

### **FIRST VIOLATION MINIMUM PENALTIES\*:**

When the Principal confirms, following an opportunity for the student to be heard, that a violation occurred, the student shall lose eligibility for the next consecutive interscholastic contests totaling 25% of all interscholastic contests in that sport. For the student, penalties will be determined by the current or next season of participation. No exception is permitted for a student who becomes a participant in a treatment program. It is recommended that the student be allowed to remain at practice for the purpose of rehabilitation. Any fractional part of an event will be dropped when calculating the 25% of the season.

| # of Events/Season | # of Events/Penalty |
|--------------------|---------------------|
| 1-7                | 1                   |
| 8-11               | 2                   |
| 12-15              | 3                   |
| 16-19              | 4                   |
| 20 or over         | 5                   |

### **SECOND & SUBSEQUENT VIOLATIONS**

#### **AND MINIMUM PENALTIES:**

When the Principal confirms, following an opportunity for the student to be heard, that a violation occurred, the student shall lose eligibility for the next consecutive interscholastic contests totaling 60% of all interscholastic contests in that sport. For the student, penalties will be determined by the current or next season of participation. Any fractional part of an event will be dropped when calculating the 60% of the season.

| # of Events/Season | # of Events/Penalty |
|--------------------|---------------------|
| 1-3                | 1                   |
| 4                  | 2                   |
| 5-6                | 3                   |
| 7-8                | 4                   |
| 9                  | 5                   |
| 10-11              | 6                   |
| 12-13              | 7                   |
| 14                 | 8                   |
| 15-16              | 9                   |
| 17-18              | 10                  |
| 19                 | 11                  |
| 20 or over         | 12                  |

If after the second or subsequent violations the student of his/her own volition becomes a participant in an approved chemical dependency program or treatment program, the student may be certified for reinstatement in MIAA activities after a minimum of 40% of events provided the student was fully engaged in the program throughout that penalty period. The high school principal in collaboration with a Chemical Dependency Program or Treatment Program must certify that student is attending or issue a certificate of completion. If student does not complete program, penalty reverts back to 60% of the season. All decimal part of an event will be

truncated i.e. All fractional part of an event will be dropped when calculating the 40% of the season.

| # of Events/Season | # of Events/Penalty |
|--------------------|---------------------|
| 1-4                | 1                   |
| 5-7                | 2                   |
| 8-9                | 3                   |
| 10-12              | 4                   |
| 13-14              | 5                   |
| 15-17              | 6                   |
| 18-19              | 7                   |
| 20 or over         | 8                   |

Penalties shall be cumulative each academic year, but serving the penalty could carry over for one year. Or, if the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year. (e.g. A student plays only football: he violates the rule in winter and/or the spring of same academic year: he would serve the penalty(ies) during the fall season of the next academic year.)

**62.2 Coaches** - During practice or competition, a coach shall not use any tobacco product (penalty: same as students' – see chart above).

**62.3 Anabolic androgenic steroid use and performance enhancing drugs (PED's) are of grave concern. Coaches need to send a clear, unequivocal message that unauthorized steroid use and PED's are not acceptable. This discussion should highlight the fact that the penalties for other substance use apply. Short and long-term health effects can also motivate student-athletes to protect their future.** Coaches should take a proactive role, learning about steroids, and then providing this information to their athletes.

Steroids can, with proper diet and weight training, increase muscle development; however, as is typical with most "get-rich-quick" schemes, steroid use has serious short and long term consequences.

Normal and equal musculature development can occur without steroids use. Although the natural process takes longer, muscle tone will last longer and does not carry the harmful side effects of steroids.

Most coaches would not promote steroid use intentionally. Total silence by coaches however, condones use in some young people's minds. Even though steroids may not be mentioned when it is suggested to an athlete that his/her success is limited only by a lack of weight and/or strength, without a disclaimer the statement can be a motivation to use steroids. The pervasiveness of the drugs that allow for development of increased weight under the aforementioned circumstances is a coercive power that is difficult for young athletes to resist without knowing what the side effects of the drugs may be.

The issue goes beyond protecting the integrity of sport. The use of steroids in sports is cheating. We must oppose the use of steroids for both health and ethical reasons.

