

Student-Athlete Code of Conduct 2010-2011

The Intercollegiate Athletic program at the New Paltz facilitates the personal growth and the education of students through their participation in a comprehensive program of NCAA Division III sports.

As an integral part of the University, the Intercollegiate Athletic program actively promotes fair competition fosters the pursuit of academic and athletic excellence, supports core institutional values of equity and diversity, and provides community enrichment.

The University is proud of the high caliber of its student-athletes. The Intercollegiate Athletic program is committed to the guiding principles of honesty, integrity, respect, ethical conduct, teamwork, and hard work in support of student-athletes in their roles as scholars, athletes, campus leaders, and community members.

The University expects its student-athletes to train and strive for their highest degree of athletic excellence and sportsmanship; to demonstrate academic integrity and accomplishment; and to conduct themselves responsibly as members of the campus and larger community.

I. Standards of Conduct

It is a privilege and not a right to be a student-athlete and every student-athlete is expected to conduct himself or herself in a manner that exhibits honor and respect to the team, department, University and surrounding community for the duration of his or her tenure as a student-athlete. As a member of the student body at the New Paltz, each student-athlete must act in accordance with the *Campus Regulations and Judicial Procedures*, as published by the institution. In addition, student-athletes are accountable to the following authorities (hereafter referenced as “governing authorities”):

- Municipal ordinances, and State and federal laws, both civil and criminal (“laws”);
- National Collegiate Athletic Association (NCAA);
- The State University of New York Athletic Conference (SUNYAC);
- North East Collegiate Volleyball Association (NECVA);
- United Volleyball Conference (UVC);
- Eastern Collegiate Athletic Conference (ECAC);
- New Paltz (NP);
- Department of Athletics, Wellness and Recreation
- Team Rules

In addition, student-athletes should be aware of all information and pictures on the internet, including but not limited to social media sites such as MySpace and Facebook. Any information or pictures that compromises the honor and respect of the student-athlete, team, department, University, and surrounding community may result in discipline as described in Section IV below.

For clarification of the governing authorities, student-athletes should consult with a member of the coaching staff or administration. Violation of any of the standards of conduct encompassed in these authorities may result in discipline as described in Section IV below, as well as civil and/or criminal liability. All documented violations of this Code of Conduct will be reported to department’s Ethical Review Board and may result in further disciplinary action (or the Dean of Students’ office for more serious matters).

(Initial Section I) _____

II. Definitions

A. Student-Athlete. Once a student is accorded the status of a varsity athlete, he or she is expected to act in accordance with this Code of Conduct until the completion of eligibility, including semester and summer breaks, or such time that he or she is no longer a student-athlete at the New Paltz. Students are bound by this Code at the point at which there is intent to enroll at the University, including but not limited to their execution of an admissions acceptance letter and/or attendance at Summer Orientation prior to initial enrollment.

B. Team Function. An athletic team function is defined as any gathering, whether on or off-campus, formal or informal, where the intent or reason to gather is to conduct business or engage in any athletic or social activity related to the team's purpose, and organized, arranged or initiated by Athletic Department staff, or team members. If any standards established by the governing authorities are violated during a team function, and there is no clear evidence that the team attempted any restraining action through its members, the team will be held responsible and disciplinary action taken.

C. Hazing. Hazing is any act whether physical, mental, emotional or psychological, that subjects another person, voluntarily or involuntarily, to conduct that may abuse, mistreat, degrade, humiliate, harass or intimidate the person, or which may in any fashion compromise the inherent dignity of the person. In addition, any requirements by a team member that compel another member to participate in any activity which is against University policy or law will be defined as hazing.

D. Sportsmanship. Sportsmanship shall be defined in accordance with the standards of the NCAA, SUNYAC, NECVA, UVC, ECAC, and the University Athletic Department. In general, a sportsperson is one who can take a loss or defeat without complaint, a victory without gloating, and who treats opponents with fairness, generosity and courtesy. Sportsmanship is respect for oneself, teammates, coaches, officials, opponents, and property. Sportsmanship also requires maintaining self-control, and refusing to be drawn into or encourage physical conflict not otherwise required by proper execution of the sport. All student-athletes are obligate to represent themselves, the team, the Athletic Department, the University, their families, and their communities, with the highest level of sportsmanship.

