

3359-48-05 Interim Student Athlete Code of Conduct.

(A) The primary purpose of the university of Akron's department of intercollegiate athletics is to further the educational mission of the university by developing the student-athlete as a total person. We foster a collegiate experience that promotes academic achievement, athletic excellence and social responsibility. We celebrate the success of our student-athletes to cultivate the pride, enthusiasm and commitment among faculty, staff, students, alumni and the greater Akron community.

As a department of intercollegiate athletics we are committed to the following core values: accountability, diversity, integrity, loyalty, pursuit of excellence, responsibility, sportsmanship and teamwork.

All student-athletes shall deport themselves with honesty and sportsmanship at all times, so intercollegiate athletics as a whole, the university of Akron and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with competitive sports.

(B) Standards of conduct.

(1) It is a privilege and not a right to be a student-athlete and every student-athlete is expected to conduct himself/herself in a manner that exhibits honor and respect to the team, department, university and surrounding community for the duration of his/her tenure as a student-athlete. As a member of the student body at the university of Akron, each student-athlete must act in accordance with all university rules and regulations, including: the university's student code of conduct, university rules 3359-41-01 to 3359-41-08 of the Administrative Code, available at <http://www.uakron.edu/studentlife/sja/codecon.php>; The residence hall handbook, available at http://www.uakron.edu/reslife/docs/reshallhand_2007-08.pdf; the athletic policy, university rule 3359-48-03 of the Administrative Code; and athletic department drug education and testing, university rule 3359-48-04 of the Administrative Code. In addition, student-athletes also must comply with applicable rules and regulations issued by the following authorities (hereafter referenced as governing authorities):

(a) Municipal ordinances and state and federal laws, both civil and criminal (laws);

- (b) National collegiate athletic association (NCAA);
 - (c) Mid-American conference (MAC);
 - (d) Western intercollegiate rifle conference (WIRC) (rifle program);
 - (e) Mid Atlantic conference (MAC) (rifle program);
 - (f) Department of intercollegiate athletics (university of Akron athletics); and
 - (g) Sports program team rules (team rules).
- (2) For clarification, student-athletes should consult with a member of the coaching staff and/or administration. Violation of any of the standards of conduct encompassed in these authorities may result in discipline as described in paragraph (F)(10) of this rule as well as civil and/or criminal liability. All documented violations of applicable rules and regulations will be reported to the appropriate office or authorities at the university of Akron and may result in further disciplinary action.

(C) Definitions.

- (1) Student-athlete. Once a student matriculates at the university of Akron and is accorded the status of a varsity athlete, or during the time that a student is in attendance at summer orientation, s/he is expected to act in accordance with this code of conduct until the completion of eligibility and/or receipt of athletic related financial aid, including semester and summer breaks, or such time that s/he is no longer a student-athlete at the university of Akron.
- (2) Team function. An athletic team function is defined as any official or sanctioned gathering, whether on or off campus, where the intent or reason to gather is to conduct business or engage in activities related to the team's purpose, and organized, arranged or initiated by athletic department staff, or team members.
- (3) Hazing. Hazing is defined as doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, regardless of the willingness of the participant.

Such actions and situations include, but are not limited to:

- (a) Forcing or requiring the drinking of alcohol or any other substance.

- (b) Forcing or requiring the eating of food or anything an individual refuses to eat.
 - (c) Calisthenics (i.e., push-ups, sit-ups, jogging, running, knee-bends).
 - (d) Paddle swats, trading cracks.
 - (e) Line-ups (i.e., yelling at people in any formation or harassing them).
 - (f) Forcing or requiring the theft of any property.
 - (g) Road trips (i.e., dropping someone off to find their way back).
 - (h) Scavenger hunts.
 - (i) Sleep deprivation.
 - (j) Nudity at any time.
 - (k) Conducting activities, which do not allow adequate time for study (i.e., not allowing attending class, missing group projects).
 - (l) Running personal errands for the member(s) (i.e., driving to class, cleaning up their individual rooms, serving meals, picking up dry cleaning).
 - (m) Requiring the violation of university rules or federal, state or local law.
- (4) Sportsmanship. Sportsmanship shall be defined in accordance with the standards of the NCAA, mid-American conference, WIRC, mid Atlantic conference and the university department of intercollegiate athletics. Good sportsmanship is evidenced by accepting defeat without complaint, victory without gloating and treating opponents with fairness, generosity and courtesy. Sportsmanship includes 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 obligated to represent themselves, their team, university of Akron athletics, the university of Akron, their families and their communities with the highest level of sportsmanship.

