

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))  
14 DE Admin. Code 1007

### PROPOSED

### PUBLIC NOTICE

#### Education Impact Analysis Pursuant To 14 Del.C. §122(d)

#### 1007 DIAA Sportsmanship

#### A. Type of Regulatory Action Required

Amendment to Existing Regulation

#### B. Synopsis of Subject Matter of the Regulation

The Secretary of Education seeks the consent of the State Board of Education to amend 14 DE Admin. Code 1007 DIAA Sportsmanship. This regulation is being amended to align to changes in the Code of Interscholastic Athletics as set by the National Federation of State High Schools. This is part of a series of comprehensive reviews and updates to be made to all DIAA regulations.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before September 5, 2015 to Tina Shockley, Education Associate, Department of Education, Regulatory Review, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation may be viewed or obtained at the Department of Education, Finance Office located at the address listed above.

#### C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation does not address an improvement in student achievement as measured against state achievement standards.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation is intended to continue to ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amendments are being made to further ensure students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation continues to ensure that all student's legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amended regulation does not change the decision making at the local board and school level.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation does not place any unnecessary reporting or administrative requirements on decision makers.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision making authority and accountability for addressing the subject to be regulated does not change because of the amendment.

8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies? The amendment is consistent with and not an impediment to the implementation of other state educational policies.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is not a less burdensome method for addressing the purpose of the regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There is no expected cost to implementing this amended regulation.

#### 1007 DIAA Sportsmanship

#### 1.0 Definitions and Sportsmanship

##### 1.1 Definitions

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

**“Administrative Head of School”** means the chief or head individual in charge of the school traditionally referred to or generally known as the principal or headmaster.

**“Board”** means the Delaware Interscholastic Athletic Association Board of Directors established pursuant to 14 Del.C. Chapter 3.

**“Department”** means the Delaware Department of Education.

**“Guardian or Legal Guardian”** means an individual who legally has responsibility for the care and management of the student during the student’s minority. The relationship is a legal one and shall be created by a court order signed by a judge, commissioner, or master of a court of competent jurisdiction.

**“Individualized Education Program” or “IEP”** means a written statement for a child with a disability as defined in 14 DE Admin. Code 922.

**“Legally in attendance”** means present at school as determined by a pre-established written policy adopted by the local school board or governing body of the school.

**“Member school”** means a full or associate member school of the DIAA.

**“Principal” or “Headmaster”** means the Administrative Head of School and includes but is not limited to Head of School, Administrator, Executive Director, or Charter Head.

**“School day(s)”** shall mean actual school attendance days during the regular academic school year including a partial day that children are in attendance at school for instructional purposes as adopted by the district or governing body of the school not to include weekends, holidays, summer school, etc.

**“State Board”** means the State Board of Education of the State of Delaware pursuant to 14 Del.C. §104.

## 1.2 Sportsmanship

1.2.1 Member schools are required to conduct all of their athletic affairs with other schools in a spirit of good sportsmanship. Acts which are prima facie evidence of a failure to abide by this rule are those which are noted below and others of a similar nature which transgress the usually accepted code for good sportsmanship.

1.2.1.1 Failure to provide for proper control of spectators at a contest. When the number of spectators is expected to be large in relation to the seating capacity of the facility, uniformed state, county, or local police shall be provided for crowd control. The host school is expected to take reasonable and proper steps to assure crowd control under any foreseeable conditions.

1.2.1.2 Failure of a team or competitor to stay in a contest until its normal end when failure to do so is related to dissatisfaction with the officiating of the contest, unless the physical safety of the team or competitor would have been endangered by continuing the contest.

1.2.1.3 Harassment of game officials by a coach. Going onto the playing surface to interrupt a contest in protest of a decision by an official; conduct by a coach, team member, or any individual in the official party which invokes a penalty against the team; continued and visible actions by a coach which indicate to the team and to the spectators that the coach believes the game is being improperly officiated; public demonstrations with game officials which indicate to others extreme dissatisfaction with the officiating; and such related actions when exhibited in aggravated form are evidence of poor sportsmanship.

