

6.000 PROTEST, PENALTY BY-LAWS

Included in this Section:

- 6.000 Protest and Penalty By-laws
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- 6.020 Forfeiture of Contest
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- 6.040 Breach of Contract Between Member Schools
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6.010 PENALTY FOR VIOLATING RULES

Any violation of the Constitution and/or By-laws, Terms and Conditions, IHSA Policies and Guidelines, and/or other rules of the Association shall be reported to the Executive Director, who shall have authority to investigate all alleged violations. The findings of the investigation shall be made known to the school (or schools), person (or person), alleged to have committed a violation. The Executive Director shall then have full authority to invoke penalties against such school or persons found to have committed violations. Penalties shall include, but not be limited to, written warning or reprimand, requisite affirmative corrective action, up to and including suspension and/or expulsion. Failure to take the corrective action required by any penalty shall be the basis for further action, up to and including suspension and/or expulsion.

Persons found guilty of exercising undue influence to secure or retain the attendance of a student at a member school shall be ineligible to coach at an IHSA member school for one year. Sanctions shall also be imposed against the school represented by such persons.

Students whose high school attendance is found to have been affected by undue influence to secure or retain the student at a member school shall be permanently ineligible at that school.

6.011 PLAYERS EJECTED FOR UNSPORTSMANLIKE CONDUCT

Any player ejected from a contest for unsportsmanlike conduct shall be ineligible for the next interscholastic contest at that level of competition, and all other interscholastic contests at any level in the interim, in addition to other penalties the IHSA or the school may assess.

If the school contests the ejection and video evidence clearly indicates that a player was misidentified in an ejection, the IHSA will work with the school(s) involved to ensure the proper player(s) are identified. After the IHSA Executive Director reviews the video provided by the school(s) and verify the misidentification, the misidentified player shall be eligible for the next interscholastic contest at that level of competition.

If a player violates a rule and is ejected from a contest, and the school believes the ejection penalty was a result of a misapplication of a playing rule related to that violation, the school may communicate with the IHSA Executive Director to clarify the correct rule application. After reviewing the situation, if the Executive Director determines that an official did misapply a rule that led to the player ejection, the Executive Director may waive the requirement that the player is ineligible for the next interscholastic contest at that level of competition.

Illustrations for Section 6.011 of the By-laws

The illustrations and situations it contains are for purposes of assisting in understanding the application of the particular by-law to which they pertain. In the case of any conflict, whether actual or believed, between the illustrations, examples or situations in this publication and the constitution or by-laws of the IHSA, the constitution and by-laws shall control.

- 285)** Q. When a student-athlete is ejected for unsportsmanlike conduct and has to sit out the next game and also becomes academically ineligible for the next game, will the student serve both periods of ineligibility at the same time?
A. No. The student-athlete will be academically ineligible for the next week and then will serve the penalty for the ejection once the student-athlete has regained eligibility. (By-law 6.010)
- 286)** Q. May players who are ineligible for a contest due to a suspension for unsportsmanlike conduct travel with the team to the contest or attend the contest?
A. Yes. However, ineligible players may not appear at the contest in uniform. (By-law 6.011)

- 287)** Q. If a player or coach is ejected from a junior varsity soccer game, when is he/she eligible to participate?
 A. A player or coach ejected from a junior varsity soccer game for unsportsmanlike conduct will not be eligible to participate at any level of competition in soccer until the next junior varsity soccer game has been completed. If there is no contest at the same level within a ten day period, the ejected player or coach may fulfill the requirements of the by-law by missing three contests for another team(s) at any level in the same sport for which they are a rostered player or contracted coach. (By-law 6.011)
- 288)** Q. If a player is disqualified for committing five personal fouls in a basketball game, must he/she sit out the next game?
 A. No. By-law 6.011 only applies when players are ejected for unsportsmanlike conduct.
- 289)** Q. If a player is ejected from the first game of a doubleheader in softball, is she eligible to play in the second game of the doubleheader?
 A. No. (By-law 6.011)
- 290)** Q. In the same situation, if the girl was in the lineup for the second game should the umpire allow her to play?
 A. Yes. Game officials are not responsible for enforcing By-laws 6.011 or 6.012. The ejection from the first game should be reported as required. Note: all ejections for unsportsmanlike conduct must be reported in writing to the IHSA and the member school(s) involved by officials within 48 hours of the incident. (By-law 6.011)
- 291)** Q. In some sports players and coaches may be ejected from a contest for reasons other than unsportsmanlike conduct. Do By-laws 6.011 and 6.012 still apply?
 A. No. By-laws 6.011 and 6.012 only apply when players or coaches are ejected for unsportsmanlike conduct.
- 292)** Q. What if a school fails to enforce By-laws 6.011 or 6.012?
 A. Schools will be required to forfeit any contest(s) (including an IHSA state series contest) when a player or coach is allowed to participate when he/she is ineligible due to an ejection for unsportsmanlike conduct. Schools are to set up administrative procedures to insure proper enforcement of By-laws 6.011 and 6.012.
- 293)** Q. May a school schedule a contest after a player or coach has been ejected for unsportsmanlike conduct to fulfill the requirements of by-laws 6.011 or 6.012?
 A. No. Coaches or players ejected for unsportsmanlike conduct must miss the next regularly scheduled contest. Contests that are rescheduled prior to an ejection because of inclement weather, etc., will be treated like a regularly scheduled contest.
- 294)** Q. If a player or coach receives two yellow cards in the same game, is he/she eligible for the next contest at that level?
 A. No. (By-laws 6.011 and 6.012)
- 295)** Q. If a player is ejected from the last game of the season, when is he/she eligible to participate?
 A. A player ejected from the last game of the season must sit out the next contest in which he/she would normally participate. (By-law 6.011)

6.012 COACHES EJECTED FOR UNSPORTSMANLIKE CONDUCT

Any coach ejected from a contest for unsportsmanlike conduct shall be ineligible for the next interscholastic contest at that level of competition, and all other interscholastic contests at any level in the interim, in addition to others penalties the IHSA or the school may assess.

Illustrations for Section 6.012 of the By-laws

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- 296)** Q. May coaches who are ineligible for a contest due to a suspension for unsportsmanlike conduct travel with the team to the contest or attend the contest?
 A. No. (By-law 6.012)
- 297)** Q. If a coach is ejected from the last game of the season, when is he/she eligible to coach?
 A. A coach ejected from the last game of the season must sit out the next contest in which he/she would normally coach. (By-law 6.012)
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6.020 FORFEITURE OF CONTEST

- 6.021** The use of any ineligible participant in any interscholastic contest will result in one or more of the following actions based upon the facts and findings:
- The ineligible participant may be suspended from further competition in that activity, as determined by the Executive Director.
 - The specific sport during which the ineligible player was used will be placed on probation status for one (1) calendar year.
 - Forfeiture of the contest.

If the Executive Director or the Board of Directors determines that the facts, findings or other information demonstrates that the ineligible student has provided the school false information upon which the student was certified to have been eligible, a penalty may be set aside or modified.

- 6.022** If an ineligible student participates in any interscholastic contest(s), pursuant to and in accordance with a restraining order, injunction, or other court order entered against the IHSA or a member school, and the restraining order, injunction or other court order expires without final determination or is subsequently vacated (whether voluntarily or otherwise), stayed, reversed or otherwise modified or found to have been entered in error, the contest(s) in which such student has participated shall be subject to forfeiture pursuant to By-law 6.021.
- 6.023** If a student or member school, while in violation of or noncompliance with any provision(s) of the IHSA Constitution and/or By-laws, Terms and Conditions, IHSA Policies and Guidelines, and/or other rules of the Association, participates in any interscholastic contest(s), pursuant to and in accordance with a restraining order, injunction, or other court order entered against the IHSA or a member school, and the restraining order, injunction or other court order expires without final determination or is subsequently vacated (whether voluntarily or otherwise), stayed, reversed or otherwise modified or found to have been entered in error, such member school and/or student shall be subject to penalty for such violations pursuant to By-law 6.010.

6.030 PROTEST PROCEDURE

Any school making a protest shall submit in writing a full statement of facts to the Executive Director of the Association, who shall transmit a copy of the statement to the principal of the school against which a protest has been made or to the principal, parent or guardian if such protest pertains to an individual.

- 6.031** Each protest must be accompanied by a deposit of \$10.
- 6.032** The Board of Directors shall have final authority in determining the outcome of properly-filed protests. Should the Board of Directors, after due investigation, decide in favor of the school making the protest, the deposit shall be returned. Should the Board of Directors decide against the school making the protest, the deposit shall become a part of the funds of the Association.
- 6.033** The decisions of game officials shall be final; protests against the decision of a game official shall not be reviewed by the Board of Directors.
- 6.034** Principals should file with the Executive Director, on forms provided by the IHSA Office, reports of unsatisfactory performance on the part of game officials, which may be due to alleged lack of knowledge of the rules, errors in judgment, or improper conduct.

Illustrations for Section 6.033 of the By-laws

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- 298)** Q. May a school appeal an ejection for unsportsmanlike conduct?
A. No. Ejections for unsportsmanlike conduct are considered decisions of contest officials and will not be subject to appeal. (By-law 6.033)

6.040 BREACH OF CONTRACT BETWEEN MEMBER SCHOOLS

In case of breach of contract between member schools, either in total or in part, the Board of Directors shall have authority to assess as a penalty against the offending school a sum not to exceed \$100, in addition to the financial loss which, in the judgment of the Board of Directors, is sustained by the offended school as a result of such breach.

- 6.041** In case of breach of contract between member schools and the Association in IHSA State Series Tournaments and Contests, the Board of Directors shall have the authority to assess as a penalty against the offending school an amount not to exceed \$100, in addition to the financial loss which, in the judgment of the Board of Directors, is sustained by the offended school(s) or the Association as a result of such breach.
- 6.042** The entire assessment shall be paid to the Association. That part of the assessment levied to cover the financial loss shall be remitted to the offended school, with the remainder to become part of the funds of the Association.
- 6.043** In the event a contest is not played due to an emergency, strike or boycott, every effort should be made by both parties to resolve the matter by mutual consent. If, in an emergency or boycott situation, an agreement cannot be reached, the school which created the breach shall be responsible to fulfill the terms of the contract or be liable to terms of this section. If a contest is not played because a member school complies with the prohibitions of By-law 2.140 pertaining to a strike, no financial penalty or assessment shall be imposed against the offending school for breach of contract.

Illustrations for Section 6.040 of the By-laws

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299) BREACH OF CONTRACT RESOLUTION

- Q. When schools face a potential breach of contract situation, what steps should be followed to resolve the matter?
- A. Every effort should be made by both schools involved to find mutual resolution before the breach actually occurs. Even after the contract is breached, it is preferable for the two schools to resolve the matter by mutual consent. As a last resort, the matter may be referred to the Board of Directors for settlement. (By-law 6.040)

- 300)** Q. When a member school cannot participate in a scheduled contest because it is not in legal session as defined by the Illinois School Code and State Board of Education Policy, due to a strike, may the contest be rescheduled or must it be canceled and forfeited?
- A. A contest which is not played because of a strike may be rescheduled within the provisions of the season and participation limitations of these by-laws and by mutual consent of both schools. If the contest is not rescheduled and played, the school which could not participate because of a strike must forfeit the contest.

- 301)** Q. When a contest is not played because of a strike, how are game officials contracts resolved?
- A. Game officials are contracted by the host school for the contest. It is the position of the IHSA that the host school is obligated to pay officials for contracted games, whether the game is played or not, unless other resolution is mutually consented to by both the school and the official(s). In the event a game is not played because one of the schools to play in the game cannot play because of a strike, the striking school must either pay the game officials according to the terms of their contracts if it is the host school, or the striking school must reimburse the host school for the terms of the officials contracts if it is the visitor.

- 302)** Q. Is a school which cannot play a contest because of a strike obligated to make financial settlement for unrealized revenue with the host school for the contest?
- A. No. The provisions of By-law 6.043 relieve a striking school of such obligations if it complies with By-law 2.130 which prohibits the playing of contests during a strike.

303) COACH TAKES TEAM OFF FLOOR

- Q. If a coach orders his/her team off the floor or playing field before the contest is concluded, is it a breach of contract?
- A. Yes. (Constitution 1.420 and By-law 6.040)

304) EMERGENCY SITUATION

- Q. Is a school justified in canceling a contest if it finds that several of its students are unable to take part because of an emergency?
- A. Such cases would have to be decided individually by the Executive Director. If the school has a sufficient number of students to participate, it should fulfill its part of the contract even though the contest could be one-sided. If the contest cannot be held, the school should seek cancellation or postponement by mutual consent as early as possible. (Constitution 1.460 and By-law 6.040)

305) STRIKE OR BOYCOTT

- Q. How is this Section interpreted in the case of a strike, boycott or other emergency?
- A. Every effort shall be made by both parties to resolve the breach of contract by mutual agreement. (By-law 6.040). However, if an agreement cannot be reached, the matter shall be reviewed by the Board of Directors under the terms of By-laws 6.040 and 6.043.

6.050 BREACH OF CONTRACT BETWEEN MEMBER SCHOOL AND OFFICIAL

In case of breach of contract between a member school and official, either in total or in part, the Board of Directors shall have authority to assess as a penalty against the offending party the sum of \$10, in addition to the forfeit named in the contract.

- 6.051** All contracts between schools and officials shall be written on the Contract for Officials form supplied by the Board of Directors through the IHSA Office. The Terms and Conditions of these contracts should be scrupulously observed.
- 6.052** If, in the judgment of the Board of Directors, the contract has been broken by the school and no forfeit has been named in the contract, the penalty shall consist of an amount not to be in excess of the contractual sum to be paid the official, plus a breach fee of \$10.
- 6.053** If, in the judgment of the Board of Directors, the contract has been broken by the official, the penalty shall consist of an amount not to exceed the entire cost of employing a substitute official, plus a breach fee of \$10.
- 6.054** If, in the judgment of the school or official, there are extenuating conditions, a hearing may be held. Written request for such hearing must be submitted to the Executive Director, who shall be responsible for conducting an investigation and hearing.
- 6.055** If an official's contract is made during a given school year for a contest to be played during the next school year and if, in the meantime, there is a change in the school principalship, the contract is valid only if and when the incoming principal has been notified of the existing contract and has sanctioned it or has failed to inform the official of cancellation within one week after the notification.