

INSTRUCTIONAL PROGRAM

Extracurricular Activities Code of Conduct

This policy is supplemental to Lincoln Public Schools policy 5480 and any action taken hereunder may be in addition to any action taken under 5480.

Purpose of the Code of Conduct. Participation in extracurricular activities is a privilege. The privilege carries with it responsibilities to the school, team, student body and the community. Participants are not only representing themselves, but also their school and community in all of their actions. Others judge our school on the student participants' conduct and attitudes and how they contribute to our school spirit and community image.

The student participants' performance and devotion to high ideals and values make their school and community proud. Consequently, participation is dependent upon adherence to this Code of Conduct and the School District's policies, procedures and rules.

Scope of the Code of Conduct

Activities subject to the Code of Conduct: The Code of Conduct applies to all extracurricular activities. Extracurricular activities means student activities or organizations which are supervised or administered by the School District which do not count toward graduation or grade advancement and in which participation is not otherwise required by the school.

Extracurricular activities include, but are not limited to: all activities identified in policy 6700, intramurals and other school-sponsored organizations and activities or those designated as such by the Associate Superintendent for Instruction. The Code of Conduct also applies to participation in school-sponsored activities such as school dances.

A participant means a student who participates in, has participated in or will participate in an extracurricular activity.

When: The Code of Conduct rules apply to conduct which occurs at any time during the school year, and also includes the timeframe which begins with the official starting day of the fall sport season or activity established by the NSAA and extends to the last day of the spring sport or activity season established by the NSAA, if any, whether or not the student is a participant in an activity at the time of such conduct. The rules also apply when a student is participating or scheduled to participate in an extracurricular activity that is held outside the school year or the NSAA season. For example, if a student in a Career and Technical Student Organization plans to participate in a conference in July and commits a Code of Conduct infraction in June, the student may be suspended from participating in the conference. Conduct during the summer months may also affect a student's participation under the team selection and playing time guidelines.

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Scope of the Code of Conduct (Continued)

Where: The Code of Conduct rules apply regardless of whether the conduct occurs on or off school grounds. If the conduct occurs on school grounds, at a school function or event, or in a school vehicle, the student may also be subject to further discipline under the general student code of conduct. A student who is suspended or expelled shall not be permitted to participate in activities during the period of the suspension or expulsion and may also receive an extended activity suspension.

Grounds for Extracurricular Activity Discipline. Students who participate in extracurricular activities are expected to demonstrate cooperation, patience, pride, character, self-respect, self-discipline, teamwork, sportsmanship and respect for authority. The following conduct rules have been determined by the Board of Education to be reasonably necessary to aid students, further school purposes and prevent interference with the educational process. Such conduct constitutes grounds for suspension from participation in extracurricular activities and grounds for other restrictions or disciplinary measures related to extracurricular activity participation.

1. Willfully disobeying any reasonable written or oral request of a school staff member or the voicing of disrespect to those in authority.
2. The use of violence, force, coercion, threat, intimidation, bullying (which includes any ongoing pattern of physical, verbal or electronic abuse), harassment or similar conduct in a manner that constitutes a substantial interference with school or extracurricular activity purposes or making any communication that a reasonable person would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, including the setting of a fire of any magnitude, stealing or attempting to steal property of substantial value or repeated damage or theft involving property.
4. Causing or attempting to cause personal injury to any person including, without limitation, any school employee, school volunteer or any student.
5. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from such student or making a threat which causes or may reasonably be expected to cause a disruption to school operations.
6. Knowingly possessing, handling or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.

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7. Engaging in the selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, steroids, a controlled substance, inhalant, or being under the influence of any of the above; or possession of drug paraphernalia. (Note: Refer to “Drug and Alcohol Violations” for further information.)
8. Engaging in the selling, using, possessing or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes or material represented to be alcohol, narcotics, drugs, steroids, a controlled substance, or inhalants.
9. Truancy or failure to attend assigned classes or activities.
10. Tardiness to school, assigned classes or assigned activities.
11. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon economic status, race, ethnic background, culture, gender, gender identification, sexual orientation, religion, age or ability.
12. Public indecency and sexual conduct.
13. Repeated violation of any of the rules adopted by the School District or the school.
14. Engaging in any other unlawful activity as determined by the United States or the State of Nebraska.
15. Dressing or grooming in a manner which is dangerous to the student’s health and safety or a danger to the health and safety of others or is distracting or indecent to the extent that it interferes with the learning and educational or activity process.
16. Willfully violating the behavioral expectations for those students riding Lincoln Public Schools buses.
17. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.