1.2.1.4 Failure of a school to use every means at its disposal to impress upon its faculty, student body, team members, coaching staff, and spectators the importance of good sportsmanship before, during, and after athletic contests. The host school is encouraged to read a brief statement concerning sportsmanship prior to the start of each athletic contest.

1.2.1.5 Failure of an administrator, athletic director, coach, athlete, official, or spectator to comply with the directions stipulated in the following Code of Interscholastic Athletics:

1.2.1.5.1 The School Administrator and Athletic Director shall:

1.2.1.5.1.1 Encourage and promote friendly relations and good sportsmanship throughout the school by requiring courtesy and proper decorum at all times, by familiarizing students and others in the community with the ideals of good sportsmanship, and by publicizing these concepts and attitudes so that all members of the school community understand and appreciate their meaning.

1.2.1.5.1.2 Review the Sportsmanship Rule with all athletic staff.

1.2.1.5.1.3 Insist upon strict compliance with all DIAA rules and regulations.

1.2.1.5.1.4 Insist upon adequate safety provisions for both participants and spectators in all activities.

- 1.2.1.5.1.5 Encourage all to judge the success of the interscholastic athletic program based on the attitude of the participants and spectators rather than on the number of games won or lost.
- 1.2.1.5.1.6 Insist that all participants adhere to the highest standards of good sportsmanship as a means of ensuring desirable spectator attitudes.
- 1.2.1.5.1.7 Provide sanitary and attractive facilities for the dressing and housing of visiting teams and officials.
- 1.2.1.5.1.8 Develop and implement policies for their interscholastic athletic programs to discourage acts of bullying, hazing, and taunting.
- 1.2.1.5.2 ~~The Coaches shall:~~ The function of coaches is to educate students through participation in interscholastic athletics. An interscholastic program shall be designed to enhance academic achievement and shall never interfere with opportunities for academic success. Each student shall be treated with the utmost respect and his welfare should be considered in decisions by the coach at all times. Therefore, coaches shall:
  - 1.2.1.5.2.1 Demonstrate high ideals, good habits, and desirable attitudes in ~~his/her~~ their personal and professional behavior and demand the same of ~~his/her~~ their players. Coaches must uphold the dignity and honor of the profession of educator-coach. Their interaction with all students, officials, school staffs, athletic directors, administrators, the state association, the media and the general public (fans) shall be of the highest ethical and moral standard.
  - 1.2.1.5.2.2 Recognize that the purpose of competition is to promote the physical, mental, social, and emotional well being of the individual players and that the most important values of competition are derived from playing the game fairly. Coaches must recognize the tremendous influence they have on their student-athletes and must never place the value of winning above the value of instilling the highest ideals of character. Coaches must never exert pressure on faculty members to give students special consideration.
  - 1.2.1.5.2.3 Be a modest winner and a gracious loser. Sportsmanship shall be a key component of their coaching.
  - 1.2.1.5.2.4 Maintain self control at all times and accept adverse decisions without public display of emotion or dissatisfaction with the officials. Register disagreement through proper channels. Coaches shall exert their influence to enhance sportsmanship by spectators.
  - 1.2.1.5.2.5 Employ accepted educational methods in coaching and give ~~his/her~~ players an opportunity to develop and use initiative, leadership, and ~~judgement~~ judgment.
  - 1.2.1.5.2.6 Pay close attention to the physical well-being of ~~his/her~~ players, refusing to jeopardize the health of an individual for the sake of improving ~~his/her~~ their team's chances to win. Coaches must be properly informed of all required national, state and local safety policies and procedures.
  - 1.2.1.5.2.7 Teach athletes that it is better to lose fairly than to win unfairly.
  - 1.2.1.5.2.8 ~~Discourage gambling, profanity, abusive language, and similar violations of the true sportsman's or sportswoman's code. Forbid the use of tobacco, alcohol, and non-prescribed drugs and set an example to athletes by not using these products in their presence. Do not allow gambling, profanity, abusive language, and similar violations of the true sportsman's or sportswoman's code.~~
  - 1.2.1.5.2.9 Refuse to disparage an opponent, an official, or others associated with interscholastic athletics and discourage gossip and rumors about them. Actively set an example of respect and support for contest officials and opponents. Coaches must be highly ethical in all forums, chat rooms and all forms of social media and communication regarding the sport and participants.
  - 1.2.1.5.2.10 Properly supervise the athletes under ~~his/her~~ their immediate care.
  - 1.2.1.5.2.11 Enforce school policies regarding bullying, hazing, and taunting and never tolerate any of these actions by team members or others.
  - 1.2.1.5.2.12 Know the playing rules and procedures of their sport and teach them to team members. Coaches shall insist upon strict compliance with all DIAA rules and regulations and never seek an advantage by circumvention of the spirit or letter of the rules.
  - 1.2.1.5.2.13 Never illegally recruit athletes.
- 1.2.1.5.3 ~~The Participants~~ (athletes and cheerleaders) shall:
  - 1.2.1.5.3.1 Be responsible for the perpetuation of interscholastic athletics. Strive to enhance the image of athletics not only as a member of a team but also as a member of ~~your~~ their school and community.

- 1.2.1.5.3.2 Be courteous to the visiting team. ~~Your~~ The opponents ~~wish~~ wants to excel as much as ~~you do~~ the home team. Respect their efforts.
- 1.2.1.5.3.3 Play hard to the limit of ~~your~~ personal ability regardless of discouragement. The true athlete does not give up, quarrel, cheat, bet, or grandstand.
- 1.2.1.5.3.4 Be modest when successful and be gracious in defeat. A true sportsman or sportswoman does not offer excuses for failure.
- 1.2.1.5.3.5 Understand and observe the playing rules of the game and the standards of eligibility.
- 1.2.1.5.3.6 Respect the integrity and judgment of the officials and accept their decisions without complaint.
- 1.2.1.5.3.7 Respect the facilities of the host school and do not violate the trust entailed in being a guest.
- 1.2.1.5.3.8 Refrain from participating in or encouraging the acts of bullying, hazing, and taunting.
- 1.2.1.5.3.9 Respect others including fellow students, athletes, opponents, coaches, officials in all areas including public forums and social media. Display highly ethical conduct in all forums, chat rooms and all forms of social media and communication.
- 1.2.1.5.4 ~~The~~ Officials shall: Officials at an interscholastic athletic event are participants in the educational development of high school students. As such, they must exercise a high level of self-discipline, independence and responsibility. Therefore, officials shall:
  - 1.2.1.5.4.1 Know the rules and interpretations and mechanics of their sport and be thoroughly trained to administer them. Be prepared and qualified both mentally and physically for the contest they are officiating, dress neatly and appropriately, and shall comport themselves in a manner consistent with the high standards of the profession.
  - 1.2.1.5.4.2 Maintain self control in all situations and with all persons.
  - 1.2.1.5.4.3 When enforcing the rules, do not make gestures or comments that will embarrass the players or coaches. Be mindful that their conduct influences the respect and conduct of students, coaches and the public. Remember the field, court, pool or mat is a classroom.
  - 1.2.1.5.4.4 Be impartial and fair, yet firm, in all decisions. A good official will not attempt to compensate later for an unpopular decision.
  - 1.2.1.5.4.5 Refrain from commenting upon or discussing a team, player, or game situation with those not immediately concerned. This shall include all forms of public communication and social media. The official must be highly ethical in all forums, chat rooms and all forms of social media and communication regarding the sport and participants.
  - 1.2.1.5.4.6 Conduct the game so as to enlist the cooperation of the players, coaches, and spectators in promoting good sportsmanship. Set a professional example by being punctual and under control at all times. Uphold the honor and dignity of the profession in all interaction with student-athletes, coaches, athletic directors, school administrators, colleagues and the public.
  - 1.2.1.5.4.7 Refrain from participating in or encouraging the acts of bullying, hazing, and taunting. Do not tolerate nor let go unpenalized any of these actions.
  - 1.2.1.5.4.8 Be educated in all national, state and local safety procedures that are required of them. Work with event management and the state association to eliminate unsafe conditions or situations.
- 1.2.1.5.5 ~~The~~ Spectators shall:
  - 1.2.1.5.5.1 Realize that ~~he/she~~ they represents the school just as definitely as does a member of the team, and that ~~he/she has~~ they have an obligation to be a true sportsman or sportswoman and to encourage through ~~his/her~~ their behavior the practice of good sportsmanship by others.
  - 1.2.1.5.5.2 Recognize that good sportsmanship is more important than victory by approving and applauding good team play, individual skill, and outstanding examples of sportsmanship and fair play exhibited by either team. The following are some examples of poor sportsmanship which shall not be tolerated:
    - 1.2.1.5.5.2.1 Profanity, vulgarity, obscene gestures, abusive language, or derogatory remarks.
    - 1.2.1.5.5.2.2 Throwing objects.
    - 1.2.1.5.5.2.3 Going onto the playing surface and interrupting a contest.
    - 1.2.1.5.5.2.4 Use of alcohol or other controlled substances.
  - 1.2.1.5.5.3 Respect the ~~judgement~~ judgment and integrity of the officials, recognizing that their decisions are based upon game conditions as they observe them.
  - 1.2.1.5.5.4 Treat visiting teams and officials as guests extending to them every courtesy.

