

(The previous Section 8, Educational Systems, was repealed October 22, 1982.)

<b>SECTION 8—POLICY FOR INTERCOLLEGIATE ATHLETICS</b>
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8.001      Role of Athletics in a College or University

Intercollegiate athletic programs are considered by the Board to assist the colleges and universities in achieving their goals. They:

- (1)      Contribute to the instructional programs by providing highly competitive opportunities for those students who excel in the various athletic activities.
- (2)      Enable the institutions to prepare graduates to serve the schools and colleges as athletic coaches, physical education teachers, athletic trainers, and athletic program administrators.
- (3)      Provide students, alumni, and other members of the public with spectator satisfaction and with an opportunity to identify with their institutions outside the classroom and laboratories.
- (4)      Enable the institutions to involve the public, not otherwise related to the institutions, in support of our colleges and universities.
- (5)      Provide opportunities for a few students, especially in football, basketball, and baseball, to prepare for careers in professional sports.

8.006      Categories of Intercollegiate Athletic Activities

For the purposes of establishing financial policy and determining equality of opportunity, two categories of intercollegiate athletic activities are established. They are:

- (1)      Major revenue-producing athletic activities.
- (2)      All other athletic activities.

Major revenue-producing athletic activities are defined as those which, in the judgment of the president of the institution and concurred in by the Board, are anticipated collectively to be capable of producing revenue equaling or exceeding operating and capital expenditures.

Equality of Opportunity

Equality of opportunity shall be established and judged within each of the two categories of intercollegiate athletics, "major revenue-producing" and "other."

If the institution identifies any athletic activity as major revenue-producing, it must also identify at least one such activity for men and one for women even though one of the activities may not satisfy the definition of major revenue-producing.

Provision must be made for an activity to move from one category to the other.

8.016

Financing

(1) Major Revenue-Producing Athletic Activities

Major revenue-producing athletic activities are those that, by definition, are estimated to be self-supporting from gate receipts, television and radio income, conference income, contributions, and other revenues generated through the operation of those activities. Any incidental fees used to support major revenue-producing athletic activities will be deemed to be for the purpose of financing student admissions. No state tax funds, appropriated for education and general purposes, are to be used either for operating or capital expenditures, except as provided in (3) below. "Operating expenses" include both salaries and applicable physical plant costs.

(2) Other Athletic Activities

Other athletic activities are to be financed from student incidental fees, gate receipts, and contributions. State funds appropriated for Education and General purposes may be used only to fund the salaries of coaches at the regional universities and Oregon Institute of Technology.

(3) Proportionate Financing of Joint Use Facilities

State funds are used and may continue to be used for physical plant and other operating costs applicable to spaces within athletic facilities that are utilized for Educational and General purposes, such as lectures, convocations, physical education activity classes, concerts, and commencement exercises.

(4) Resources for Capital Construction and Improvements

Expenditures for capital construction and capital improvements for athletics are to be financed from resources available for auxiliary enterprises such as gifts, bond borrowings under the provisions of Article XI-F(1) of the Oregon Constitution, and excess sinking fund reserves from commingled student building fees.

8.021 Levels of Competition

Institutions should seek the highest feasible level of competition for each activity, recognizing that financial and/or ethical considerations may force reductions in the competitive levels.

8.026 Cost Containment

The presidents of Oregon State University and the University of Oregon are instructed to work with each other and to pursue within the Northwest region, the Pac-10, and the NCAA appropriate cost containment measures such as grants based only on need, fewer grants, reduced recruiting efforts, smaller coaching staffs, and other appropriate measures.

If such efforts, over a five-year period, are unsuccessful, the Board will reassess its position and instruct the University of Oregon and Oregon State University whether or not to implement those cost containment policies even in the absence of Pac-10, NCAA, and regional action.

Portland State University, Oregon Institute of Technology, and the three regional universities are instructed to adopt similar cost containment measures, as appropriate.

8.031 Academic Progress and Degree Attainment

The presidents of institutions having intercollegiate athletics programs are instructed to establish policies and procedures that commit student athletes, counselors, coaches, and athletic program administrators to pursuing the dual student athlete goals of maintaining normal progress toward completion of the baccalaureate degree and attainment thereof, usually in not more than five years after the date of initial registration. Such policies shall require:

- (1) Minimum academic term carrying loads of 12 hours during seasons of competition, in prescribed courses leading to a baccalaureate degree selected by the student athlete; and compliance with normal progress rules established by the institution; and

- (2) Development and use of continuing academic progress monitoring systems which, when necessary, activate appropriate corrective measures by the student athlete, counselor, coaches, and athletic program administrator.
- (3) Each institution president to submit annually to the Board a report on the success of student athletes in pursuing the goals of academic progress and degree attainment.

#### 8.036 Code of Ethics

Each institution offering a program of intercollegiate athletics shall comply with the following code of ethics. Violation of the code of ethics shall be considered an adequate basis for sanctions for cause.

##### (1) Purpose

The purpose of this code of ethics is to prescribe standards of conduct for student athletes participating in the intercollegiate athletic programs of the institution, coaches, intercollegiate athletic administrators, and other personnel associated with intercollegiate athletics. It is also the purpose of this code of ethics to identify the responsibilities of coaches, intercollegiate athletic administrators, and other personnel in the institution's department of intercollegiate athletics.

##### (2) Designation of Institution Officers

The institution president shall assign in writing to the director of athletics the responsibility for implementing the provisions of this policy, except that the Faculty Athletic Representative shall retain the sole prerogative for determining the athletic eligibility of student athletes participating in the intercollegiate athletic program of the institution.