(Initial Section II) _____

III. Prohibited Conduct.

Prohibited conduct includes violation of any of the standards established by the governing authorities identified above. By way of illustration, and without limitation of those prohibitions, student-athletes must not violate any of the policies described below (which are described in more detail in the New Paltz *Campus Regulations and Judicial Procedures* and/or the National Collegiate Athletic Association Manual).

Reporting Obligation.

Every student-athlete is obligated to report his or her violations of this Code of Conduct to his or her Head Coach or to the Director of Athletics within 24 hours of such violation. This obligation is in effect year round including semester and summer breaks. While it can be argued that violations off campus or on vacation breaks could go unreported, if the department learns of the violation after the fact, action may be taken by the department as there is no statute of limitation.

A. Academic Dishonesty. The Athletic Department expects student-athletes to engage in all academic pursuits in a manner beyond reproach. Offenses against academic honesty are any acts that would have the effect of unfairly promoting or enhancing one's academic standing, including cheating, plagiarism, and knowingly permitting or assisting any person in the commission of an offense of academic dishonesty.

B. Alcohol. Prohibited acts include (1) Possessing or consuming alcohol if under the age of 21, (2) Operating a motor vehicle while under the influence of alcohol, (3) Misrepresenting one's age for the purpose of purchasing, possessing, or consuming alcohol, (4) Purchasing, furnishing, or serving alcohol to or for an underage person, (5) Being dangerously intoxicated to the point where State law mandates being taken into custody, (6) Other prohibited acts as outlined in the New Paltz *Campus Regulations and Judicial Procedures*, (7) Violations of additional team rules regarding alcohol use, (8) Consumption of alcohol during team travel or at team functions, including meals with family members, and/or (9) Possession or consumption of alcohol while representing the institution in any capacity, regardless of age.

C. Other Drugs. Prohibited acts include (1) Possessing or using illegal substances, as defined by law, (2) Possessing or using controlled substances as defined by law (provided that controlled substances may be taken pursuant to a properly issued prescription in the amount prescribed), (3) Distributing, selling, or possessing with the intent to distribute illegal or controlled substances, as defined by law, (4) The use of tobacco products by a student athlete during practice, competition, or other team functions, (5) Other prohibited acts as described in the New Paltz *Campus Regulations and Judicial Procedures*.

D. Nutritional or Dietary Supplements. Many nutritional/dietary supplements contain substances banned by the NCAA. In addition, the U.S. Food and Drug Administration does not strictly regulate the supplement industry; therefore, the purity and safety of nutritional/dietary supplements cannot be guaranteed. Impure supplements may lead to a positive NCAA drug test and thus affect the eligibility of student-athletes. To avoid violation of this standard, as questions arise student-athletes should contact the team physician or athletic trainer and/or consult the list of banned drugs as described in NCAA Division Bylaws.

E. Hazing. Hazing in connection with membership or participation in University athletic teams or team activities is strictly prohibited. See definition of "hazing" above.

F. Violence. New Paltz is committed to creating and maintaining a community in which its members are free from all forms of harassment, exploitation, intimidation, and violence. New Paltz' violence prevention policies, and response procedures for violent incidents, are intended to protect the health and safety of the campus and the community and ultimately to advance the educational mission of the University. Student-athletes are prohibited from engaging in violent acts including assault on a person or property, hate crimes, hazing, stalking, sexual violence, or any other conduct prohibited by University policy and/or law.