1.2.1.5.5.5 Be modest in victory and gracious in defeat.

1.2.1.5.5.6 Refrain from participating in or encouraging the acts of bullying, hazing, and taunting.

**11 DE Reg. 1635 (06/01/08)**

**15 DE Reg. 72 (07/01/11)**

## **2.0 Processing Violations**

### **2.1 Procedures**

- 2.1.1 The Executive Director is specifically authorized to pursue any matter which, on the surface, has indications of being a sportsmanship violation.
- 2.1.2 Within twenty (20) calendar days of the incident, an alleged sportsmanship violation must be reported in writing to the Executive Director by the administrative head of a member school or by the Executive Board of an officials' association.
  - 2.1.2.1 However, investigations involving contest ejections or altercations involving students or coaches may require an expedited procedure and must be reported to the Executive Director within 24 hours. The Executive Director is authorized to expedite the procedure in order to assure a ruling prior to the next contest played at that level of competition including post season play.
- 2.1.3 The Executive Director shall transmit a copy of the report to the principal or headmaster or official designee of the school(s) involved.
- 2.1.4 Each principal or headmaster concerned shall investigate and provide such information or answers to the report as are appropriate.
- 2.1.5 The Executive Director shall provide member schools and officials' associations with a specially designed form to facilitate the proper reporting of sportsmanship related incidents.
- 2.1.6 Upon receipt of all reports, the Executive Director shall review the documents and inform the school(s) involved of his/her disposition of the matter. The Executive Director may, in turn, refer the matter to the Sportsmanship Committee to investigate and adjudicate what appears to be a violation of the Sportsmanship Rule.
- 2.1.7 The Sportsmanship Committee shall review such available evidence as it deems necessary to reach a conclusion. Actions such as requesting reports and conducting interviews should not be interpreted as casting aspersions on a school adhering to DIAA regulations, but as an effort to keep all parties properly informed. Penalties up to and including suspensions of member schools may be imposed by the Sportsmanship Committee.
- 2.1.8 A copy of the Sportsmanship Committee's action shall be filed with the Executive Director and the administrative head of the school(s) involved.