### **PART II - PHILOSOPHY AND PURPOSE**

The MIAA recognizes the use of chemicals as a significant health problem for adolescents, resulting in negative effects on behavior, learning and development. The abuse of chemicals can affect extra-curricular participation and the development of related skills. Other adolescents are affected by the chemical abuse of family, teammates and other people in their lives.

The close contact in MIAA activities of advisors, coaches and other athletic staff provides a unique opportunity to observe, confront and assist young people. **The MIAA, therefore, supports education and awareness training in adolescent chemical use problems.**

### **PART III - THINGS TO DO BEFORE ACTIVITIES START**

- Put training and conduct rules for your coaches and student-athletes in writing.
- Have your school attorney review the rules.
- Have your school board review and adopt rules.
- Have the rules printed in student handbooks.
- Print the rules in the school paper and post the rules in the locker rooms and on bulletin boards.
- Give your athletic activity participants a copy of all eligibility rules.
- Send the rules home to parents.
- Encourage local newspapers to publish the rules.
- Sponsor a Chemical Awareness Evening with parents, coaches and student-athletes.

### **PART IV - SUGGESTED PROCEDURES AFTER A VIOLATION**

The Principal shall immediately investigate an alleged violation of the Chemical Health Rule and if he/she finds probable cause of a violation, shall conduct a hearing with the student. The suspension shall begin on the date and time the violation has been confirmed.

The student shall have the right to be present at the hearing and offer testimony and evidence that the student deems material.

### **PART V - POSSESSION**

No definition can be drawn that will totally define the act of possession. A school administrator must investigate the alleged violation to determine if the student was in possession of the prohibited substance. It is generally necessary to show that the student was aware of the presence and character of the particular substance and was intentionally and consciously in possession of it.

In many instances, the school administrator, as the listener of facts, will have to determine that a student was in possession of an unlawful substance simply from the facts and inferences that may be drawn.

### **PART VI - QUESTIONS AND ANSWERS**

Q. Who determines whether a student has violated the rule & enforces the penalty?

A. As is true of all other rules, the principal is responsible for determining whether a student has complied with the rule, and for the enforcement of the penalty in case of violations. As is the case with all rules, should a member school feel that another school is not

complying with the rule, it may enter an allegation in writing with the MIAA.

Q. If a school is not aware of the violation until several days afterwards, and the student participates in a contest or contests after the date of violation, when does the penalty begin?

A. The suspension shall begin from the date and time that notification is given by the school administrator. There is no retroactive penalty.

Q. May a Spring athlete who violates the rule during the Fall season participate in a Winter sport in order to serve the penalty before his/her Spring season?

A. Yes, provided the student-athlete makes the team at the beginning of the season and remains a team member through the completion of the Winter season. Exception – If the athlete is dismissed from the team due to a second chemical health violation, and there is still 60% of the season remaining, the school may count that as completing the penalty.

Q. When must a school begin to monitor individuals who are in violation of this rule?

A. When a student participates in his/her initial team activity, then that student is bound by the rule for the remainder of his/her high school years, unless student does not participate for 1 full year after violation.

This Board of Directors' enhanced interpretation will cause two students in violation of the rule to be treated differently in some cases. For example, a pair of incoming Freshmen (or 8<sup>th</sup> grade students in an 8-12 high school, etc.) who violate the Chemical Health rule the second week in September could be treated differently. If one student is a Fall athlete, then the penalty must be enforced. If the second student is not a Fall athlete, and therefore has never participated in a high school team activity, that second student would not be subject to a penalty. If you prefer the rule at your school to impact students who have never been involved with your athletic program, local enhancement of this interpretation would address that.

The Board recognized that this interpretation would remove a significant burden from principals, who would, without this interpretation, be required to affirm alleged violations that occurred away from school, and which might carry no consequence to students, but do carry consequences for athletes. The number of students who might avoid a consequence through this Board interpretation would be minimal, given that many Freshmen participate in Fall athletics. It was felt that a penalty assessed before initial participation could serve as a disincentive to a Freshman who intended to try out for a Winter or Spring sport.

Proper notification to non-athletes also could be a challenge in some schools. For example, many schools do a seasonal parent-athlete night, which includes awareness of the Chemical Health rule. Notification to students who would not be introduced to the athletic program until the Winter or Spring season could be problematic in some schools.

Additionally, the Board ruled that if a student is not an athletic participant for one full year after affirmation of a violation, then the penalty period would close and the student would face no consequence. (This eliminates the need for principals to track students in

alternative school settings who may return to the high school a year or more after a confirmed violation.)