18. Knowingly and intentionally using force in causing or attempting to cause personal injury to a school employee, school volunteer or a student, except if caused by accident, self-defense or on the reasonable belief that the force used was necessary to protect some other person and the extent of the force used was reasonably believed to be necessary.
19. Knowingly and intentionally possessing, using or transmitting a dangerous weapon other than a firearm.
20. Knowingly and intentionally possessing, using or transmitting a firearm on school grounds, in a school-owned or -utilized vehicle or during an educational function or event off school grounds or at a school-sponsored activity or athletic event.

“Firearm” means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: “The term ‘firearm’ means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device.”

21. Failure to follow all other reasonable rules or regulations adopted by the coach or supervisor of an extracurricular activity, provided that participants shall be informed by the coach or supervisor of such rules and regulations by written handouts or posting on bulletin boards prior to the beginning of the season.
22. Failure to comply with any rule established by the Nebraska School Activities Association, including but not limited to rules related to eligibility.
23. Failure to participate in regularly scheduled classes on the day of an athletic activity/event.
24. Failure to attend all scheduled practices and meetings. If circumstances arise to prevent the participant’s attendance, the coach will determine the validity of the reason. Every reasonable effort should be made to notify the coach or supervisor prior to all missed practices or meetings.
25. Failure to observe good sportsmanship during practice sessions and contests.

All terms used in the Code of Conduct have a less strict meaning than under criminal law and are subject to reasonable interpretation by school officials.

Drug and Alcohol Violations

Meaning of Terms

“Use” or “consume” includes any level of consumption or use. Use of a controlled substance in the manner prescribed for the student by the student’s physician is not a violation.

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“Under the influence” means any level of impairment and includes even the odor of alcohol on the breath or person of a student, or the odor of an illicit drug on the student. Also, it includes being impaired by reason of the abuse of any material used as a stimulant.

“Possession” includes having control of the substance and also includes being in the same area where the substance is present and no responsible adult is present and responsible for the substance. Possession includes situations where, for example:

1. Alcohol is in a vehicle in which the student is present. The student is considered to be in possession if the student is aware that the alcohol is in the vehicle, even though the student has not touched or consumed the alcohol; or
2. Alcohol is present at a party attended by the student. The student is considered to be in possession if a student is aware that alcohol is at the party and fails to immediately leave the party, even though the student has not touched or consumed the alcohol.

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol.

Consequences. Students who violate the Code of Conduct or coach or sponsor rules or regulations may be disciplined by suspension for up to one calendar year from the date of the finding or violation.

When Suspensions Begin. All suspensions begin with the next scheduled activity in which the student is a participant, after the determination by school officials of the sanction to be imposed; provided that the school officials shall have the discretion to establish a time period for the suspension that makes the suspension have a real consequence for the student. During a suspension, participants may be required or permitted to practice at the sole discretion of the coach or activity sponsor. Suspensions in the Spring will be carried over to the Fall when the suspension has not been fully served or when determined appropriate for the suspension to have a real consequence for the student. Suspension incurred in one school will be enforced at any subsequent schools if students transfer while under suspension.

Letters and Post-Season Honors. A student who commits a Code of Conduct violation is:

1. eligible to letter, provided the student meets the criteria of the coach or sponsor.

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2. not eligible to receive honors during the sport or activity in which they are participating at the time of the offense and/or in sports or activities in which they have been suspended due to a code violation; provided that the coach/sponsor, with the principal's approval, may make an exception where the student has self-reported.