### **2.2 Policies**

- 2.2.1 The basis for the following policy statement is that a member school shall not be represented by individuals whose conduct reflects discredit upon the school. Insofar as unsportsmanlike actions by participants and spectators are concerned, the Sportsmanship Committee shall refer to the items previously identified in the Code of Interscholastic Athletics as well as the following guidelines:
  - 2.2.1.1 The school whose administrator or athletic director behaves in a manner likely to have an adverse influence on the attitudes of the players or spectators may be provided with a choice of:
    - 2.2.1.1.1 Reprimanding its administrator or athletic director and providing written documentation to the Executive Director, or
    - 2.2.1.1.2 Suspending its administrator or athletic director from representing the school in athletic events for a specified period of time not to exceed 180 school days, or
    - 2.2.1.1.3 Having the entire school disciplined by DIAA.
  - 2.2.1.2 An athlete shall not strike an official, opponent, coach, or spectator or display gross misconduct before, during, or after an athletic event. The athlete, depending on the seriousness of the act, may be declared ineligible by the principal, headmaster, Executive Director, or Sportsmanship Committee for a specified period of time not to exceed 180 school days.
  - 2.2.1.3 In the case of spectators physically assaulting an official, coach, or player, the school may be given the option of either taking punitive action against the offender or accepting discipline from DIAA.
  - 2.2.1.4 Schools that do not fully cooperate in promoting the spirit of the Sportsmanship Rule may be disciplined by DIAA.
  - 2.2.1.5 The school whose coach behaves in a manner likely to have an adverse influence on the attitudes of the players or spectators may be provided with a choice of:

- 2.2.1.5.1 Reprimanding its coach and providing written documentation to the Executive Director, or
- 2.2.1.5.2 Suspending its coach from representing the school in athletic events for a specified period of time not to exceed 180 school days, or
- 2.2.1.5.3 Having the entire school disciplined by DIAA.
- 2.2.1.6 An administrator, athletic director, or coach may be considered as having committed an unsportsmanlike act if:
  - 2.2.1.6.1 He/~~she~~ makes disparaging remarks about the officials during or after a game either on the field of play, from the bench, or through any public news media, or
  - 2.2.1.6.2 He/~~she~~ argues with the official or indicates with gestures or other physical actions his/her dislike for a decision, or
  - 2.2.1.6.3 He/~~she~~ detains the official on the field of play following a game to request a ruling or explanation of some phase of the game, or
  - 2.2.1.6.4 He/~~she~~ makes disparaging or unprofessional remarks about another school's personnel.
- 2.2.1.7 All actions by a ~~m~~Member school resulting from an investigation relative to the above policies shall be subject to approval by the Executive Director or the Sportsmanship Committee.

