

## **Fresno State Department of Athletics Student-Athlete Code of Conduct**

### **Introduction**

Membership on an athletic team at Fresno State is considered a privilege. As team members, student-athletes represent themselves, their sport team, the Athletics Department, and the University. In order to maintain that membership, student-athletes are expected to demonstrate good sportsmanship, honesty, integrity, and respect for others, as well as abide by all University policies, Athletics Department regulations, team rules, the rules and policies of the National Collegiate Athletic Association (NCAA) and the Western Athletic Conference (WAC), in addition to city, county, state, and federal laws, and standards of appropriate social behavior.

The Student-Athlete Code of Conduct is an Athletics Department policy which applies to all student-athletes, including those who are not actively competing in their sport. This Code should reinforce and help to develop student-athletes who are responsible citizens, who achieve academically and perform athletically. These standards and expectations apply at all times -- both on and off the playing field, on campus and off. The Athletics Department will apply sanctions for violations of this Code. Student-athletes have an obligation to report any alleged Code of Conduct violations to their Head Coach, an Athletics administrator, or the Faculty Athletic Representative (FAR) as soon as possible. Sanctions will be greater for misconduct that was not reported as soon as possible and for other misconduct that involves multiple or repeat violations. It is expected that student-athletes will not put themselves in situations in which guilt of misconduct may be implied. Head Coaches may also be more restrictive than these guidelines in implementing written team rules.

*Conduct Review Committee: This Committee is composed of the Senior Associate Director of Athletics, one Coach from a different sport, the Director of Athletics' designee, the Faculty Athletics Representative (FAR), **a faculty member from the Athletics Advisory Committee** and a student-athlete from a different team who is a member of the Student-Athlete Advisory Council (SAAC). At the direction of the Director of Athletics, the Committee reviews and hears all Code of Conduct cases. The Committee strives to be fair and consistent in interpreting and applying the Code. All actions are approved by the Director of Athletics and the Director of Athletics acts as the sole appeal body for assigned sanctions.*

## **STUDENT-ATHLETE RESPONSIBILITIES**

### **Academic**

In keeping with the mission of the University, a priority of the Athletics Department is to foster intellectual development and graduation for student-athletes. Since the ultimate responsibility for academic success lies with the student-athlete, each student-athlete is expected to:

- Set a primary goal to graduate from Fresno State.
- Be a responsible member of each class, which includes attending, being prepared, completing requirements, and participating at the level expected of all students.
- Adhere to Athletics Department and University policies regarding academic honesty and integrity (see the Student-Athlete Handbook, the University Student Conduct Code online at <http://studentaffairs.csufresno.edu/discipline/code.html>,

and the University Code of Academic Integrity Honor Code at <http://www.csufresno.edu/aps/apm/236.pdf>). Meet with the academic major advisor and Student-Athlete Services (SAS) staff as needed and participate in academic activities as requested.

### **Social, University and Legal**

As role models for the campus and community, student-athletes are expected to adhere to all standards for appropriate social behavior, Athletics Department policies, University regulations and legal responsibilities, including:

**Alcohol:** The Athletics Department's definition of inappropriate use of alcohol by student-athletes includes, but is not limited to, the following: underage drinking, **regardless of age:** drinking at any activity sponsored by the Athletics Department where they represent the institution, drinking while on trips for off-campus competition, consumption of alcohol prior to or during athletics practice or competition, public drunkenness, driving under the influence (DUI), and consumption of alcohol when hosting a student-athlete on an official visit. Any violations of University, city, county, state, and federal laws also constitute violations of the Student-Athlete Code of Conduct.

**Hazing:** Student-athletes are expected to comply with the University Student Conduct Code regarding any acts which could be considered hazing (reference Section 41301 in Title 5 of the California Code of Regulations). Punishment for violations may include probation, suspension or expulsion by the University.

Student-athletes are also responsible for adhering to Athletics Department guidelines, in which hazing is defined as "any activity expected of someone joining a group that humiliates, degrades, abuses or endangers, regardless of the persons' willingness to participate" (see Student-Athlete Handbook).