G. Disrespect. At all times, student-athletes are required to comport themselves in a manner respectful of themselves, their team, the University and its Athletic Department, game officials, opponents, and property. Student-athletes are to refrain from disrespectful conduct such as unsportsmanlike conduct; profane, abusive, demeaning, harassing, threatening or obscene expression; or deliberate damage to equipment or other property. Disrespectful conduct will be reviewed by the Director of Athletics and may result in disciplinary action.

H. Poor Sportsmanship. Student-athletes at New Paltz are held accountable to a high standard of ethical conduct in all activities affecting the athletics program, whether as a participant or as a

spectator. “Unsportsmanlike” conduct, as defined by the NCAA, SUNYAC, NECVA, UVC, ECAC, or New Paltz, will be reviewed by the Director of Athletics and may result in disciplinary action.

I. Gambling and Bribery. Student-athletes shall not knowingly (1) Provide information to individuals involved in organized gambling activities concerning intercollegiate athletics competition, (2) Solicit a bet on any intercollegiate team, (3) Accept a bet on any team representing the institution, (4) Solicit or accept a bet on any intercollegiate competition for any item that has tangible value (*e.g.* cash, clothing or equipment, meals), and/or (5) Participate in any gambling activity that involves intercollegiate athletics or professional athletics through a bookmaker, a parlay card or any other method employed by organized gambling.

J. Unexcused Class Absences and Poor Academic Performance. Student-athletes are expected to attend class regularly and punctually, and to fulfill course load and academic performance requirements. Failure to meet such obligations may affect eligibility to participate as well as academic standing. Student-athletes on academic probation will see their participation in athletics restricted.

K. Failure to Meet Team Obligations. Student-athletes must complete training requirements; arrive promptly for team practices, meetings, and departures for away games and other team events; attend team functions; and otherwise fulfill their responsibilities as team members. The Head Coach must excuse absences in advance unless an unforeseeable emergency arises.

L. Conduct Unbecoming a New Paltz Student-Athlete. At all times New Paltz student-athletes are expected to conduct themselves responsibly within the Athletic Department, campus, and larger community. Behavior that reflects negatively on themselves, their team, the Athletic Department, or the University may be grounds for disciplinary action.

(Initial Section III) _____

IV. Disciplinary Process and Sanctions.

The Department of Athletics disciplinary process is independent of, and supplements, the University judicial process. Sanctions levied by Athletics may occur over and above those levied by the Dean of Students’ office. Sanctions will vary depending on the type and circumstances of the violation, but may without limitation include loss of athletics program eligibility.

When the Department of Athletics becomes aware of an alleged violation of this Code of Conduct, the Director of Athletics or her/his designee (“the AD”) will take reasonable steps to verify the validity, reliability, and accuracy of the report. These steps may include interviews of students and employees, or of non-University persons having knowledge of relevant facts; examination of documents; and other steps necessary for the AD to determine the merits of the report. A meeting with the student-athlete will ordinarily occur before any discipline is imposed; however, in extenuating circumstances, the AD may suspend the student-athlete before the meeting. Determination of responsibility will be based on a preponderance of evidence and information available.

A first-time offense may be serious enough to warrant any of the possible sanctions listed in IV.F below.

A student-athlete’s refusal to participate and cooperate in an Athletic Department or NCAA investigation of a possible violation of this Code of Conduct may itself constitute a basis for disciplinary action.

A. Violations of Team Rules. Head Coaches will establish team rules consistent with this *Code of Conduct*. Team rules shall be in writing and distributed to team members at the start of each academic year or the beginning of the playing season, whichever comes first. The Head Coach and the Director of Athletics each has the authority to impose sanctions for the violation of team rules, provided that the Head Coach shall not impose the sanction of suspension or expulsion from the team without the approval of the Director of Athletics, or designee.

B. Violation of Rules or Policies other than Team Rules. For violations of rules and policies other than team rules (*e.g.*, violations of NCAA rules, the Student Code of Conduct, etc.) the Athletic Director shall convene to review the matter.

