ARTICLE 16

PENALTIES AND APPEALS

16.1 PENALTIES

16.1.1 Should a violation of any AIA rule or regulation occur, the AIA Executive Board is authorized to impose any penalty specifically indicated in the rule or regulation violated and/or impose one or more of the following: (Form 16.4)

16.1.1.1 **ADVISEMENT** - A word of caution.

16.1.1.2 **WARNING** - Places school in jeopardy in that further violation of any rules or regulations may result in Probation. School is not eligible for the Overall Excellence Award during the period on Warning. *(See Article 13, Section 13.2)*.

16.1.1.3 **PROBATION** - School is ineligible for post-season play and shall not receive any award for achievement in that sport. School is not eligible for the Overall Excellence Award during the period on Probation. *(See Article 13, Section 13.2)*.

16.1.1.4 **DISQUALIFICATION** - School is ineligible to participate in a particular contest or tournament.

16.1.1.4.1 In cases where a violation has occurred and a disqualification(s) or forfeiture results, the member school shall be afforded the opportunity to appeal the disqualification(s) or forfeiture and present an alternative corrective action for the AIA Executive Board to consider in lieu of disqualification(s) or forfeiture. The school's governing board may appeal the corrective action of disqualification(s) or forfeiture under one of the following conditions:

16.1.1.4.1.1 The administration and coaches of the offended member school(s) submit a written request to the AIA Executive Board that the disqualification(s) or forfeiture imposed against the offending member school be rescinded and, if applicable, be allowed to participate in post-season competition.

16.1.1.4.1.2 When a school employee(s) was responsible for the violation that caused a disqualification(s) or forfeiture, the offending member school shall submit a written request that the disqualification(s) or forfeiture be rescinded because appropriate corrective action(s) has been taken against said employee(s); such as, but not limited to, a letter of reprimand, dismissal or suspension.

16.1.1.4.2 In the event a student, parent or legal guardian files a false document with school authorities, which results in the playing of an ineligible participant, the member school may appeal the forfeiture of the contest(s) in which the ineligible player participated. After hearing the appeal, the AIA Executive Board may, at its discretion:

16.1.1.4.2.1 Waive imposing a penalty against the member school.

16.1.1.4.2.2 Declare the student involved ineligible in all sports for a maximum of 365 days from the date of the discovery of the false information.

16.1.1.4.2.3 After the period of ineligibility for filing a false document is satisfied, the student shall regain eligibility if all other eligibility requirements have been met.

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16.1.1.5 **FORFEITURE** - Automatic loss of contest.

16.1.1.5.1 A school that forfeits 25% or more of its regular season games/contests due to that schools violation of AIA Bylaws and/or AIA Policies will not be eligible for post season play in that sport for that school year.

16.1.1.5.2 In cases where a violation has occurred and a forfeiture(s) results, the member school shall be afforded the opportunity to appeal the forfeiture(s) and present an alternative corrective action for the AIA Executive Board to consider in lieu of forfeiture(s). The school's governing board may appeal the corrective action of forfeiture(s) under one of the following conditions:

16.1.1.5.2.1 The administration and coaches of the offended member school(s) submit a written request to the AIA Executive Board that the forfeiture(s) imposed against the offending member school be rescinded and, if applicable, that the school be allowed to participate in post-season competition.

16.1.1.5.2.2 When a school employee(s) was responsible for the violation that caused a forfeiture(s), the offending member school shall submit a written request that the forfeiture(s) be rescinded because appropriate corrective action(s) has been taken against said employee(s); such as, but not limited to, a letter of reprimand, dismissal or suspension.

16.1.1.5.3 The member school in violation submits a written request to the AIA Executive Board that a forfeiture(s) be rescinded based on the school's voluntary withdrawal from all post-season competition.

16.1.1.5.4 In the event a student, parent or legal guardian files a false document with school authorities which results in the playing of an ineligible participant, the member school may appeal the forfeiture of the contest(s) in which the ineligible player participated. After hearing the appeal, the AIA Executive Board may, at its discretion:

16.1.1.5.4.1 Waive imposing a penalty against the member school.

16.1.1.5.4.2 Declare the student involved ineligible in all sports for a maximum of 365 days from the date of the discovery of the false information.

16.1.1.5.4.3 After the period of ineligibility for filing a false document is satisfied, the student shall regain eligibility if all other eligibility requirements have been met.

