

Resolution to Revise Policy 1035 on Student-Athlete Conduct

Whereas, in an environment where intercollegiate athletics has a high profile and student-athlete and team success contribute to the university's overall image, it is important to have a set of clear expectations for off-the-field behavior of student-athletes; and

Whereas, in 2005, the Board of Visitors established Policy 1035 on Student-Athlete Conduct to deal with a student-athlete's participation in intercollegiate athletics, which superseded the "Comprehensive Action Plan" dated February 14, 1997; and

Whereas, because Policy 1035 was last revised in 2007, it was slated for a standard review in 2018, and this review resulted in several proposed updates to the policy; and

Whereas, the proposed updates have been endorsed by the University Athletics Committee and the President of the university, as required in the policy;

Now, therefore, be it resolved, that effective immediately the Board of Visitors of Virginia Tech approves the attached revised Policy 1035 on Student-Athlete Conduct, which includes among the more significant revisions: 1) the addition of the NCAA Faculty Athletics Representative to the review and approval process; and 2) the addition of Stated Team Rules to the list of factors to be considered in determining sanctions for misdemeanor charges.

RECOMMENDATION:

That the above resolution to revise Policy 1035 on Student-Athlete Conduct be approved effective immediately.

November 5, 2018



Virginia Polytechnic Institute and State University

Student-Athlete Conduct

No. 1035

Policy Effective Date:
[10/30/2014](#)[11/5/2018](#)

Policy Owner:
 Whit Babcock

Policy Author:
(Contact Persons)
 Angie Littlejohn
 Joe Tront

Affected Parties:
 Undergraduate
 Graduate
 Faculty
 Staff
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1.0 Purpose
2.0 Policy
3.0 Procedures
4.0 Sanctions for Inappropriate Conduct
5.0 Definitions
6.0 References
7.0 Approval and Revisions

1.0 Purpose

Student-athletes and team success contribute to the university's overall image. Sports competition serves as the social glue for the university community, alumni, and friends. Because of the high visibility accorded modern college athletics, any off-the-field problems of student-athletes are often magnified and reflect poorly on the university. A set of clear expectations and clearly understood athletic sanctions for misbehavior will communicate to student-athletes, the university community, and the public the university's behavioral expectations. Student-athletes, like all other students, are governed by the Hokie Handbook and the civil and criminal codes of the state and nation. Additionally, student-athletes are governed by policies in the Virginia Tech Student-Athlete Handbook. Accordingly, infractions of policy or law are adjudicated as follows:

- a. The Virginia Tech Student-Athlete Handbook governs the student's privilege and permission to participate in any aspect of NCAA sports competition. Included in the handbook is the Policy on Student-Athlete Conduct.
- b. The University Conduct System and Honor Systems govern an individual's status as a student and the ability to participate in the academic programs of the university.
- c. The civil and criminal courts of the state and nation govern an individual's status as a citizen and the right to participate thereof.

2.0 Policy

The university has clear expectations for off-the-field student-athlete behavior. The university athletics-Athletics Director or designee will clearly communicate to prospective and current student-athletes Virginia Tech's institutional values and expected behaviors of a student-athlete. The athletics-Athletics Director or designee will also communicate athletic sanctions in the event the student is charged with crimes or violation of university policy. This policy on Student-Athlete Conduct deals with a student-athlete's entire participation in intercollegiate athletics. It does not address university status as a student.

3.0 Procedures

The Virginia Tech Athletics Department requires administrators, coaches, trainers, and staff to conduct themselves in a manner that creates a positive image of the people associated with the department. Similarly, student-athletes are expected to uphold the same standards of conduct and to be positive role models within the academic and athletic community. A clear statement of sanctions is a necessary component in addressing inappropriate behavior. Situations can be more clearly and objectively resolved when such a statement exists.



Virginia Polytechnic Institute and State University

Expectations for communicating and encouraging appropriate behavior, department procedures governing student life, actions to encourage appropriate behavior, and sanctions for misbehavior will be covered in the Policy on Student-Athlete Conduct. This policy will be stated in full in the Virginia Tech Student-Athlete Handbook.

Updates or modifications to the Policy on Student-Athlete Conduct will be reviewed and approved by the [NCAA Faculty Athletics Representative](#), the University Athletic Committee and the President.

The Policy on Student-Athlete Conduct will be posted with other Virginia Tech policies on the Virginia Tech web site.

4.0 Sanctions for Inappropriate Conduct

Felony Charge – Any student-athlete arrested and charged with a felony, or with a crime involving gambling or game fixing under Virginia law or any other jurisdictional equivalent, shall be suspended automatically, by the [Director of Athletics](#), from practice and playing privileges until the charges are dropped, dismissed or otherwise resolved. The student-athlete may appeal this decision pursuant to the Appeals Procedure found in this Policy on Student-Athlete Conduct.

Felony Conviction – Any student-athlete convicted of or pleading guilty or no contest to a felony charge or a game fixing charge under Virginia law or any other jurisdictional equivalent shall be permanently dismissed from the team by the [Director of Athletics](#). If the [student](#)-athlete appeals the conviction, the dismissal will remain in effect throughout the appeals process and will not be reversed unless the appeal is successful and the conviction is overturned in a court of law. The [student](#)-athlete shall retain her/his grant-in-aid for the balance of the academic year. The Athletics Department shall recommend to the Virginia Tech Office of University Scholarships and Financial Aid that the grant-in-aid not be renewed for any succeeding academic years. The student-athlete may appeal this decision pursuant to the Appeals Procedure found in this Policy on Student-Athlete Conduct. NOTE: student-athletes involved in gambling violations shall be subject to the sanctions contained in Section 10.4 of the NCAA Manual.