Self Reporting. A student who violates the Code of Conduct must self-report. A failure to self-report will lead to a longer suspension or other discipline. The self-report must be made to the principal, athletic director or the head coach or sponsor of an activity in which the student participates. The student's parent or guardian may initiate the self-reporting process, but the student will be later required to give a written statement of the self-report. The self-report must be made the earlier of: (1) before the end of the next school day after the conduct occurred and (2) before participation in an extracurricular activity.

In making a self-report, the student must identify the events that took place, what conduct the student engaged in, and any witnesses to the student's conduct, and will be required to put this information in a written statement. In the event the student has received a criminal citation, charge or ticket, and proclaims innocence of a violation, the student will be required to self-report such offense and provide information as to why they should be found innocent, not as it relates to the criminal offense, but as it relates to the Code of Conduct.

All students are expected to be honest and forthright with school officials. In the event the coach or activity sponsor or any school administrator asks a student participant for information pertaining to compliance (or lack of compliance) by the student or other student participants with the Code of Conduct or eligibility conditions for participation in activities, the student is expected to fully, completely and honestly provide the information and may be disciplined for a failure to be honest and forthright.

Determining a Violation has Occurred. A violation of the Code of Conduct will be determined to have occurred:

1. When a student is cited by law enforcement and school officials have a reasonable basis for determining that grounds for the issuance of the citation exist.
2. When a student is convicted of a criminal offense (conviction includes, without limitation, a plea of no contest and an adjudication of delinquency by the juvenile court).
3. When a student admits to violating one of the standards of the Code of Conduct.

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4. When a student is accused by another person of violating one of the standards of the Code of Conduct and school officials determine that such information is reliable.
5. When school officials otherwise find sufficient evidence to support a determination that a violation has occurred.

Date Regulation Reviewed by the Board of Education: 11-24-2009
Related Policies and Regulations: 5480, 5481
Legal Reference:

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Procedures for Suspension

Students may be suspended by the principal or his/her designee from practices or participation in interscholastic competition or participation in co-curricular activities for violation of rules and standards of behavior adopted by the Lincoln Board of Education or the administrative staff of the school.

The following procedure shall be followed with regard to suspension:

1. The party considering the suspension shall make a reasonable investigation of the facts and circumstances. In addition, suspension shall be made only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purpose.
2. Prior to commencement of the suspension, the student shall be given oral or written notice of the charges against the student. The student shall be advised of what the student is accused of having done, and the basis of the accusation, and an explanation of the evidence the authorities have.
3. The student shall be afforded the opportunity to explain the student's version of the facts to the person effecting the suspension.
4. Within 24 hours or such additional time as is reasonably necessary following suspension, the principal or his/her designee shall send a written statement to the student, student's parents, or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reason for the action taken and the right to a hearing upon request on the specified charges.
5. An opportunity shall be afforded the student, parents or guardian of the student to confer with regard to the matter with the principal or administrator ordering the suspension.
6. If the student or student's parents/guardian are not satisfied with the determination, a hearing may be requested before the building principal. A form or a request for hearing to be signed by such parties and delivered to the building principal in person or by registered or certified mail. This request must be received by the building principal within five days of receiving notice of suspension.

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7. If a hearing is requested, it shall be held within 10 days of the request and a notice of the time and place of the hearing will be given to the participants, and parents or guardian within five days of receiving the request. The notice shall contain an outline of the alleged infraction. There shall be no stay of the penalty imposed pending an appeal.
8. At the hearing, as provided above, witnesses should testify, the participants will be given the opportunity to confront and cross-examine such witnesses, the participant will have the right to have a decision based solely on the evidence presented at the hearing.
9. Upon conclusion of the hearing, a written statement of findings of facts from the hearing will be compiled and a decision rendered within five school days. The statement of finding of fact and decision will be mailed to the participant, parents or guardian. A record of the hearing shall be kept by the school.
10. Nothing contained in this regulation shall prevent the participant, parents, guardian or representative from discussing and settling the matter with the appropriate school personnel at any stage provided herein.

Date Regulation Reviewed by the Board of Education: 8-8-89
Related Policies and Regulations: 5480, 5481
Legal Reference: