

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(b) and 303(a) (14 **Del.C.** §§122(b) and 303(a))
14 **DE Admin. Code** 1007

FINAL

REGULATORY IMPLEMENTING ORDER

1007 DIAA Sportsmanship

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** Sections 122(b) and 303(a), the Secretary of Education seeks the approval of the State Board of Education to amend 14 **DE Admin. Code** 1007 DIAA Sportsmanship. The Delaware Interscholastic Athletic Association ("DIAA"), working in consultation and cooperation with the Department of Education, developed the amendments to 14 **DE Admin. Code** 1007. Subsection 1.2.1.1 is being amended to add constables who are appointed in accordance with 10 **Del.C.** Ch. 27.

Notice of the proposed regulation was published in *The News Journal* and *Delaware State News* on June 1, 2019 in the form attached hereto as Exhibit "A." In addition, notice of the proposed regulation was published in the *Register of Regulations* on June 1, 2019 in the form attached hereto as Exhibit "B." Persons wishing to present their views concerning the amendments were invited to do so in writing by July 5, 2019. The Department did not receive any written submittals concerning the amendments.

On July 11, 2019, the DIAA Board of Directors voted to propose 14 **DE Admin. Code** 1007 DIAA Sportsmanship, in the form that was published, for adoption by the Department subject to the State Board of Education's approval.

II. FINDINGS OF FACTS

The Department finds that the proposed regulation is necessary to implement the provisions of 14 **Del.C.** Ch. 3. Accordingly, the Department finds that it is appropriate to amend 14 **DE Admin. Code** 1007 DIAA Sportsmanship.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1007 DIAA Sportsmanship subject to the State Board of Education's approval. Therefore, pursuant to 14 **Del.C.** §§122(b) and 303(a), 14 **DE Admin. Code** 1007 DIAA Sportsmanship attached hereto as Exhibit "B" is hereby amended.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1007 DIAA Sportsmanship adopted hereby shall be in the form attached hereto as Exhibit "B," and said regulation shall be cited as 14 **DE Admin. Code** 1007 DIAA Sportsmanship in the Administrative Code of Regulations for the Department of Education.

V. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Department pursuant to 14 **Del.C.** §§122(b) and 303(a) on July 18, 2019. The effective date of this Order shall be ten (10) days from the date this Order is published in the *Register of Regulations*.

IT IS SO ORDERED the 18th day of July, 2019.

Department of Education

Susan S. Bunting, Ed.D., Secretary of Education

Approved this 18th day of July, 2019.

State Board of Education

Whitney Sweeney, President

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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:

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

"DIAA" means the Delaware Interscholastic Athletic Association.

"Executive Director" means the Executive Director of the Delaware Interscholastic Athletic Association.

"Member School" means a full or associate member school of the Delaware Interscholastic Athletic Association.

"Principal" or **"Headmaster"** means the chief or head individual in charge of a school who is traditionally referred to or generally known as the principal or headmaster, including Head of School, Administrator, Executive Director, or Charter Head.

"School Days" 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.

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~~ State, county, or local police or constables appointed in accordance with 10 Del.C. Ch. 27 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 Coaches: 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 their personal and professional behavior and demand the same of 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 players an opportunity to develop and use initiative, leadership, and judgment.
 - 1.2.1.5.2.6 Pay close attention to the physical well-being of players, refusing to jeopardize the health of an individual for the sake of improving 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 Establish policies which discourage the unlawful use of drugs, medications, and non-prescribed drugs. Coaches shall 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 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 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 their school and community.