##### (3) Directives

- (a) The intercollegiate athletic program of the institution shall reflect high standards of scholarship, sportsmanship, fair play, integrity, and concern for the individual.
- (b) The intercollegiate athletic program of the institution shall be conducted in accordance with the constitution and bylaws of the alliances and/or conferences of which the institution is a member,

and the rules, policies, and directives of the Board of Higher Education and institution.

- (c) Student athletes participating in the intercollegiate athletic program of the institution shall be required to:
  - (i.) Maintain such academic standards as established by the institution for all students;
  - (ii.) Comply with the eligibility requirements of the institution as a prerequisite for participation in its intercollegiate athletic programs;
  - (iii.) Demonstrate high standards of sportsmanship and fair play, while participating in an intercollegiate athletic program of the institution;
  - (iv.) Refrain from participation in an intercollegiate athletic program of the institution when existing injuries and/or physical impairments would jeopardize the student athlete's health and welfare; and
  - (v.) Deport themselves in a manner which brings credit to themselves, their teammates, and the institution.
- (d) A head coach of an intercollegiate athletic program is required to maintain such discipline as necessary to assure that student athletes and coaches in that sport maintain high standards of sportsmanship, fair play, and integrity; encourage high standards of scholarship for student athletes; establish and maintain high standards regarding the welfare of student athletes; and adhere to the principles of nondiscrimination.
- (e) Coaches in the intercollegiate athletic program of the institution are required to maintain high standards of sportsmanship, fair play, and professional integrity; encourage high standards of scholarship for student athletes; and adhere to principles of nondiscrimination.
- (f) Each individual performing administrative, promotional, public relations, or related functions in the intercollegiate athletic program of the institution is required to demonstrate high standards of professional conduct; encourage high standards of sportsmanship, fair play, professional integrity and scholarship;

establish high standards regarding the welfare of student athletes; and adhere to the principles of nondiscrimination.

- (g) The following is proscribed conduct for each head coach, assistant coach, and individual performing administrative, promotional, public relations, or related functions in the intercollegiate athletic program of the institution:
  - (i.) Using the position with the institution to obtain financial gain, other than official institution salary or reimbursement of expenses and honoraria from either institution or non-institution sources, unless prior approval is obtained from the institution president;
  - (ii.) Using the position with the institution to obtain financial gain for any member of the household or for any business with which the employee or any member of the employee's household is associated;
  - (iii.) Engaging in any outside activity which substantially interferes with the employee's responsibilities in the intercollegiate athletic program of the institution;
  - (iv.) Accepting any employment outside the institution involving time or honorarium without the prior approval of the institution president;
  - (v.) Accepting gifts, as defined in ORS 244.020(5), from any source, including but not limited to, professional sports organizations, private businesses, or athletic "boosters";
  - (vi.) Receiving, or influencing directly or indirectly, awards of prizes of value from any institution-operated or affiliated promotional activity associated with the intercollegiate athletic program of the institution;
  - (vii.) Using institution buildings, facilities, services, or grounds for personal or private gain, without the prior written authorization of the institution president;
  - (viii.) Using, or permitting the use of the name of the institution or any emblem of the institution in commercial or personal promotional activities, except by the prior written authorization of the institution president;

- (ix.) Violating the constitution and bylaws of an alliance or conference in which the institution holds membership, particularly those provisions pertaining to recruiting of student athletes, financial aid for student athletes, eligibility of student athletes, and extra benefits for student athletes;
  - (x.) Engaging in, encouraging, or permitting the physical or mental abuse or harassment of student athletes;
  - (xi.) Permitting student athletes who have not been certified for competition by a medical physician prior to a sports season to participate in the intercollegiate athletic program of the institution;
  - (xii.) Permitting, requiring, or encouraging a student athlete who is injured, or otherwise physically or mentally impaired, to participate in the intercollegiate athletic program of the institution without authorization from a physician or authorized athletic trainer;
  - (xiii.) Permitting, encouraging, or engaging in abuse or harassment of game officials, game opponents, or spectators while participating in an intercollegiate athletic program of the institution;
  - (xiv.) Encouraging, aiding, or abetting, including acts of omission, any individual, including non-institution persons, to engage in conduct proscribed by the alliance or conference in which the institution holds membership and the Administrative Rules, policies, and Internal Management Directives of the Oregon State Board of Higher Education and the institution.
- (h) Any coach, head coach, or individual performing administrative, promotional, public relations, or related functions in the intercollegiate athletic program of the institution should strive to be perceived as an ethical leader, and, therefore, should avoid the appearance as well as the fact of impropriety.
- (i) Waivers

The institution president retains the sole prerogative and authority for authorizing exceptions in writing to the provisions contained herein.

(j) Compliance and Sanctions for Violations

Individuals violating the provisions of this code of ethics may be subject to sanctions for cause.

For student athletes participating in the intercollegiate athletic program of the institution who violate the provisions contained herein, the sanctions for cause may include loss of eligibility for a period of time prescribed by the institution Faculty Athletic Representative. The institution may impose sanctions in addition to loss of eligibility pursuant to the provisions of the student conduct code of the institution.

For coaches or for intercollegiate athletic administrators, sanctions for cause include but are not limited to oral or written reprimand, suspension with pay, suspension without pay, or termination, as determined by the institution president.

(k) Contract and Policy Distribution

This policy for intercollegiate athletics, including the Code of Ethics, shall be attached to the Notice of Appointment for coaches, athletic administrators, and other personnel associated with the intercollegiate athletics program as well as distributed to and discussed with all student athletes.