16.1.2 Should a violation of AIA rules and regulations or tournament procedures occur during a post-season tournament, the Tournament Games Committee or Tournament Director is authorized to disqualify a team or individual and/or cause a forfeiture of a contest(s).

16.2 INELIGIBLE PLAYER

16.2.1 When an ineligible player(s) participates in a contest, the member school must automatically forfeit all contests in which the ineligible player(s) participated.

16.2.1.1 In cases where a violation has occurred and a forfeiture(s) results, the member school shall be afforded the opportunity to appeal the forfeiture(s) and present an alternative corrective action for the AIA Executive Board to consider in lieu of forfeiture(s). The school's governing board may appeal the corrective action of forfeiture(s) under one of the following conditions:

16.2.1.1.1 The administration and coaches of the offended member school(s) submit a written request to the AIA Executive Board that the forfeiture(s) imposed against the offending member school be rescinded and, if applicable, be allowed to participate in post-season competition.

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16.2.1.1.2 When a school employee(s) was responsible for the violation that caused a forfeiture(s), the offending member school shall submit a written request that the forfeiture be rescinded because appropriate corrective action(s) has been taken against said employee(s); such as, but not limited to, a letter of reprimand, dismissal or suspension.

16.2.1.1.3 The member school in violation submits a written request to the AIA Executive Board that a forfeiture(s) be rescinded based on the school's voluntary withdrawal from all post-season competition.

16.2.1.2 In the event a student, parent or legal guardian files a false document with school authorities which results in the playing of an ineligible participant, the member school may appeal the forfeiture of the contest(s) in which the ineligible player participated. After hearing the appeal, the AIA Executive Board may, at its discretion:

16.2.1.2.1 Waive imposing a penalty against the member school.

16.2.1.2.2 Declare the student involved ineligible in all sports for a maximum of 365 days from the date of the discovery of the false information.

16.2.1.2.3 After the period of ineligibility for filing a false document is satisfied, the student shall regain eligibility if all other eligibility requirements have been met.

16.2.2 Restitution - If a student is ineligible according to AIA rules, but is permitted to participate in interscholastic competition contrary to such AIA rules, but in accordance with the terms of a court restraining order or injunction against his/her school and/or the AIA, and said restraining order or injunction is subsequently voluntarily or involuntarily vacated, stayed, reversed or it is finally determined by the courts that injunctive relief is not or was not justified, any one or more of the following actions may be taken against the school for which said student competed in the interest of restitution and fairness to competing schools:

16.2.2.1 Require that individual or team records and performances achieved during participation by such ineligible student be vacated or stricken.

16.2.2.2 Require that team victories be forfeited.

16.2.2.3 Require that team awards earned by the school for which the ineligible student competed or individual awards earned by the ineligible student be returned to the AIA.

16.3 SPORTSMANSHIP RULE

16.3.1 Ejection from a Contest – If an AIA contest official determines that a coach or player has acted in an unsportsmanlike manner during either a period or intermission, the coach or player may be ordered to leave the contest.

NOTE: When a coach or player is ejected from a contest, his/her member school should complete an electronic ejection report and submit it to the AIA.

16.3.1.1 Penalties for Ejection – A coach or player ejected from a contest for any reason shall be subject to the following without appeal:

16.3.1.1.1 First Ejection (Player Non-Fighting) – Ineligible for the next contest at that level of competition and all other contests during that interim at any level.

16.3.1.1.1.1 Any person ejected from a contest shall not participate the remainder of that day.

16.3.1.1.2 Second Ejection (Player Non-Fighting) – Ineligible for the next two contests at that level of competition and all other contests during that interim at any level.

16.3.1.1.2.1 Any person ejected from a contest shall not participate the remainder of that day.

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16.3.1.1.3 Third Ejection (Player) – A similar infraction of Article 16, Section 16.3, Paragraph 16.3.1 of the AIA Bylaws by the same player during the same season will result in cessation of the season for the player concerned.

16.3.1.1.4 Fighting Ejection – Ineligible for the next two or three contests (depending on sport) at that level of competition and all other contests during that interim at any level.

16.3.1.1.4.1 Any Player ejected for fighting shall be ineligible for the next two contests in the following sports: badminton, cross country, football, flag football, golf, soccer, swimming, tennis, track, beach volleyball, and wrestling.

