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**Carlsbad Municipal Schools
Board of Education
Carlsbad, New Mexico 88220**

REGULATION

JJJ-R

ATHLETIC AND ACTIVITY CODE OF CONDUCT

Rights and Responsibilities for School Athletes and Activity Participants

Students of the Carlsbad Municipal Schools, who participate in extra-curricular/co-curricular activities or athletics sponsored by the school, are expected to comply with the Athletic and Activity Code of Conduct. This contract is for the school year, regardless of the signature date, and includes all weekends, vacations and breaks from school, and practices prior to the start of the school year. Illegal violations, as defined in Part two (2) of this contract, may result in the student being subject to the provision of this contract outside of the school year.

It is understood that as a representative of the Carlsbad Municipal Schools, the student is an example for others, and is to present a positive image for the school and its programs. Participation in extra-curricular/co-curricular activities or athletics is a privilege that may be lost if abused, and the student must agree to abide by the following rules and to accept the penalties for rule violations as outlined in the Athletic and Activity Code of Conduct and the Random Drug/Alcohol/Steroid Testing Consent Form.

A violation of this contract may be confirmed by any one or more of the following:

- A positive result from a drug test authorized by the school district.
- Police arrest or report.
- Identification of the violation by district school personnel.
- Self-admission or parent notification of the child's violation.
- A strong, reliable indication based on evidence.

Any violations of this contract and any consequences imposed by this contract will be documented in writing with the participant's parent(s)/guardian(s) being notified orally and in writing. Prior to the imposition of any consequence as defined in this contract, the participant will be afforded full due process.

In addition to the sanctions that may be imposed by this contract, participants are subject to the conditions of the Carlsbad Municipal School District's Discipline Code, Regulation JK-EC, as well as those sanctions that may be imposed by the New Mexico Activities Association (NMAA). The administrators of the District may take academic discipline, if appropriate, up to and including suspensions or expulsion from school, for violation of the Discipline Code. Further, a student's academic grade in a course associated with an extra-curricular/co-curricular activity or athletics cannot be jeopardized in imposing the consequences of this contract.

Behavior Requirement

These behavior requirements are applicable on and off any school campus (local or away); during school hours; during practice hours; before, during and after an activity event; and during travel to and from an activity event. The term *activity* refers to any event which is sponsored, conducted, or attended by a school in the District.

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Behavior: All students are expected to conduct themselves in an acceptable manner. This includes, but is not limited to, personal behaviors such as attendance, truancy, dishonesty, and others as defined in the Carlsbad Municipal School District's Discipline Code.

Profanity: Paragraph 3.1 of the Discipline Code defines vulgarity or profanity as oral, written, or symbolic use of language objectionable to a reasonable person's sense of decency. Vulgarity and profanity are not acceptable and will not be tolerated.

Tobacco: Paragraph 4.1 of the Discipline Code states that the possession or use of tobacco in any form while on school property, attending any school sponsored activity, or in any school vehicle is unacceptable and will not be tolerated.

Sexual Harassment Misconduct: Paragraph 1.3 of the Discipline Code defines sexual harassment as any verbal or physical actions that sexually threaten, suggest, or imply sexual advances, or are sexually demeaning. Sexual harassment is not acceptable and will not be tolerated.

Hazing/Bullying: Paragraph 1.2 of the Discipline Code defines hazing and bullying as involvement in acts that harass, threaten, or injure others. Hazing and bullying are not acceptable and will not be tolerated.

Consequences for Violations of the Behavior Requirements

First (1) offense: The coach or sponsor will impose a minimum penalty equal to or greater than the consequences stated in the Discipline Code as soon as the incident is known to him/her. A disposition of the case and the penalty imposed will be reported in writing to the Athletics/Activities Director and Building Principal.

Second (2) offenses: The student will receive a minimum of a ten (10) school day suspension from all games, contests, performances, and club activities. The student will also be suspended from at least one game, activity, or performance.