Misdemeanor Charge and/or Conviction - Any student-athlete who is arrested, charged and/or convicted of a misdemeanor charge (other than gambling or game fixing which are addressed above and other than minor traffic infractions) will be subject to a review process. The Athletics Director [or designee](#) will review the charges and all of the surrounding circumstances. Sanctions for misdemeanor charges may be delegated as the Director of Athletics sees fit. Factors to be considered include, but are not limited to:

- A. Nature of charge (violent or non-violent)
- B. Prior behavior
- C. Self-disclosure of the violation
- D. Cooperation during the investigation
- E. [Alcohol and/or drug use](#)
- [E.F. Stated Team Rules](#)
- [F.G. Consistency with regard to handling of other cases.](#)



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Athletics Department sanctions may include, but shall not be limited to:

- A. Warning
- B. Probation
- C. Restricted use of athletic services or facilities
- D. Suspension from play and/or practice for a stated period of time. Particular attention will be paid to those offenses that result (or are likely to result) in extended trials or continuing legal circumstances that will require the undistracted attention of the involved student-athlete. These offenses, once identified as such, may incur an automatic suspension from practice and/or playing privileges until the charges are dropped, dismissed or otherwise resolved to the satisfaction of the institution.
- E. Dismissal from the team (only available for a conviction or if the student-athlete pleads guilty or no contest to a misdemeanor). In the event of dismissal from the team, the student-athlete shall retain her/his grant-in-aid for the balance of the academic year. The Athletics Department shall recommend to the Virginia Tech Office of University Scholarships and Financial Aid that the grant-in-aid not be renewed for any succeeding academic years.

If a student-~~n~~ athlete appeals a misdemeanor conviction, the sanction imposed as a result of the conviction will remain in effect throughout the appeals process. The sanction will not be removed unless the appeal is successful and the conviction is overturned by a court of law.

A written record of a sanction should be given to the student-athlete and an original copy kept in a confidential file by the Athletics Director or designee until two years after the student-athlete graduates or indefinitely if the student-athlete leaves the university without graduating.

This review process will be used by the Athletics Director or designee when athletics department employee(s) first learn of the charge and/or arrest. This review process will also be utilized again, in its entirety, if there is then a conviction resulting from the charge and/or arrest. The student-athlete may appeal any decision made pursuant to this review process by following the appeals procedure found in this Policy on Student-Athlete Conduct.

Virginia Tech Code of Student Conduct: At the discretion of the Athletics Director or designee, a student-athlete found responsible for violating the Virginia Tech Code of Student Conduct contained in the University Policies for Student Life may additionally be disciplined in a manner consistent with the sanctions outlined for misdemeanor charges in this policy.

Athletics Department Student Host Recruiting Policies: At the discretion of the Athletics Director or designee, a student-athlete found responsible for violating the Student Host Recruiting Policies indicated in the Virginia Tech Student-Athlete Handbook will be disciplined in a manner consistent with the sanctions outlined for misdemeanor charges in this policy
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Un-sportsmanlike Conduct during an Athletic Contest: The Athletics Director will review student-athlete unsportsmanlike conduct that occurs during an athletic contest. It is the Athletics Director's responsibility to assign sanctions to the offender, if in the Athletics Director's or designee's opinion sanction(s) are determined to be necessary.



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Privacy: A student-athlete grants to the university the right to publicly disclose a student-athlete's suspension or dismissal from intercollegiate athletics. However, in recognition of a student-athlete's right to privacy, no other information concerning violation of the Policy on Student-Athlete Conduct may be released without authorization.

Appeals Procedure: Any student-athlete sanctioned under these procedures may appeal within five working days, in writing, to the Athletics Director. In the event of an appeal, a review committee shall consider all factors, including any extenuating circumstances. The student-athlete may appear personally before the committee, with or without a representative of her/his own choosing from the members of the university community. The review committee shall be composed of:

- A. The President (or designee)
- B. The Vice President for Student Affairs (or designee)
- C. The NCAA faculty representative (who shall chair the committee).

Within five working days after hearing the appeal, the committee shall issue its decision which shall be final with no further right of review.

5.0 Definitions

6.0 References

- Virginia Tech Student-Athlete Handbook, 2005-06 or current
- Report of The Committee To Address Comprehensive Action Plan To Address Student-Athlete Behavior, February 1997
- Report of The Task Force To Review The Comprehensive Action Plan, October 2004

7.0 Approval and Revisions

Approved January 21, 2005 by the University President, Charles W. Steger.

- Revision 1

Policy revised to incorporate changes that include: (1) incorporation of the sanctions from the Comprehensive Action Plan with minor modifications; (2) requirement for posting Policy 1035 on the university's web site with other university policies and inclusion of the policy in its entirety in the Virginia Tech Student-Athlete Handbook; (3) amendment of the membership of the Appeals Review Committee; and (4) record-keeping requirements for sanctions.

Approved February 2, 2007 by the University President, Charles W. Steger. Approved March 26, 2007 by the Virginia Tech Board of Visitors.

- Revision 2



Virginia Polytechnic Institute and State University

Policy revised in Section 1. Purpose, replaced “University Policies on Student Life” with “The Hokie Handbook” and renamed “The University Judicial System” with “The University Conduct System.”

Approved October 30, 2014 by University President, Timothy D. Sands.

- Revision 3

Periodic review of policy resulting in minor edits changing references to athletes to student-athletes, correcting the title of the Athletics Director.

In Section 4.0 within the paragraph about “Misdemeanor Charge and/or Conviction,” added Stated Team Rules among the factors to be considered.

In Section 3.0, the NCAA Faculty Athletics Representative was added to the review and approval process that occurs prior to Board of Visitors approval.

Approved November X, 2018, by the University Athletics Committee.

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