



CIF/CENTRAL COAST SECTION

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CCS INFRACTIONS POLICY

(4/04)

1. **INFRACTIONS**

Infractions of any CIF or CCS policy or bylaw, by anyone associated with any CCS member school are subject to penalties being imposed on that school's athletic program. (this does not apply to violations of league bylaws or policies—those are governed by the league)

2. **CCS COMMISSIONER AUTHORITY**

The CCS Commissioner has the authority as described below to impose penalties when an infraction is discovered.

- A. **Investigation:** The CCS Commissioner shall conduct, or authorize to be conducted, an investigation of the facts. Any investigation will be as thorough as is reasonably possible considering all the factors below: (not in any rank order)
- 1) The level, type and seriousness of the infraction;
 - 2) Time constraints imposed by game or tournament schedules of all schools who may be affected;
 - 3) The deadlines of other activities affected by this infraction and/or penalties;
 - 4) The availability of individuals with first-hand knowledge about the infraction;
 - 5) See also #3 INVESTIGATIONS herein
- B. **Facts not in dispute:**
- if the facts about the infraction are not in dispute; and/or
 - if the facts are based on first-hand or eyewitness observation; and
 - even if judgment is required by the Commissioner to determine the motivation or intent of the action or inaction that has caused the infraction; THEN

The CCS Commissioner is authorized to utilize the guidelines outlined in #5 GUIDELINES FOR LEVEL OF INFRACTION AND PENALTIES contained herein, to impose penalties without convening a hearing panel. (See also CCS Bylaw Article I, Section 3)

- C. **The primary, relevant facts are in dispute and there are time constraints:** If the primary facts are in dispute, but time constraints are such that a timely decision is necessary and prudent for the ongoing business and activity of CCS member schools, who would, in the judgment of the CCS Commissioner, suffer an unreasonable burden were the decision delayed, then the CCS Commissioner shall follow the policy in # 2.A. above and is authorized to utilize the Infraction Guidelines (#5) herein to impose penalties without convening a hearing panel..
- D. **Appeals:**
1. In such cases (B & C above), the CCS Commissioner's determination is not appealable if the infraction occurs during CCS Playoffs. (See CCS Bylaw Article I, Section 3.g.)
 2. However if the matter does not involve CCS playoffs and time permits, it may be appealed by the school principal to the CCS Executive Committee if a written request for appeal is received from the principal by the CCS Commissioner within 10 business days of the school's receipt of the Commissioner's final determination. The CCS Executive Committee, or a sub-committee of at least three members, will convene no later than 30 regular school days after receiving the request for appeal to review the matter. (This does not apply to the period between June 1-August 30)

when school personnel are generally not available. In this case a hearing would be convened within 30 regular school days from August 30.)

3. If still dissatisfied with the outcome, the Principal of the school may appeal to the CCS Board of Managers, if a written request for appeal is received by the CCS Commissioner from the principal within 10 business days of the Executive Committee's final determination. This appeal will be heard at the next regularly-scheduled Board of Managers meeting.
 4. After the section appeals process is exhausted, the CIF allows for limited appeals as outlined in the CIF Bylaws, Article 12.
- E. **The primary, relevant facts are in dispute, but there are no time constraints:** If the primary facts in a case are in dispute and the CCS Commissioner determines that time is not of the essence in order to avoid imposition of an unreasonable burden on the regular activities and business of the CCS and any member schools affected, then the Commissioner shall:
1. Convene a hearing panel comprised of no less than three individuals, who are not directly involved or affected by this matter.
 2. Such hearing panel will be convened no later than 30 regular school days following the determination of the CCS Commissioner that such a hearing is prudent and necessary.
 3. Written materials will be requested from the member school(s) involved in the alleged infraction prior to the hearing date for review by the hearing panel.
 4. The member school(s) involved will be expected to send appropriate representation to the hearing to meet with the panel.
 5. The panel will render their determination and findings in writing within 30 regular school days following the hearing date..
- F. **Appeal of Panel's determination:**
1. The panel's determination may be appealed by the school principal if a written request for such an appeal is received within 10 business days from receipt, by the school, of the panel's final determination.
 2. The CCS Executive Committee, or a sub-committee of at least three members, will convene no later than 30 business days after receiving the request for appeal to review the matter. (This does not apply to the period between June 1-August 30 when school personnel are generally not available. In this case a hearing would be convened within 30 days from August 30.)
 3. If still dissatisfied with the outcome, the principal of the school may appeal to the CCS Board of Managers, if a written request for appeal is received by the CCS Commissioner from the principal within 10 business days of the Executive Committee's final determination. This appeal will be heard at the next regularly-scheduled Board of Managers meeting.
 4. After the section appeals process is exhausted, the CIF allows for limited appeals as outlined in the CIF Bylaws, Article 12)

3. **INVESTIGATIONS**

The CCS Commissioner will utilize all reasonable means possible to investigate any rule infractions. Due to financial, personnel and time constraints it is not the intent of this policy to require any investigation procedure that is not warranted by the facts involved, nor practical because of time, financial or personnel constraints. It is the expectation that the investigation will be as thorough as is practical considering all these factors. The investigation may include, but is not limited to; e-mails, telephone conversations, written documentation, game official's reports or pictures.