**Harassment:** Student-athletes are prohibited from harassing others, including harassment due to race (e.g., hate crimes), ethnicity, religion, gender, and sexual orientation. Sexual harassment refers to any unwanted, unwelcome attention directed toward a person's sexuality or sexual identity. It can include unwelcome touching, comments about body or clothing, inappropriate sexual jokes or humor, and offensive visual displays (e.g., gestures, sexually explicit material on one's computer screen). It also includes actions that create an intimidating, hostile or offensive environment. Sexual harassment is prohibited by State and CSU system policy, and it violates campus policy (CSU Executive Order No. 345, 1981) and the State mandated Education Code (Chapter 2, 1996). *All types of harassment within this section are identified as violations in both the campus code and the legal code.*

**Physical Assault:** All student-athletes must adhere to the University Student Conduct Code regarding "conduct that threatens or endangers the health or safety of any person within or related to the University community, including physical abuse, threats, intimidation, harassment or sexual misconduct" (Section 41301 in Title 5 of the California Code of Regulations).

**Legal:** Any violation of city, county, state and federal laws is also considered misconduct under the Student-Athlete Code of Conduct.

## Classifications of Misconduct

*Violations of this Code are specified as either Category I or Category II misconduct.*

**Category I Misconduct:** This type of misconduct includes, but is not limited to, the following:

- Violation of any law that is not classified as a felony (e.g., underage drinking, providing alcohol to a minor)
- Violation of an Athletics Department policy that is considered minor or violation of a condition of probation imposed by a University official or Athletics Department administrator
- Violation of University policies and regulations, including the Student Code of Conduct, campus residence halls, the Financial Aid Office, and the parking Authority
- Academic dishonesty in violation of University, college, school or department standards which does not involve Athletics Department personnel or services (e.g., cheating on tests, plagiarism)

**Category I Sanctions:** When there is reasonable and credible evidence that a student athlete has committed a Category I violation, the Conduct Review Committee will determine the appropriate sanction.

Sanctions for Category I violations may include, but are not limited to: written warnings, reprimands, educational programs, restitution, community service, counseling, academic performance requirements, suspension from practice, suspension from competition, and suspension from all Athletics Department facilities and services.

*In Category I cases of academic dishonesty violations will be addressed through the standard University procedures which apply to all Fresno State students.*

**Note:** Penalties will be greater if any of the following are involved in the violation:

1. failure to disclose the alleged violation to the Head Coach, an Athletics administrator or the FAR as soon as possible
2. alcohol and/or drugs or a history of a violation(s) of the Athletic Department's Substance Program
3. repeated misconduct
4. multiple violations within a single act of misconduct
5. repeated association with acts of misconduct in which guilt may be implied

All sanctions will be commensurate with the severity of the violation as determined by the Conduct Review Committee. The Director of Athletics is the sole appeal of assigned sanctions.

**Category II Misconduct:** This type of misconduct includes, but is not limited to, the following:

- Violation of any state or federal law that is classified as a felony
- Violation of a condition of probation or other condition imposed by a court in a criminal proceeding
- A violation that is considered major or a condition of probation or other condition imposed by a University official or Athletics Department administrator
- Academic dishonesty in violation of University, college, school or department standards which involves Athletics Department personnel or services (e.g., receiving inappropriate academic assistance from a staff member, using the Student-Athlete Services computer lab in the involvement of academic fraud or plagiarism)

**Category II Sanctions:** When there is reasonable and credible evidence that a student athlete has committed a Category II violation, the Conduct Review Committee will consult appropriate University officials before imposing at least one of the following: suspension from practice, suspension from competition, prohibiting the student-athlete from using any Athletics Department facilities or services, reduction and/or termination of athletic aid, and/or permanent dismissal from the team. If athletic aid is reduced or terminated, it will occur in accordance with procedures outlined in the Student-Athlete Handbook.

***If there is reasonable and credible evidence that a student-athlete may have engaged in Category II misconduct, the Director of Athletics or his/her designee may temporarily suspend a student-athlete from practice, competition, or all athletics activities and services until a formal review is conducted.***

**Charge of Felony:** If charged with a felony, a student-athlete will be automatically suspended from athletics participation by the Director of Athletics pending the Athletics Department's investigation. After the internal review, appropriate disciplinary action will be taken, which may include suspension from competition and suspension or continued suspension from the team.

**Conviction of Felony:** If convicted of a felony, a student-athlete will be immediately removed from his or her athletic team.

**Note:** Penalties will be greater if any of the following are involved in the violation:

1. Failure to disclose the alleged violation to the Head Coach, an Athletics administrator or the FAR as soon as possible
2. Alcohol and/or drugs or a history of a violation(s) of the Athletic Department's Substance Program
3. Repeated misconduct
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All sanctions will be commensurate with the severity of the violation as determined by the Conduct Review Committee. The Director of Athletics is the sole appeal of assigned sanctions.

## Procedures for Handling Violations of the Code of Conduct

The Conduct Review Committee, at the direction and approval of the Director of Athletics, has primary responsibility for handling Code of Conduct violations – both those that are alleged and proven. The steps involved are:

1. The student-athlete reports the alleged violation to his/her coach, an Athletics administrator or FAR as soon as possible.
2. The Head Coach, FAR or Administrator must notify the Director of Athletics and sport supervisor as soon as possible.
3. A review of the circumstances of the violation is conducted by the Conduct Review Committee.
4. The Conduct Review Committee determines whether there is reasonable and credible evidence to support the alleged violation after conducting the review and meeting with the student-athlete. The committee may also consult with campus law enforcement or judicial affairs during the review process.
5. If reasonable and credible evidence is found, the Conduct Review Committee determines an appropriate sanction(s) and that sanction(s) is (are) approved by the Director of Athletics.
6. A meeting is held with the student-athlete, Head Coach, sport supervisor and at

least two members of the Conduct Review Committee to impose the sanction(s) through verbal and written notification. A file of the case is held in the Sr. Associate Director of Athletics' office. A copy of the sanctions is also included in the student-athlete's file.

## Code of Conduct Appeals

All appeals must be submitted in writing to the Director of Athletics within two business days after receiving the Conduct Review Committee's Sanctions. Any appeal must include the reason for the appeal. Appeals must include substantial mitigating evidence for the appeal to hold the possibility of modification. The Director of Athletics will determine whether an in-person meeting with the student-athlete is warranted. The Director of Athletics has sole authority on determining the outcome of appeals.

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*This policy and the following Protocol will be available online at [www.gobulldogs.com](http://www.gobulldogs.com) in both the compliance and student-athlete services areas.*

## Student-Athlete Code of Conduct Protocol

1. All information regarding alleged violations is considered confidential and can only be shared with those persons who have a need to know. When possible, only circumstances – and not names – will be shared.
2. The Conduct Review Committee will identify which person(s) are needed to ensure a thorough review of the circumstances of the violation on a case-by-case basis. These persons may include on-campus officials, law enforcement personnel, professional investigators, and attorneys with expertise in the area of the alleged violation.
3. The student-athlete may bring one person to the meeting with Conduct Review Committee for support. Since the person is there for support and this is not a legal procedure, he/she may not speak to the committee and may not be an attorney by trade.
4. Neither the student-athlete nor any member of the coaching staff may approach any members of the Conduct Review Committee after sanctions are determined in order to try to change or mitigate those sanctions.
5. Communication with on-campus personnel:
  - The Judicial Affairs Officer will share information about student-athletes with alleged legal and/or disciplinary issues as soon as possible with Athletics Department staff: Senior Associate Director of Athletics, Director of Athletics, and/or the Faculty Athletics Representative.
  - The Campus Police will share information about student-athletes with potential felony allegations as soon as possible with Athletics Department staff: Senior Associate Director of Athletics, Director of Athletics, and/or the Faculty Athletics Representative.
  - Athletics Department staff will share information about student-athletes with potential violations of campus policies with the Judicial Affairs Officer as soon as possible, including violations of the University Student Code of Conduct which occur while student-athletes are off campus on an official school activity.
  - Athletics Department staff will share information with the Campus Police as soon as possible about student-athletes with potential legal violations, including the reporting required by the Clery Act.