C. Violation of Criminal Law. When a student-athlete has engaged in conduct alleged to be in violation of criminal law, immediately upon receipt of notice of such possible violation the Head Coach must report the information to the Director of Athletics. Student-athletes arrested for, or charged with, violating the criminal law will be placed on immediate administrative suspension from involvement in team activity pending further investigation. If a violation would constitute a misdemeanor, the Director of Athletics (or his designee) may in the exercise of his/her reasonable discretion lift the administrative suspension after consulting with the Vice President for Student Affairs. If a violation of law would constitute a felony, the administrative suspension may be lifted only upon authorization of the Director of Athletics after clearance from the Vice President for Student Affairs. In all cases in which a student-athlete is arrested for or charged with illegal use of drugs, illegal gambling, or sexual misconduct or violence, the student-athlete will be immediately suspended, and the suspension may be lifted only by the Director of Athletics after consultation from the Vice President for Student Affairs.

D. Multi-Sport Athletes. Multi-sport athletes will not be relieved of any sanctions previously imposed in connection with rules violation while participating in another team sport when changing sports.

E. Underage Alcohol Violation. An underage alcohol violation will minimally be sanctioned with probation, the terms of which will be determined jointly by the Director of Athletics (or his designee) and the Head Coach.

F. Possible sanctions include but are not limited to:

1. **Warning.** The issuance of a written warning.
2. **Probation.** Special status with conditions imposed for a limited time.
3. **Restitution.** Payment for damaged property.
4. **Temporary Suspension.** Removal of a student-athlete from all Athletic Department activities, including athletic participation in team events, for a limited period of time.
5. **Suspension.** Removal of a student-athlete from all Athletic Department activities, including athletic participation in team events, for a specified period of no less than one season.
6. **Expulsion.** Permanent removal from a team and/or Athletic Department activities.

(Initial Section IV) _____

V. Appeals

A student-athlete who is subject to season-long suspension or expulsion from athletics team participation may request for appeal from these sanctions. The appeal must be made, in writing, to the Director of Athletics' office within 3 business days of the student-athlete's receipt of the notice of sanctions. The appeal letter must explain the grounds for the appeal (e.g. new information, due process, abuse of discretion). Such appeals will be heard by an Appeals Board consisting of the following voting members:

Appeals Board:

- Two student-athletes, not from appellant's sport.
- NCAA Faculty Athletics Representative Chair
- One member of the IAB.

Upon receipt of the request for appeal, the Appeals Board will assemble as soon as is reasonably possible. The Board will conduct its investigation by hearing details of the case from the Director of Athletics and the appellant. The student-athlete will be given the opportunity to make an oral and written statement about the circumstances and why he or she feels reinstatement is warranted. A personal adviser may accompany the student-athlete. This advisor must be a member of the University community (e.g. student, faculty, or staff), and may play no other role in the hearing (e.g. as witness), and cannot speak during the hearing. The hearing shall be tape recorded. The appellant can request a transcript of the hearing if s/he pays for it. The appellant cannot receive a copy of the tape. The Appeals Board will have the opportunity to review other relevant information, including information from public authorities, court records, law enforcement officers, University officers and agencies, and other persons. Having gathered information about the case, the Appeals Board will meet privately to discuss the case. In reviewing the case for reinstatement, the Appeals Board may consider all the circumstances, including the nature of the offense, any aggravating or mitigating circumstances, any previous violations of the *Campus Regulations and Judicial Procedures* and/or the student-athlete handbook, the extent of the student's cooperation and acceptance of responsibility, and the conduct of the student since the offense. Once the Appeals Board meets, a written decision shall be forwarded to the student within 10 business days of the appeal. Based on a majority of votes taken, the appeals board may uphold or provide relief of the sanctions imposed by the Director of Athletics.

(Initial Section V) _____

VI. Referral to Counseling

Students who, in the judgment of their Team Coach or the Athletic Director, evidence a need for professional assistance will be referred to appropriate counseling resources. It is the student-athlete's responsibility to follow up on this referral and to adhere to professional recommendations.