16.3.1.1.4.2 Any player ejected for fighting shall be ineligible for the next three contests in the following sports: baseball, basketball, volleyball, and softball.

16.3.1.1.4.3 Any player ejected for fighting must complete an NFHS sportsmanship course and provide a certificate of completion in order to regain eligibility.

16.3.1.1.4.4 Any person ejected from a contest shall not participate the remainder of the day.

16.3.1.1.5 Coaching Ejection – Ineligible for the next two contests at that level of competition and all other contests during that interim at any level.

16.3.1.1.5.1 A coach ejected for fighting or flagrant contact with an official shall result in cessation of the season for the coach concerned.

16.3.1.1.5.2 Any coach ejected must complete an NFHS sportsmanship course and submit the certificate of completion to regain eligibility.

16.3.1.1.5.3 Any person ejected from a contest shall not participate the remainder of that day.

16.3.1.1.5.4 A third infraction of Article 16, Section 16.3, Paragraph 16.3.1 of the AIA Bylaws by the same coach during the same season will result in cessation of the season for the coach concerned.

16.3.1.1.6 End-Of-Season Ejection – If a penalty is imposed at the end of the sport season and no contest remains, the penalty shall be enforced at the beginning of the subsequent season of competition in which the coach or player participates, regardless of the sport.

16.3.1.1.7 When a player is ejected from a contest that has a bearing on participation in a state championship tournament, or a player is ejected for fighting (regular season or post season), or a coach is ejected (regular season or post season), a responsible administrative officer of that school may appeal that ejection to the State Commissioner of Officials (Commissioner).

16.3.1.1.7.1 For purposes of this rule, a contest defined as one having a bearing on a state championship is as follows:
a) Last regular season contest
b) Regional/Sectional tournament
c) State tournament contest
d) **Only** the advancing team in a-b-c above

16.3.1.1.7.2 The procedure of hearing an appeal will be as follows:
a) Appeal must be filed within 24 hours of the contest
b) The initial Appeals Report must be submitted in writing by an authorized administrator from the member school to the AIA State Commissioner of Officials using an electronic ejection report.

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c) The State Commissioner will form a committee to review the ejection and any evidence submitted. The appeals committee will be comprised of equal numbers of Athletic Directors and officials/AIA Staff, with the added stipulation that AD representatives deciding on an appeal cannot be from the same conference as the one appealing.
d) The decision of the appeal committee is final

16.3.2 Leaving Bench Area – When two or more persons (including coaches, nonplaying contestants and nonparticipating school personnel) leave their team's bench area to initiate a confrontation, or during an altercation in progress, the following shall occur without appeal:

16.3.2.1 The contest officials shall eject any person they determine to be in violation of Article 16, Section 16.3, Paragraph 16.3.2.

16.3.2.2 The contest officials may terminate the contest.

16.3.2.2.1 If the contest is terminated, the team(s) that left the bench area must forfeit the contest and record a loss.

16.3.2.2.2 If the contest is terminated during a tournament or post-season play, the offending team(s) will be removed from further tournament or post-season competition.

16.3.2.3 Further penalties may be imposed against the offending team(s) by the AIA Executive Board, as set forth in Article 16, Section 16.

16.3.3 **ENTERING SPECTATOR AREA PROHIBITED** – No player may leave the playing area and enter the spectator area of the facility to engage in any type of verbal or physical conflict. Notwithstanding any other rule in the Constitution and Bylaws, the MINIMUM penalties for violation of this rule are:

16.3.3.1 The player is ineligible to participate in all interscholastic athletics for the remainder of the school year, and;

16.3.3.2 The player's school shall immediately be on Probation pending an investigation and report by the school to the AIA detailing what occurred, what caused the occurrence, what was done by the school to diffuse what occurred, what school imposed disciplinary actions have occurred, and what corrective actions have been implemented by the school to prevent future violations. In the discretion of the Executive Director, a school's report may be rejected if deemed inadequate and the Probation shall remain in effect pending receipt of an adequate report.

16.3.3.3 Upon receipt of an adequate report, the Executive Board will review the matter and may impose any penalties set forth in Article 16, Section 16.1 of the AIA Bylaws. The school shall remain on Probation until action by the Executive Board.

