with the intent to persecute and which interferes with a student's sense of safety or personal worth by creating an intimidating, hostile or offensive school environment. Harassment or intimidation can include, but is not limited to, physical or mental abuse, racial insults, ethnic slurs, religious slurs, bigotry, and sexual harassment.

#### **D. Penalties**

Any student found to have committed the violations listed in this Section VIII above shall be subject to the penalties listed below. All Athletic/Co-Curricular Code violations will be addressed by the Director of Athletics and Activities, with the assistance of the coach/advisor of the sport/activity involved, and other faculty and/or staff members, when needed. SDNB Code violations that occur during a student's high school enrollment will remain on their co-curricular record for the entirety of their enrollment. The suspension from activities takes effect immediately upon verification of the violation and notification from the Principal, Associate Principal or Director of Athletics and Activities.

Penalties for violation(s) of the Athletic/Co-Curricular Code will apply to all sports/activities in which the student is involved. The District will provide the student with an opportunity to be heard prior to enforcing any penalty described below. In the interest of accuracy and fairness, all possible violations that occur off school grounds, or at non-school sponsored activities, will be investigated on a case by case basis for determining a violation of the Athletic/Co-Curricular Code. To address rumored allegations and to prevent vengeful assertions of Athletic/Co-Curricular Code violations, accusers may be required to stipulate their accusations in person and in writing. Nothing within this document prevents a student from being disciplined for admitting to a violation of the Athletic/Co-Curricular Code.

Any suspension or punishment administered under this Athletic/Co-Curricular Code shall be in addition to any suspension or punishment prescribed in the New Berlin Eisenhower/West Student Handbook. In addition, academic suspensions described in Section VI above supersede conduct suspensions and may not be served concurrently. A student must serve his or her academic suspension before serving his or her suspension for a conduct violation.

If a penalty results in suspension for a fraction of a contest or game, the suspension will be rounded up to the next whole number of games. For example, if the calculation of a penalty would result in a suspension for 4.6 games, the student will be suspended for 5 games.

1. First Violation

- A student's first violation will result in suspension of his/her participation for **20 percent** of the current season's allowed contests and four weeks of co-curricular activities. The suspension will be served at the first available opportunity. This suspension will be extended into the next season in which the student participates if the entire suspension is not served within the season during which the violation occurs. The student will continue to participate in all practices and attend all games. The student will attend practices/meetings as a non-active member. If the violation results in a school suspension the student will resume practice and attendance at games or activities upon return to school. Reserve games and dress rehearsals are not counted in suspensions and Varsity team members may not drop a level to serve suspensions.
- If the violation occurs when the student is not currently competing in a sport/activity season, the penalties will be extended to the next season in which the student participates.
- A written notification will be sent to the parent/guardian and student detailing the violation, the penalties, any special conditions and the effective dates of suspension.
- As a result of an alcohol, tobacco and/or controlled or illegal substance violation, the student will be referred to the Student/Family Assistance Program for an initial evaluation. Failure to undergo the evaluation could result in additional penalties.

\* **Note:** With regard to subsections a. and b., the final decision as to whether the student's suspension will be extended to the next sport/activity season will be made by the Director of Athletics and Activities.

2. Second Violation

- A student's second violation will result in suspension of his/her participation for **50 percent** of the current season's allowed contests and eight weeks of co-curricular activities. This suspension will be extended into the next season in which the student participates if the entire suspension is not served within the season during which the violation occurs. The student will continue to participate in all practices and attend all games. The student will attend practices/meetings as a non-active member unless the second violation takes place during the same sport/activity season in which the first violation took place. In the case of two (2) violations occurring during the same sport /activity season, the student will be suspended from all sports and co-curricular activities until the conclusion of that season.
- If the violation occurs when the student is not currently competing in a sport season, the penalties will be extended to the next sport season in which the student participates.
- A written notification will be sent to the parent/guardian and student detailing the violation, the penalties, any special conditions and the effective dates of suspension.
- Referral to the Student/Family Assistance Program for additional treatment with behavior commensurate with the violation. All costs associated with the assessment and treatment beyond eight (8) district sponsored sessions will be the responsibility of the student's parent/guardian.

\* **Note:** With regard to subsections a. and b., the final decision as to whether the student's suspension will be extended to the next sport/activity season will be made by the Director of Athletics and Activities.

\* **Note:** If a student commits a second violation and has not completed his/her suspension for a first violation, the student may be suspended for a maximum of 70 percent of the season's allowed contests. Reserve games and dress rehearsals are not counted in suspensions.

3. Third Violation

The offending student will be suspended from all co-curricular activities, interscholastic competition and practices for a period of 12 months from the date of the offense.