(D) Prohibited conduct.

- (1) Prohibited conduct includes violation of any of the standards of conduct identified in paragraph (B) of this rule. By way of illustration only, and without limitation of the standards of conduct, student-athletes must not

violate any of the policies described below.

- (a) Nutritional or dietary supplements. Many nutritional/ dietary supplements contain substances banned by the NCAA. The U.S. food and drug administration does not strictly regulate the supplement industry, and the purity and safety of nutritional and dietary supplements cannot be guaranteed. Impure supplements may lead to a positive NCAA drug test and affect the eligibility of student-athletes. To avoid a possible violation, student-athletes should contact the team physician or athletic trainer and consult the list of banned drugs as described in NCAA division bylaws.
- (b) Sportsmanship and respect. At all times, student-athletes are required to comport themselves in a manner that is respectful of themselves, their team, the university and its athletic department, game officials, opponents, and property. Unsportsmanlike conduct, as defined by the NCAA, mid-American conference, WIRC, mid Atlantic conference or the university of Akron is prohibited. Student-athletes are to refrain from disrespectful conduct such as; profane, abusive, demeaning, harassing, threatening or obscene expression; or deliberate damage to equipment or property.
- (c) Unexcused class absences, academic appointments and poor academic performance. Student-athletes are required to attend all classes, academic appointments and tutoring appointments and to fulfill course load and academic performance requirements, in accord with the attendance policy. Failure to meet such obligations may affect eligibility to participate in team sports and scholarship eligibility as well as academic standing. Please refer to the student-athlete handbook for the class attendance policy.
- (d) 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. Absences must be excused in advance by the head coach unless an unforeseeable emergency arises.
- (e) Special notice on social networking web sites. As a representative of the department of intercollegiate athletics and the university of Akron, you are always in the public eye. Please keep the following in mind as you participate on social networking web sites:

- (i) Anything posted online is available to anyone in the world. Any text or photo placed online is out of your control the moment it is placed online - even if you limit access to your site.
 - (ii) You should not post any information, photos or other items online that could embarrass you, your family and/or team, the department of intercollegiate athletics or the university of Akron. This includes information, photos and items that may be posted by others on your site.
 - (iii) You are required to abide by the social networking policy published in the student-athlete handbook.
 - (iv) Behavioral expectations in the online world are the same as in the off-line world. Student-athletes may face discipline or sanctions for policy violations revealed online.
- (f) Gambling. University rule 3359-41-02 of the Administrative Code defines student misconduct to include: gambling or games of chance as defined in the Ohio Revised Code and ordinances of the city of Akron. Student-athletes also are subject to applicable rules and regulations regarding gambling that are issued by the NCAA, mid-American conference, mid Atlantic conference and WIRC.
- (i) Prohibited acts include, but are not limited to:
 - (a) Providing information to individuals involved in organized gambling activities concerning intercollegiate athletics competition;
 - (b) Soliciting a bet on any intercollegiate team;
 - (c) Accepting a bet on any team representing the institution;
 - (d) Soliciting or accepting a bet on any intercollegiate athletics competition for any item that has tangible value (i.e., cash, clothing or equipment, meals);
 - (e) Participating in any gambling activity that involves intercollegiate athletics or professional athletics through a bookmaker, parlay card or any other method employed by organized gambling.
 - (ii) For additional information, see paragraph (F) of rule 3359-48-03 of the Administrative Code and the NCAA statement concerning

gambling, attached at exhibit A.

- (g) Academic integrity. University rule 3359-41-02 of the Administrative Code defines student misconduct to include plagiarism, cheating or other forms of academic dishonesty.
 - (i) Examples of violations of academic integrity include, but are not limited to:
 - (a) Using any of the following materials or information without properly acknowledging the source of the information (whether the source is oral or written): the actual works or ideas of another; a paraphrase of the words or ideas of another; illustrative material created by another; or facts, statistics or any other information that is not common knowledge.
 - (b) Rearranging words, phrases or sentences without properly acknowledging the source of the original information.
 - (c) Taking words or phrases from a source, verbatim, without placing them in quotation marks, even if the source of the information is acknowledged.
 - (d) Substituting synonyms for words used in another work without acknowledging the source and quoting material taken directly from that source.
 - (e) Paraphrasing information in a way that changes its meaning.
 - (f) Summarizing another work without properly acknowledging the original source.
 - (g) Using the same organizational structure as another source without properly acknowledging that source.
 - (h) Citing sources that were not used.
 - (i) Purchasing a paper from a website or another person and submit it as your own.
 - (j) Using the same paper in two different classes without receiving prior permission from both instructors.
 - (h) Alcohol. University rule 3359-41-02 of the Administrative Code defines student misconduct to include: unauthorized consumption, possession or

distribution of alcoholic beverages.