16.3.4 **Spectator Behavior** – In the event that spectators, parents, or other non-school personnel initiate or use profanity in cheers or cheers having the intent of sounding profane, single out opposing players personally and/or heckle them by directing derogatory or profane statements or chants at them, use racist remarks, direct offensive cheers/chants at opposing cheering sections, or engage in physical conflict or other threatening or aggressive behavior with school personnel, officials, players, coaches, or other spectators, the school(s) involved shall utilize all available law enforcement resources to prosecute such offenders, and shall take all reasonable actions to help ensure that future similar incidents do not occur, such as temporarily or permanently prohibiting the offender(s) from attending future contests.

16.3.4.1 Any adult spectator that has been removed from a contest shall be required to complete the NFHS sportsmanship course and provide a certificate of completion prior to attending future contests. Any subsequent removal of the same spectator shall result in the inability of that spectator to attend contests for the remainder of the season of sport.

16.4 REPORTED VIOLATION: DUE PROCESS PROCEDURE

16.4.1 The AIA shall maintain a policy of self-policing by its member schools regarding violation of AIA rules and regulations. Therefore, it shall be the responsibility of member schools to report to the AIA any violation of AIA rules and regulations.

16.4.2 A member school shall investigate and ascertain those facts it considers necessary in making a determination of whether it has committed a violation. If a member school determines that it may have committed or did commit a violation, it shall immediately report the violation to the AIA. At that time, the member school shall also report any corrective action taken regarding the violation.

16.4.3 The initial report by a member school of its violation and the corrective action taken shall be in writing to the AIA using Form 16.4 (Report of Violation).

16.4.3.1 The initial report shall include the nature and circumstances of the violation and any information believed to be relevant for consideration by the AIA Executive Board.

16.4.3.2 In addition to submitting a written report, the member school may request the opportunity to appear at a meeting of the AIA Executive Board to discuss its violation and the corrective action taken.

NOTE: See Article 6, Section 6.3 for the procedure to request that an item be placed on the AIA Executive Board agenda.

16.4.4 Upon receiving a written report of violation from a member school, the AIA Executive Board shall determine whether the corrective action taken by said member school was adequate. Should the AIA Executive Board determine the corrective action taken was adequate, the member school shall be so notified in writing and no further action by the AIA Executive Board shall be taken.

16.4.5 Should the AIA Executive Board determine that the corrective action taken by a member school was not adequate for the violation reported, the AIA Executive Board shall impose disciplinary action and shall notify the member school by written notification to the member school upon completion of the official minutes for the AIA Executive Board meeting in which the disciplinary action was imposed. The written notification shall stipulate the disciplinary action and the right of the member school to appeal said decision. Said disciplinary action shall be effective immediately.

16.4.5.1 The member school shall have ten days from the date of the written notice from the AIA Executive Board to request an appeal. Should the member school not request an appeal within ten days, the disciplinary action taken by the AIA Executive Board shall become final.

16.4.5.2 Should the member school within said ten day period wish to appeal the disciplinary action taken by the AIA Executive Board, it shall then submit a request for an appeal hearing in writing to the AIA. Said request shall set forth the basis for the appeal and reasons why the decision of the AIA Executive Board should be reviewed and shall set forth any new and additional information believed to be relevant for consideration by the AIA Executive Board.

16.4.5.3 The member school may have an attorney present, may present witnesses, testimony, and any relevant evidence or information for consideration by the AIA Executive Board.

16.4.5.4 After hearing the appeal, the AIA Executive Board shall make its final decision as to the disciplinary action to be taken. The member school shall be notified in writing of the final decision of the AIA Executive Board.

16.4.6 At its discretion, the AIA Executive Board may consider a matter involving a possible violation of AIA rules and regulations at its regularly scheduled meeting or at a special meeting. At the sole discretion of the AIA Executive Board, said special meeting may be by telephone conference call.

NOTE: For procedures regarding special meetings, see Article 6, Section 6.3.

16.5 UNREPORTED VIOLATION: DUE PROCESS PROCEDURE

16.5.1 Should a possible violation of AIA rules and regulations come to the attention of the AIA Executive Board from a source other than the member school believed to have committed the violation, the AIA Executive Board shall so notify the member school in writing. Sources other than the member school who report a possible violation must make the possible violation(s) known to the school involved and the AIA Executive Board without delay.

16.5.2 The member school shall investigate and ascertain those facts it considers necessary in making a determination of whether it has committed a violation. If a member school determines that it may have committed or did commit a violation, it shall immediately report the violation to the AIA. At that time, the member school shall also report any corrective action taken regarding the violation.