## 2.3 Penalties

### 2.3.1 Game Ejection

- 2.3.1.1 A player or coach disqualified before, during, or after a contest for unsportsmanlike and flagrant verbal or physical misconduct shall be suspended from the next complete (a winner is determined or a tie is declared) contest at that level of competition and all other complete or suspended contests in the interim at any level of competition in addition to any other penalties which DIAA or a conference may impose. During the suspension, the coach or player may not be present at any game at any level of competition in that sport involving his/~~her~~ school. In addition, the coach or player may not be present at any game-related activities immediately before the contest, during the intermission, or immediately after the contest. The coach or player must be "out of sight and sound" of the game and game-related activities regardless of whether the coach or player is physically on school premises. If the offending coach or player is present at a game or game-related activity during the suspension in any capacity, including but not limited to: manager, statistician, site worker, spectator, etc., the individual will be suspended for one additional game at that level of competition.
  - 2.3.1.1.1 A player who leaves the team bench area and enters the playing field, court, or mat during a fight or other physical confrontation shall be ejected from the contest. A player who commits such an offense and is ejected by the game officials shall also be suspended from the next complete contest at that level of competition and all other complete or suspended contests at any level of competition in the interim. Additional penalties may be imposed if a player leaving the bench area becomes involved in the altercation.
- 2.3.1.2 A disqualified player or coach may not be physically present at any contest in that sport during the suspension.
- 2.3.1.3 If a coach is disqualified from the final contest of the season, the suspension shall carry over to the next year in that sport. In the case of an athlete, the same penalty shall apply if said athlete retains eligibility in that sport.
  - 2.3.1.3.1 Coaches who do not fulfill their penalty in the same sport shall be disqualified for the appropriate length of time in their subsequent coaching assignment.
  - 2.3.1.3.2 Seniors shall fulfill their penalty in the post season all star game in that sport. If not chosen to participate in the all-star game, they shall fulfill their penalty in another sport during the same season or another sport during a subsequent season. When a senior is disqualified from the last game of his/~~her~~ high school career, the ~~m~~Member school is requested to take appropriate administrative action to discipline the offending student.
- 2.3.1.4 A player or coach ejected for a second time during the same season shall be subjected to a two game suspension and meet, in a timely fashion, with the Sportsmanship Committee accompanied by the principal or designee and, in the case of an athlete, by the coach.
- 2.3.1.5 Appeal of a contest suspension resulting from a game ejection.
  - 2.3.1.5.1 A coach or player may appeal a contest suspension resulting from a game ejection to the DIAA Executive Director. Contest suspensions that may be appealed include suspensions from game ejections under the individual sport playing rules, other DIAA policies, or a suspension under section 2.3.1.1 or 2.3.1.1.1. The Executive Director may decide the appeal or in his discretion refer it to the Sportsmanship Committee or subcommittee.

2.3.1.5.2 If the Executive Director is unable to make a decision before the next contest, the suspension remains in effect. The Executive Director's, or Sportsmanship Committee's, or subcommittee's decision to uphold or rescind the suspension resulting from a game ejection is final and may not be appealed.

2.3.2 Unless otherwise limited, the Executive Director and Sportsmanship Committee may impose any penalties as deemed necessary based on the particular circumstances. The following are examples of possible penalties and represent degrees of discipline in enforcing the Sportsmanship Rule:

2.3.2.1 Reprimand, a reprimand may be given by the Executive Director or the Sportsmanship Committee. It is official notice that an unethical or unsportsmanlike action has occurred, is a matter of record and that such an occurrence must not be repeated.

2.3.2.2 Probation, probation is a more severe penalty and may be imposed by the Executive Director or the Sportsmanship Committee on a member school, a particular team of a member school, a particular coach or athlete of a member school, or an official. Probation may be expressed in one of the following ways:

2.3.2.2.1 Conditional probation wherein the offending party may participate in regular season contests, sanctioned events, and conference and state championships provided he or she or the school files with DIAA a plan indicating the measures that shall be taken to alleviate the problem which caused him or her or the school to be placed on probation, or

2.3.2.2.2 Restrictive probation wherein a member school or a particular team of a member school may engage in its regular season schedule but may not enter any sanctioned events, participate in any playoff toward a conference or state championship, or be awarded a conference or state championship.

2.3.2.3 Suspension, a member school, a particular team of a member school, a particular coach or athlete of a member school, or an official may not participate in any DIAA sanctioned interscholastic competition.

## 2.4 Appeals

2.4.1 Decisions of the Executive Director or Sportsmanship Committee with the exception of those to uphold or rescind the suspension resulting from a game ejection may be appealed to the DIAA Board of Directors in accordance with the procedure found in 14 **DE Admin. Code** 1006.10. In accordance with subsection 1006.10.1.1.3.1, the notice of appeal shall be served by certified mail within ten (10) calendar days after the appellant's receipt of the written notice that official action has been taken by the Executive Director or Sportsmanship Committee. An appeal shall not stay the decision of the Executive Director, the Sportsmanship Committee, or any other subordinate.

**3 DE Reg. 436 (9/1/99)**

**6 DE Reg. 285 (9/1/02)**

**7 DE Reg. 1692 (6/1/04)**

**11 DE Reg. 1635 (06/01/08)**

**15 DE Reg. 69 (07/01/11)**

**19 DE Reg. 105 (08/01/15) (Prop.)**