Third (3rd) offense: The student will be denied participation in any and all athletics, clubs, and/or activities for thirty (30) school days, including practice. The student will be suspended from twenty (20) percent of the scheduled games, contests, or events (*see the chart under Part II: Illegal Violations, First Offense, Option 1*).

Habitual offenders: After the third offense, the student will be suspended from all games, contests, performances, and practices for ninety (90) school days. Depending on the severity of the violation, the administration reserves the right to continue the suspension into the next school year.

If the infraction is close to the end of the current season or the current school year, and the penalty of ten (10), thirty (30), or ninety (90) days cannot be served within the school year, the remaining days will be served beginning the first (1st) day of the sport or activity in which the student chooses to participate and completes in good standing.

Illegal Violations

The term *illegal violations* includes not only acts which result in a conviction, but also actions leading to arrest, charges, or incarceration. It is recognized that if the student is arrested, charged, or incarcerated for a crime, it may impact his/her ability to represent the school and that it may be considered disruptive to the District and its programs. If any of these circumstances apply, the District may reduce or stop a student's participation in school-sponsored extra-curricular/co-curricular activities and athletics, even if the incident occurred outside of the school year.

Further, the term *illegal violations* includes, but is not limited to, the use of, and/or the possession of, alcohol, illegal drugs, prescription drugs belonging to others, and/or steroids. The term *illegal violations* also includes being present at, or remaining at, a social gathering where minors are using or in possession of alcohol, illegal drugs, prescription drugs belonging to others, and/or steroids. Prior to entering the social function, the student should make reasonable inquiries to determine whether alcohol, illegal drugs, prescription drugs belonging to others, and/or steroids are present. The student should not enter the function if the student knows or suspects that any such substances are present. If the student enters the

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function with a reasonable belief that such substances are not present, but the student observes or suspects the presence of such substances after entering, the student should leave the function immediately. The consequences of this code shall be applied if the student knew or reasonably should have known that these substances were present at the gathering and the student did not leave the premises immediately after he or she knew or reasonably should have known that the substances were present.

Also included in the term *illegal violations* are the following: minor in possession (MIP), allowing self to be served, open container, driving under the influence (DUI), driving while intoxicated (DWI), or the use of/or possession of a controlled substance (marijuana, heroin, methamphetamines, etc.) and/or drug paraphernalia. Note: Minor in Possession (MIP) means a minor child is considered to be in possession of alcohol or a controlled substance if the child knows or should have known where the alcohol or controlled substance is and exercises control over it. The minor does not have to have the alcohol or controlled substance in his/her physical presence to be considered an MIP.

Consequences for Illegal Violations

The consequences provided for in Part two (2): Illegal Violations of this policy shall apply regardless of whether the violations occur in any one (1) school year. For example, a first (1st) offense during a student's freshman year would result in the consequences as set forth under the first (1st) offense section below. A second (2nd) offense two (2) years later, during the student's junior year, would result in consequences set forth under the second (2nd) offense section. It is the intent of Part two (2): Illegal Violations that the offenses continue from year to year with the corresponding consequences. Offenses occurring at the middle school level (grades 6-8) will not be carried over to the high school level (grades 9-12).

Students who received their first (1st) or second (2nd) offense during the 2008-2009 school year and have not fulfilled the consequences as set forth under the previous Athletic and Activity Code of Conduct will have a one time opportunity to choose one (1) of the two (2) options listed under first (1st) offense below. In doing so, the student agrees that the prior offense will be the first (1st) offense under Part two (2): Illegal Violations of this policy, and that a subsequent violation will result in the consequences as set forth under the second (2nd) offense section below.

First Offense:

A student must select from the following two (2) options:

Option one (1): The student will receive a fifteen (15) school day suspension from any school activity. The student will be allowed to practice, but will not be allowed to participate in or attend any school activity during the suspension. Under this option, the term *activity* refers to any event which is sponsored, conducted or attended by a District school during the suspension. In addition to the fifteen (15) school day suspension, the student will be suspended from thirty (30) percent of the scheduled games, contests, and/or performances (*see the chart below*). If the infraction is close to the end of the current season or the current school year, and the fifteen (15) school days cannot be served within the school year, the remaining days will be served beginning with the first (1st) day of the practice or event in which the student chooses to participate and completes in good standing.

Event Suspension Table

Number of Regular Season Games, Contests, and Performances	20%	30%
< 9	1	2
10-14	2	3
15-19	3	4
20-23	4	6
24-26	5	7

All students who are first (1st) time offenders of Part two (2): Illegal Violations will have the opportunity to participate in a Student Assistance Program provided by Carlsbad Municipal Schools. By participating in the assessment and group

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assignment, students will have the opportunity to reduce the consequences imposed in Option one (1) to a ten (10) school day suspension and twenty (20) percent of the scheduled contests (*see chart above*). Failure to complete the Student Assistance Program will result in the student receiving the full consequences as outlined under Option one (1).

Option two (2): If available, the participation in and successful completion of four (4), six (6) hour sessions of *Policy Violation Detail* to be conducted by a Carlsbad Municipal School District Certified employee as well as participation in and completion of the Carlsbad Municipal School District's Student Assistance Program. This detail will include, but will not be limited to, manual labor and may include community projects. The student will be allowed to practice and participate in all school activities other than those scheduled during the Saturday Policy Violation Detail or Student Assistance Program times. Absences for any reason will be considered an unsuccessful completion and will result in the entire fifteen (15) school day suspension described under Option one (1) being imposed. The student must complete all of the requirements of Option one (1) to participate in any school activity.

Note: If the student decides to fulfill his/her obligations under Option two (2) during the summer, and the Student Assistance Program is not available, the student may enroll in a similar program in the community at his/her own expense. Prior approval from the Athletics/Activities Director must be obtained. Documentation of participation in and completion of the program must be submitted to the Athletics/Activities Director.

Second (2nd) Offense: The student will be denied participation in all athletics, clubs, and/or activities for the remainder of the current season or for a thirty (30) school day period whichever is longer. Participation in and completion of the Carlsbad Municipal School District's Student Assistance Program is required. The student may participate in tryouts and practices, but will not be allowed participation in, or travel to and from, games, contests, or performances during their suspension period.

Further, the student's lockers, athletic/equipment bags, and storage areas for athletics and activities will be subject to the same search and seizure procedures as allowed by the District. In addition to the random drug screening as condition of participation in extra-curricular/co-curricular activities and athletics as per district policy, the student will, at their expense, be subject to additional drug screenings once (1) every two (2) weeks during their suspension period.

Failure to complete the Student Assistance Program and/or a positive drug screening will result in the student being denied participation in all athletics, clubs, and/or activities for one calendar year.

Third (3rd) Offense: The student will be denied participation in all athletics, clubs, and/or activities for one calendar year.

Fourth (4th) Offense: The student will be denied participation in all athletics, clubs, and/or activities for the remainder of the student's high school attendance.

Rights of Appeal

The first (1st) level of appeal for a student and/or parent is to the coach and/or sponsor if he/she imposed the initial consequences or to the Athletics/Activities Director if he/she imposed the initial consequences. If the student and/or parents are not satisfied at the first (1st) level, they may appeal at the second (2nd) level to Athletics/Activities Director or to the building principal. There are no appeals beyond the building principal.

This Athletic and Activity Code of Conduct Contract covers participation in all extra-curricular/co-curricular activities and athletics during the school year and will be signed by students and parents within the first (1st) three (3) weeks of the start of the school year. If extenuating circumstances prevent the student from signing during the first (1st) three (3) weeks of the school year, the student must present appropriate documentation supporting the extenuating circumstances to the Athletics/Activities Director to receive approval to participate in any extra-curricular/co-curricular activity or athletics during the rest of the school year. This contract will be kept on file in the Athletic Office. Failure to sign could affect a student's participation in the sport/activity by as much as twenty (20) percent of contests for students enrolled on the first (1st) day of school.

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