(Initial Section VI) _____

VII. Records Privacy.

Federal and State law, and related University policy, governing the access to student records applies to the administration of this Code of Conduct.

(Initial Section VII) _____

VIII. Drug Testing.

Student athletes are required to consent in writing to drug testing under the terms of NCAA policy on drug testing, as a condition of the privilege of participating in intercollegiate sports. Failure to

provide such consent shall result in immediate suspension and possible permanent expulsion from the team.

(Initial Section VIII) _____

IX. Student-Athlete Agreement Concerning Hazing

The Department of Athletics at the New Paltz supports only those activities, which are constructive, educational, and inspirational and that contribute to the intellectual and personal development of students. New Paltz Athletics unequivocally opposes any situation created intentionally to produce mental or physical discomfort, embarrassment, harassment or ridicule.

The New Paltz interprets hazing as any act whether physical, mental, emotional or psychological, which subjects another person, **voluntarily or involuntarily**, to anything that may abuse, mistreat, degrade, humiliate, harass or intimidate the person, or which may in any fashion compromise the inherent dignity of the person. In addition, any requirements by a member which compels another member to participate in any activity which is against university policy or state/federal law will be defined as hazing.

Actions and activities, which are prohibited include, **but are not limited to**, the following:

- Any type of initiation or other activity where there is an expectation of individuals joining a particular team to participate in behavior designed to humiliate, degrade or abuse them **regardless of the person's willingness to participate.**
- Forcing, requiring or pressuring an individual to consume alcohol or any other substance.
- Forcing, requiring or pressuring an individual to shave any part of the body, including hair on the head.
- Any requirement or pressure put on an individual to participate in any activity, which is illegal, perverse, publicly indecent, contrary to genuine morals and/or beliefs, e.g., public profanity, indecent or lewd conduct or sexual gestures in public.
- Required eating of anything an individual would refuse to eat otherwise.
- Any activity or action that creates a risk to the health, safety or property of the University or any member of its community.
- Forcing or requiring calisthenics, such as push-ups, sit-ups and runs.
- Assigning or endorsing pranks such as stealing or harassment of another organization.
- Awakening or disturbing individuals during normal sleeping hours.
- Expecting or pressuring individuals to participate in an activity in which the full membership is not willing to participate.
- Physical abuse of any kind.
- Forcing, encouraging or pressuring someone to wear in public apparel, which is conspicuous and not within the norm of what is considered to be in good taste.
- Engaging in public stunts and buffoonery.
- Nudity at any time or forced reading of pornographic material.
- Paddling, beating or otherwise permitting a member to hit other members.
- Having substances such as eggs, mud, paint and honey thrown at, poured on or otherwise applied to the body of a member.
- Morally degrading/humiliating games or other activity that makes a member the object of amusement, ridicule or intimidation.
- Subjecting a member to cruel and unusual psychological conditions.

I have read the policy about hazing and understand the following:

(Initial) _____ The policy and regulations of the Department of Athletics pertaining to hazing.

(Initial) _____ I agree and promise not to participate in any activity deemed to be hazing. I have read the above examples of hazing as described in the New Paltz Hazing Policy.

(Initial) _____ I understand that if I am in violation of this policy I will be subject to discipline that may include, but is not limited to, departmental or University probation, suspension from the team and/or the University and expulsion from the team and/or the University. In addition, I am aware that the team may be subject to group discipline that can include, but is not limited to, team probation, cancellation of individual contests and/or cancellation of the entire season.

X. Agreement/Waiver

I understand and agree that I am required to know, understand and follow the standards contained in the New Paltz Department of Athletics Student-Athlete Code of Conduct. In addition, I understand and agree that I am responsible for knowing, understanding, and following the rules, policies, and procedures contained in the complete New Paltz *Campus Regulations and Judicial Procedures*.

(Initial Section X) _____

Date: _____

Signature of Student-Athlete

Printed Name

Sport(s)

**Signature of Parent/Guardian
(If under 18)**

Date

Printed Name