4. Fourth Violation

The offending student's participation in the School District of New Berlin's Athletic/Activity Programs will be forfeited for the remainder of his/her enrollment in the School District of New Berlin.

**E. Honesty Clause**

The District expects that a student will provide truthful answers to all questions regarding his or her personal actions, and will cooperate with investigations of Athletic/Co-Curricular Code violations. Falsification of information given during an investigation and/or falsification of any records used to obtain eligibility will subject the student to a double penalty under Section VIII.D. above.

Students who self-report their Athletic/Co-Curricular Code violations to the Director of Athletics and Activities may have their first violation suspension reduced by one-half. A "self-report student" is a student who reports his/her violation of the Athletic/Co-Curricular Code prior to the beginning of the investigation into that violation. If the Director of Athletics and Activities determines that the self-report student provided untruthful or misleading information or was uncooperative in any way, the student's penalty will not be reduced. A penalty reduction under this Honesty Clause applies to the student who admits to the violation.

The penalty reduction under this Honesty Clause is not available when school officials have been made aware of the violation through another source. The Honesty Clause is also not available to students subject to hosting penalties under Section VIII.A.3 above. Reduction of a penalty under this Honesty Clause is available for the student's first Alcohol, Tobacco or Drugs violation only, and will result in a one game reduction of the penalty for the Alcohol, Tobacco or Drugs violation.

**IX. Due Process Procedure for Athletics and Co-Curricular Activities**

**A. Due Process**

"Due Process" is a procedure which the courts of law recognize as a necessary part of any rules and regulations. "Due Process" furthermore, and of primary importance, recognizes the rights of the individual since it outlines his/her recourse in the event he/she feels a wrong decision has been made. The "due process" steps outlined hereafter represents the procedure for a student and his/her parents to follow in appealing decisions relating to eligibility and co-curricular participation. It should be understood that students and parents will be expected to follow the "due process" steps in the event legal action should be initiated at some later date.

**B. Appeal Procedures**

This Athletic/Co-curricular Code recognizes the rights of the individual. The student and his/her parent/guardian have recourse in the event that it is felt the alleged violation did not occur. The appeal procedure outlined in this document is the process a student and his/her parent/guardian are to follow when appealing decisions relating to the co-curricular suspension. Students will be ineligible during the appeal process.

1. A student and/or his/her parent/guardian may formally appeal the suspension decision in writing to the principal within five (5) school days from the time of the suspension notice. A copy of the District's Appeal Request Form is attached as **Addendum B** to this Athletic/Co-Curricular Code.
2. The date of the appeal hearing shall be set by the principal to take place no sooner than two (2) school days or no longer than five (5) school days from the date of the appeal request. At the written request of the student or his/her parent/guardian the minimum time may be waived.
3. The appeal hearing shall be conducted by an appeal board, which will be chaired by the school principal/designee. The other members of the board will consist of one coach or advisor (who is not involved with the student), and one teacher-at-large. If the appeal would require review of confidential information, such as police reports, the District will determine whether modifications to this appeal procedure are required to ensure compliance with applicable confidentiality laws.
4. Proceedings of the hearing, including the decision, shall be placed in writing, and a copy of those proceedings must be placed in the student's file and must be mailed to the student and his/her parent/guardian.
5. If the student and his/her parents/guardian are not satisfied with the findings, a hearing may be requested with the Superintendent and/or designee(s). The District Office must receive, in writing, a request for such a hearing within seven (7) working days of the mailing of the outcome of the original hearing.

**X. General Information**

**A. Participation**

Any student who attempts to make up his/her suspension during another sport season or co-curricular event must participate in the contests which remain in that sport season or co-curricular event after the suspension has been served in order to fulfill disciplinary requirement. Teams, activities and productions shall be composed of only students enrolled in the School District of New Berlin.

**B. Assumption of Risk of Students**

Students and their parents/guardian must understand that no matter what precautions are taken, injuries in sports and co-curricular activities cannot be completely avoided. All students must compete under the assumption of risk, but they can do much to control their own destiny by the way they conduct themselves during practices and contests. Staff must stress that the rules of safety are in place to protect everyone. However, if the emphasis on safety is to have any impact, students must conduct themselves within the letter and the spirit of the rules. Specific actions by students that will reduce the risk of injury:

1. Participating fully in conditioning drills which are designed to strengthen muscles, tendons and ligaments which are vulnerable to the stress of physical conduct.
2. Wearing required properly fitted, protective equipment and replacing those articles that are worn or inadequate.
3. Obeying the rules and specifically refraining from infractions which may cause injury to oneself or others.
4. Reporting all injuries to the coach, trainer or co-curricular staff and seeking medical advice when the injury requires professional attention.
5. Returning to action after an injury only when the function of the injured part has been restored.

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