16.5.3 The initial report by a member of its violation and the corrective action taken shall be in writing to the AIA using Form 16.4 (Report of Violation).

16.5.3.1 This report shall include the nature and circumstances of the violation and any information believed to be relevant for consideration by the AIA Executive Board.

16.5.3.2 In addition to submitting a written report, the member school may request the opportunity to appear at a meeting of the AIA Executive Board to discuss its violation and the corrective action taken.

NOTE: See Article 6, Section 6.3 for the procedure to request that an item be placed on the AIA Executive Board agenda.

16.5.4 Upon receiving a written report of violation from the member school, the AIA Executive Board shall determine whether the corrective action taken by the member school was adequate for the violation reported. Should the AIA Executive Board determine the corrective action taken was adequate, the member school shall be so notified in writing and no further action by the AIA Executive Board shall be taken.

16.5.5 Should the AIA Executive Board determine that the corrective action taken by the member school was not adequate, the AIA Executive Board shall impose disciplinary action and shall notify the member school by written notification to the member school upon completion of the official minutes for the AIA Executive Board meeting in which the disciplinary action was imposed. The written notification shall stipulate the disciplinary action and the right of the member school to appeal said decision. Said disciplinary action shall be effective immediately.

16.5.5.1 The member school shall have ten days from the date of the written notice from the AIA Executive Board to request an appeal. Should the member school not request an appeal within ten days, the disciplinary action taken by the AIA Executive Board shall become final.

16.5.5.2 Should the member school within said 10 day period wish to appeal the disciplinary action by the AIA Executive Board, it shall then submit a request for an appeal hearing in writing to the AIA. Said request shall set forth the basis for the appeal and reasons why the decision of the AIA Executive Board should be reviewed and shall set forth any new and additional information believed to be relevant for consideration by the AIA Executive Board.

16.5.5.3 The member school may have an attorney present, may present witnesses, testimony, and any other relevant evidence or information for consideration by the AIA Executive Board.

16.5.5.4 After hearing the appeal, the AIA Executive Board shall make its final decision as to the disciplinary action to be taken. The member school shall be notified in writing of the final decision of the AIA Executive Board.

16.5.6 At its discretion, the AIA Executive Board may consider a matter involving a possible violation of AIA rules and regulations at its regularly scheduled meeting or at a special meeting. At the sole discretion of the AIA Executive Board, said special meeting may be by telephone conference call.

NOTE: For procedures regarding special meetings, see Article 6, Section 3.

16.6 EXECUTIVE BOARD INVESTIGATION AND DETERMINATION OF VIOLATION

16.6.1 At its discretion, if the Executive Board determines that circumstances warrant, the Executive Board may conduct its own investigation and any related proceedings it determines to be appropriate, in order to make a determination whether a member school has committed a violation of the constitution, bylaws or policies and procedures. If, based on its investigation and any related proceedings, the Executive Board determines that a violation has occurred, it shall promptly notify the member school in writing.

16.6.2 The member school shall have ten (10) days from the date of the Executive Board's written notification of violation to make a written request for an appeal. The school's written request for an appeal shall describe in detail the basis for the appeal and reason(s) why the determination of the Executive Board should be reconsidered.

16.6.3 Appeal procedures in each case shall be as determined by the Executive Board. As a general guideline the Executive Board appeal procedures shall be consistent with the relevant sections set out in bylaw 16.5 UNREPORTED VIOLATION: DUE PROCESS PROCEDURE. After considering the appeal, the decision of the Executive Board as to whether a violation has been committed shall be final and the member school shall be promptly notified in writing. If a violation is found, the member school shall then promptly notify the Executive Board of the corrective action taken by the member school regarding the violation. The procedures in bylaws 16.5.4 and 16.5.5 shall then apply.

16.6.4 If the member school does not appeal, it shall promptly notify the Executive Board of the corrective action taken by the member school regarding the violation. The process set out in 16.5.5 and its subsections shall then apply.

16.6.5 If a member school is found to have committed a violation as a result of the process set out under this bylaw (16.6), in addition to any sanction otherwise authorized by the bylaws, in the discretion of the Executive Board, the member school may be assessed the costs of the Executive Board's investigation and any related proceedings. If so assessed, the member school shall promptly pay the assessment or face further sanction by the Executive Board, including loss of its membership.