- A. **Video Tape.** It is generally the policy of the CCS that video tape not be used as a source of information for investigating facts. However, if the CCS Commissioner or hearing panel determine that a video record of the event is a **reliable and necessary** source of information to determine the facts in question, the use of it shall be up to the discretion of the CCS Commissioner and/or the hearing panel involved.
- ### 4. **PARENTS**
- A. Generally speaking it is the policy of the CCS that parents or others who are not employees of the school or school district shall not have access to provide statements or other materials for consideration in the investigation of the facts of the case, unless the principal requests their involvement and the CCS Commissioner or hearing panel agree

that such persons have first-hand, directly-relevant information that would be of assistance.

- B. Parents may not appeal penalties imposed on any school's athletic program. Only the principal of the school involved, who has authority over those programs, may appeal penalties.

5. **GUIDELINES FOR LEVEL OF INFRACTION AND PENALTIES**

The level of infraction shall be determined by the CCS Commissioner or hearing panel as described above and considering the following guidelines:

- A. **LEVEL ONE INFRACTION** Generally if the following conditions apply, a level one or level two infraction charge will be determined:
- 1) If a school discovers an infraction and reports the infraction to the CCS Commissioner (this does not pertain to league bylaw infractions which would be governed by league policies) AND
 - 2) The school is not currently on probation in the sport in which the infraction occurred AND
 - 3) It is the first infraction of this nature for this school. AND
 - 4) The infraction does not involve the safety of any of this school's or another school's participants.
- B. **LEVEL ONE PENALTY GUIDELINES** Generally the following penalties will be considered by the CCS Commissioner or hearing panel when a level one infraction is determined:
- 1) Written report of action taken internally to correct problem and address ways to prevent such infractions in the future shall be submitted within the timelines outlined in the written request from the Commissioner or hearing panel.
 - 2) Forfeiture of contests.
 - 3) A written reprimand from the CCS Commissioner or hearing panel within 30 regular school days from date of the hearing or date of the Commissioner's conclusion of the investigation.
 - 4) One-year probation for the sport(s) in which the infraction occurred
 - 5) CIF inservice on rules and regulations.
- C. **LEVEL TWO INFRACTION**—Generally if the following conditions apply, a level two infraction charge may be determined:
- 1) If a school discovered an infraction and does not report it, but it is later discovered OR
 - 2) A school is found guilty of an infraction that was initially reported by another school AND/OR
 - 3) The school is currently on probation in another sport other than the one in which the infraction occurred AND/OR
 - 4) This is not the first infraction of this nature for this school AND/OR
 - 5) The infraction involves the safety of this school's or another school's participants. AND/OR
 - 6) The facts show that it was a deliberate violation by someone associated with the school.
- D. **LEVEL TWO PENALTY GUIDELINES** Generally the following penalties will be considered by the CCS Commissioner or hearing panel when a level two infraction is determined:
- 1) All of level one penalties outlined above .
 - 2) Two years probation for any sport(s) in which the violation occurred.
 - 3) Probation for the entire athletic program for one or two years.
 - 4) Implementing new sportsmanship requirements
 - 5) Developing and implementing new coaches handbooks, eligibility guidelines or other materials, policies and procedures to educate and guide school personnel responsible for sports programs.
 - 6) Active, thorough participation in appropriate inservice training on rules and regulations or sportsmanship conferences and programs.
- E. **LEVEL THREE OR FOUR INFRACTION**—Generally if the following conditions apply a level three infraction charge may be determined.
- 1) If it is the second or third offense of the same rule by any school AND/OR
 - 2) If it is the second or third offense in a single school year of different rules by any school AND/OR

- 3) The offense is in a sport which is already on probation AND/OR
 - 4) The facts show that this was a deliberate violation by someone associated with the school. AND/OR
 - 5) Fraud or other deceit is involved in the incident AND/OR
 - 6) If the school does not cooperate in providing information as requested to assist in the investigation of the matter at hand
- F. **LEVEL THREE PENALTY GUIDELINES** Generally the following penalties will be considered by the CCS Commissioner or hearing panel when a level three infraction is determined:
- 1) All of the penalties addressed in level one and two AND
 - 2) The loss of playoff participation for that sport for that year.
 - 3) Return of any awards or recognition earned following the infraction.
 - 4) Reduction of future schedule for that sport(s) team.
- G. **LEVEL FOUR PENALTY GUIDELINES** The following penalties will be considered by the CCS Commissioner or hearing panel when a level four infraction is determined:
- 1) All of the penalties addressed in level one, two and three above AND
 - 2) A change in the membership status of the school to “not in good standing.”
 - 3) A reduction or elimination of a sports program’s participation for a period of time.
 - 4) A lengthier probation period—e.g. two-three years.
 - 5) Revoking the school’s membership in the CCS for a period of time.
- H. **GENERAL PENALTY GUIDELINES** Upon determination of an infraction, the CCS Commissioner or the hearing panel will determine the level of misconduct and then will consider the guidelines outlined above for penalties. Penalties shall be appropriate for the infraction and may include one or more items from any of the guidelines listed above and may include penalties that are more or less severe than those listed. The list is in no way meant to be all-inclusive but to be used as a general guideline.