(i) Prohibited acts include, but are not limited to:

- (a) Possessing or consuming alcohol if under the age of twenty-one.
 - (b) Operating a motor vehicle while under the influence of alcohol.
 - (c) Misrepresenting one's age for the purpose of purchasing, possessing or consuming alcohol.
 - (d) Purchasing, furnishing or serving alcohol to or for an underage person.
 - (e) Being dangerously intoxicated to the point where state law mandates being taken into custody.
 - (f) Other prohibited acts as outlined in the student code of conduct or the residence hall handbook.
 - (g) Violations of additional team rules regarding alcohol use.
 - (h) Consumption of alcohol during team travel or at team functions.
- (i) Other drugs. University rule 3359-41-02 of the Administrative Code defines student misconduct to include: possession, use or distribution of marijuana or any narcotic, hallucinogenic or other drug in either the refined or crude form which is prohibited by law:
- (i) Prohibited acts include, but are not limited to:
 - (a) Possessing or using illegal substances, as defined by law.
 - (b) 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).
 - (c) Distributing, selling or possessing with the intent to distribute illegal or controlled substances, as defined by law.
 - (d) The use of tobacco products by a student-athlete during practice, competition or other team functions.
 - (e) Other prohibited acts as described in the student code of conduct or the residence hall handbook.

- (j) Hazing. Hazing in connection with membership or participation in university athletic teams or team activities is strictly prohibited. See paragraph (C)(3) of this rule.
- (k) Violence. University rule 3359-41-02 of the Administrative Code defines student misconduct to include: detaining, holding intimidating, injuring or threatening injury or threatening to injure or coerce by bodily harm any person lawfully on property owned, leased or operated by the university or in housing occupied or used by recognized University student groups or within the disciplinary authority of the university. In addition to these policies, the student may be subject to sections 3345.22 and 3345.23 of the Revised Code.
- (l) Sexual assault. University rule 3359-41-02 of the Administrative Code defines student misconduct to include: sexual harassment, sexual assault, misconduct or imposition.
- (m) Harassment. University rule 3359-41-02 of the Administrative Code defines student misconduct to include: harassment, verbal, written, electronic or otherwise, including but not limited to, sexual, racial, ethnic or religious harassment that causes harm of any nature. For more information, see the university of Akron's sexual harassment policy, university rule 3359-11-13 of the Administrative Code at <http://www.uakron.edu/ogc/docs/11-13.pdf>
- (n) Civility statement. The university of Akron is an educational community of diverse peoples, processes and programs. While all of us have our individual backgrounds, outlooks, values and styles, we all share certain principals of personal responsibility, mutual respect and common decency. Our campus culture requires we maintain and extend those principals, for without them, we cannot thrive as a humane and worthwhile university. Further information is available at: <http://www.uakron.edu/studentlife/sja/docs/civili.pdf>.

(E) 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 (or his or her designee) within twenty-four hours of such violation. This obligation applies for the entire time that an individual is a student athlete, including semester and summer breaks. For those violations that are not uniquely related to the department of intercollegiate athletics (i.e. violations other than those in paragraphs (D)(1)(a) to (D)(1)(d) of this rule), the head coach or the director of

athletics (or his or her designee) shall notify the director of the department of student conduct and community standards.

(F) Disciplinary process and sanctions.