Q. How does the rule apply to a transfer student?

A. Form 200 -Question #5, requests the sending school to answer the question in regards to a chemical health violation. If Form 200 reveals that the student has a full or partial penalty that has not been served at the sending school, then the penalty would move with the student to the receiving school.

#### **PART VII – RULE 62 CLARIFICATIONS – PENALTIES SHALL BE CUMULATIVE EACH ACADEMIC YEAR**

1. The MIAA Board of Directors provides the following interpretations which address the disparity of penalties from sport to sport: Because the intent of first offense penalties is to render the student ineligible for approximately 25% of that season's schedule, a football player who misses the last football game of the season would then be required to miss the first two basketball games of the next season. The baseball player who serves a penalty of fewer than five games in the spring would be required to miss the first football game of the fall season. In the former case, the football player has served 50% of his penalty, and then would be required to serve 50% of the basketball penalty (i.e. 2.5 games, which is rounded down to the whole number). In the second case, if the student serves 1, 2, 3, or 4 games of baseball ineligibility, then the carry-over of the penalty in the fall season would require missing the first football game. ***The minimum in any carry-over would be 1 event.***
2. To calculate the "number of events/season", count those events on your schedule where the team (vs. an individual) will compete (excluding the potential of MIAA Tournament qualification). Double duals, tri, or quad competitions held on one day count as one "event".
3. If a violation of Rule 62 occurs while the student is serving a school suspension (either in-house or out-of-school), the chemical health violation penalty period will not begin until the school suspension period has concluded. If on the other hand, the school suspension is directly related to the violation of the Chemical Health Rule, then the suspension and chemical health penalty will be served concurrently. The MIAA Board's intent is to provide two separate consequences for two different misdeeds, but one a single consequence for a single mistake; i.e. consecutive versus concurrent penalties.
4. A student who is disqualified from a contest must serve the subsequent penalties by missing regular season scheduled contest or contests. If an all-star game is being played during the penalty period, the student must also miss that event. In way of example, an ice hockey student ruled out of the game on Tuesday would be ineligible for his Friday regularly scheduled game, a Sunday all-star game, and a Tuesday regular season game. (Board of Directors, December 2005).
5. Ineligible students (Rule 32.8) are NOT allowed to participate in scrimmages.



## **ADMINISTRATORS' GUIDE FOR INTERPRETING AND ENFORCING MIAA HANDBOOK RULE #62**

### ***Student (and Coach) Eligibility: Chemical Health/Alcohol/Drugs/Tobacco***

This pamphlet has been developed to assist school administrators in the implementation and administration of the MIAA Chemical Health Rule, (MIAA Handbook Part IV-Rules Affecting an Individual Student Athlete or Coach, Rule #62–Student (and Coach) Eligibility: Chemical Health/Alcohol/Drugs/Tobacco. Hopefully, it will be of some help when you have to deal with the sometimes difficult task of determining whether or not a student is in violation of the Chemical Health Rule.

#### **PART I – CHEMICAL HEALTH RULE**

##### **RULE 62: Student (and Coach) Eligibility: Chemical Health/Alcohol/Drugs/Tobacco**

**62.1** From the earliest fall practice date, to the conclusion of the academic year or final athletic event (whichever is latest), a student shall not, regardless of the quantity, use, consume, possess, buy/sell, or give away any beverage containing alcohol; any tobacco product (including e-cigarettes, , VAP pens & all similar devices); marijuana (including synthetic); steroids; or any controlled substance. This policy includes products such as “NA or near beer,” ***inhalants (defined as any substance that produces a mind-altering effect when inhaled), and misuse of over-the-counter medications and substances used for the purposes of altering one’s mental state.*** It is not a violation for a student to be in possession of a defined drug specifically prescribed for the student’s own use by his/her doctor.

This MIAA statewide minimum standard is not intended to render “guilt by association”, e.g. many student athletes might be present at a party where only a few violate this standard. This rule represents only a minimum standard upon which schools may develop more stringent requirements.

If a student in violation of this rule is unable to participate in interscholastic sports due to injury or academics, the penalty will not take effect until that student is able to participate again.

***Prior to any chemical health violation a student's request for and enrollment in a substance abuse treatment shall not in and of itself constitute a violation of the chemical health/alcohol/drugs/tobacco Rule 62.***