- 1.2.1.5.3.2 Be courteous to the visiting team. The opponent wants to excel as much as the home team. Respect their efforts.
- 1.2.1.5.3.3 Play hard to the limit of 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 Officials: 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 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 Spectators shall:
 - 1.2.1.5.5.1 Realize that they represent the school just as definitely as does a member of the team, and that they have an obligation to be a true sportsman or sportswoman and to encourage through 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 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)

19 DE Reg. 493 (12/01/15)

22 DE Reg. 162 (08/01/18)

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 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 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 Member 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 or 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 or she argues with the official or indicates with gestures or other physical actions his or her dislike for a decision, or
 - 2.2.1.6.3 He or 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 or she makes disparaging or unprofessional remarks about another school's personnel.
- 2.2.1.7 All actions by a 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 Unless otherwise limited, the Executive Director and Sportsmanship Committee may impose penalties on a Member School, a particular team of a Member School, a particular athlete, coach, or administrator of a Member School, an official, or a spectator, 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:
 - 2.3.1.1 Reprimand: a reprimand is official written notice that an unethical or unsportsmanlike action has occurred and that such an occurrence must not be repeated. A reprimand is a matter of record.
 - 2.3.1.2 Probation: probation is a more severe penalty and may be expressed in one of the following ways:
 - 2.3.1.2.1 Conditional probation wherein the offending individual or Member School may participate in regular season contests, sanctioned events, and conference and state championships provided he, she, or the school files with the DIAA office 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
 - 2.3.1.2.2 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.
 - 2.3.1.3 Suspension: a suspension means that the offending individual or Member School shall not attend or participate in any DIAA sanctioned interscholastic competition and may also include tryouts.
- 2.3.2 Game Ejection
 - 2.3.2.1 A player or coach disqualified before, during, or after a contest for an unsportsmanlike act 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 may impose.
 - 2.3.2.1.1 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. Additional penalties may be imposed if a player leaving the bench area becomes involved in the altercation.
 - 2.3.2.2 A disqualified player or coach shall not be physically present at any contest in that sport during the suspension.
 - 2.3.2.2.1 The coach or player shall 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.
 - 2.3.2.2.2 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 coach or player shall be suspended for one additional game at that level of competition.

- 2.3.2.3 If a coach or athlete is disqualified from the final contest of the season, the suspension shall carry over to the next year in that sport.
 - 2.3.2.3.1 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.
 - 2.3.2.3.2 Athletes who do not fulfill their penalty in the same sport or who do not retain eligibility shall be disqualified for the appropriate length of time in their next sport.
 - 2.3.2.3.2.1 Seniors shall fulfill their penalty in another sport during the same season or another sport during a subsequent season.
 - 2.3.2.3.2.2 When a senior is disqualified from the last game of his or her high school career, the Member School shall take appropriate administrative action to discipline the offending student, which may include withdrawing the student from a post-season all-star game. The Member School shall report the action taken to the Sportsmanship Committee.
- 2.3.2.4 A player or coach ejected for a second time during the same season shall be subjected to a two game suspension and shall meet, in a timely fashion, with the Sportsmanship Committee accompanied by the Principal or his or her designee and, in the case of an athlete, by the coach.
- 2.3.2.5 Appeal of a contest suspension resulting from a game ejection
 - 2.3.2.5.1 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 subsections 2.3.1.1 or 2.3.1.1.1. The Executive Director may decide the appeal or, in his or her discretion, refer it to the Sportsmanship Committee or a subcommittee that may include the Board's Chairperson, the Sportsmanship Committee's Chairperson, the committee chairperson of the applicable recognized sports committee, the State rules interpreter for the applicable sport, a representative of the applicable officials' association, and any other individuals the Executive Director deems necessary.
 - 2.3.2.5.2 If the Executive Director is unable to make a decision before the next contest, the suspension remains in effect. The Executive Director's, Sportsmanship Committee's, or subcommittee's decision to uphold or rescind the suspension resulting from a game ejection may not be appealed to the Board.

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 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 (09/01/99)

6 DE Reg. 285 (09/01/02)

7 DE Reg. 1692 (06/01/04)

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

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

19 DE Reg. 493 (12/01/15)

22 DE Reg. 162 (08/01/18)

23 DE Reg. 114 (08/01/19) (Final)