- (1) The department of intercollegiate athletics disciplinary process is independent of and supplements the university judicial process. The department of intercollegiate athletics may impose sanctions that are related to athletic participation, which are in addition to those that may be imposed by law or by other offices within the university, including but not limited to the department of student conduct and community standards and the office of residence life. Sanctions will vary depending on the type and circumstances of the violation, but may include loss of athletics program eligibility and/or scholarship.
- (2) When the department of intercollegiate athletics becomes aware of an alleged violation of this code of conduct that is related uniquely to that department, the senior athletics administrator will take reasonable steps to verify the validity, reliability and accuracy of the report. These steps may include interviews of students, employees and non-university persons having knowledge of relevant facts; examination of documents; and other steps necessary for the senior athletics administrator 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 that affect the health and safety of the student-athlete or others, the senior athletics administrator may suspend the student-athlete from athletic participation before the meeting.
- (3) When the department of intercollegiate athletics becomes aware of an alleged violation of this code of conduct that do not relate uniquely to that department, the senior athletics administrator shall notify the department of student conduct and community standards, which will implement its disciplinary process in accord with the code of student conduct. In addition, the senior athletics administrator may, but is not required, to impose department of intercollegiate athletics sanctions. A meeting with the student-athlete will ordinarily occur before any discipline is imposed; however, in extenuating circumstances that affect the health and safety of the student-athlete or others, the senior athletics administrator may suspend the student-athlete from athletic participation before the meeting.
- (4) Determination of responsibility will be based on a preponderance of evidence, based on the information available. A student-athlete's refusal to participate and cooperate in a department of intercollegiate athletics or NCAA

investigation of a possible violation of this code of conduct may itself constitute a basis for disciplinary action.

- (5) 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, sport administrator and the senior athletics administrator each has authority to impose sanctions for violation of team rules, provided the head coach shall not impose the sanction of suspension or expulsion from the team without approval of the senior athletics administrator.

- (6) 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 or student code of conduct) the head coach may impose sanctions with the approval of the senior athletics administrator.

- (7) 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 (or designee) and the director of the department of student conduct and community standards. Student-athletes arrested for, or charged with a criminal offense will be placed on immediate administrative suspension from involvement in team activity pending further investigation. If a violation would constitute a misdemeanor that is not a crime of violence, the head coach in consultation with and the approval of the director of athletics (or designee) may, in the exercise of his/her reasonable discretion, lift the administrative suspension. If a violation of law would constitute a felony, illegal use of drugs, illegal gambling, sexual misconduct or a crime of violence, the administrative suspension may be lifted only upon authorization by the director of athletics. In instances where the student athlete is arrested for, or charged with a criminal offense, the head coach may impose team sanctions on the student-athlete apart from suspension, with the approval of the director of athletics (or designee).

Conviction of or a guilty plea to a felony will result in immediate expulsion from the team and withdrawal of all athletic related financial aid pursuant to NCAA and university rules.

- (8) Multi-sport athletes. Multi-sport student-athletes will not be relieved of any sanctions previously imposed in connection with rules violation while participating in another team sport when changing sports.

(9) Underage alcohol violation. An underage alcohol violation minimally will result in probation, the terms of which will be determined jointly by the senior athletics administrator and the head coach. Additional sanctions may apply.

(10) Sanctions. Possible sanctions include but are not limited to:

- (a) Warning - the issuance of a written warning.
- (b) Probation - special status with conditions imposed for a limited time.
- (c) Temporary suspension - removal of a student-athlete from all department of intercollegiate athletics activities, including athletic participation in team events for a limited period of time.
- (d) Suspension - removal of a student-athlete from all department of intercollegiate athletics activities, including athletic participation in team events for a specified period of no less than one season.
- (e) Athletic expulsion- permanent removal from a team and/or department of intercollegiate athletics activities.
- (f) Withdrawal of financial aid - termination of athletic-related financial aid, as permitted by NCAA regulations and university rule 3359-48-03 of the Administrative Code.

(G) Appeals.

- (1) A student-athlete who is subject to season-long suspension or expulsion from athletic team participation by a sanction imposed for a violation of rules uniquely related to the department of intercollegiate athletics (paragraphs (D)(1)(a) to (D)(1)(d) of this rule) may appeal the sanction. The appeal must be made, in writing, to the director of athletics within seven days of the student-athlete's receipt of the notice of sanction. The appeal letter must explain the permissible grounds for an appeal, as detailed in paragraph (C) of rule 3359-41-06 of the Administrative Code. The appeal shall be limited to a verbatim record of the initial decision and the supporting documents. The director of athletics shall issue his/her decision within five business days of hearing the appeal. The decision of the director of athletics is final.
- (2) A student-athlete whose athletic grant-in-aid would be affected by a sanction imposed for a violation of rules uniquely related to the department of intercollegiate athletics (paragraphs (D)(1)(a) to (D)(1)(d) of this rule) may appeal the sanction pursuant to the procedure detailed in paragraph (S) of

rule 3359-48-03 of the Administrative Code.

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Certification:

Ted A. Mallo
Secretary
Board of Trustees

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