

## Legally Speaking: Rules a High School Sports Program Should Integrate into its Philosophy

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### Abstract

Sport specialization is happening at younger and younger ages every year. Many parents and coaches believe it is the only way for the young athletes to earn a scholarship or that professional contract later in life. Contrary to popular belief, studies have shown early specialization to cause burnout, depression, and increased risk of injury.

Participation in sport can be a glorious experience for all who take part. Sport can provide a means to a healthier life, a larger group of friends, a new hobby, and many other possibilities. While sport has many benefits, there are also many risks that are directly and indirectly associated with sport. Therefore, it is important that sports programs have rules to ensure safety for participants, coaches, bystanders, administrators, athletic directors and so on.

Sport can provide a means to educate its participants in many aspects of life. Dedication, hard work, and commitment are just a few of the lessons that can be learned through sport. Participation also exposes individuals to the written and unwritten rules that are associated with certain sports. In many cases, the written and unwritten rules deal directly with rules and best practices regarding play.

This article will discuss and note certain rules and policies that should be implemented within any sport program. These rules should be put into effect, so the safety of all who are in contact with the program, athletes, coaches, administrators and athletic directors, are safe from prosecution.

### Coaches Must Prioritize Academics

All of the athletes coaches work with, within the high school or college sport setting, are often referred to as

student-athletes. The term student-athlete has two components, both of which are important, but note which word comes first, student. Coaches must understand and come to terms with the fact that athletes are students first. Coaches have a duty and responsibility to teach and provide important life lessons to their athletes. One of the most important life lessons coaches can teach is the importance of academics.

The following points are examples of why the importance of academics must be reiterated to the high school athlete population:

- Studies have shown that higher levels of physical activity are associated with increased achievement among high school students (Fox et al., 2009).
- GPA for students who participate on sports teams are higher when compared to students who do not participate on sports teams (Fox et al., 2009).
- Participating on a sport team within the high school is dependent upon performance in the classroom. Coaches must reiterate the importance of performing well in the classroom, which in return will be rewarded with the ability to participate in the chosen sport.

Coaches have a duty to enrich the lives of their student-athletes by teaching important life lessons and principles. One of the most important life lessons these student-athletes can learn is that academics are extremely important, and poor performance within the classroom will ultimately lead to the student in question not being allowed to represent their school.

It is important for coaches to implement appropriate guidelines and expectations of their student-athletes by implementing the following rules:

- Grades of the student-athlete must be evaluated week by week.
- Student-athletes who are failing classes will be placed on an ineligibility list.

- Students who are on the ineligibility list should not be allowed to participate or perform until they have been removed from the list.
- Students must attend four out of five classes in a given day to be allowed to practice or play unless stated otherwise through official documentation.

### **The Use of Illicit Drugs Will Not Be Tolerated**

The use of illicit drugs should never be tolerated within sport. Professional athletes, collegiate athletes, and even high school athletes have been known to take these drugs to enhance their performance. In some instances, and within specific sports, the use of the drugs may be a commonality; wrestling has associations with diuretics; powerlifting has associations with anabolic steroids; cyclists have associations with blood doping. As you can see, in some instances, athletes use illicit drugs to improve their athletic performance. However, in other instances, athletes may use illicit drugs for other purposes other than for performance enhancement. For instance, Tricker et al. (1989) stated, “Athletes may also turn to the use of drugs in an attempt to cope with the effects of sport, including pressures created from stress, injury, frustration, dejection, exhaustion, and so forth.”

However, sport can be used as a vehicle to reduce illicit drug use within the high school sport population. Kwan et al. (2014) found that “participation in sports reduced the risk of overall illicit drug use, but particularly during high school”. This suggests that this may be a very crucial time in an athlete’s life where the role of a coach can be used to reduce or prevent the use of such illicit drugs.

It is advisable for coaches to implement certain rules and procedures within their programs that deal specifically with the use of drugs. Tools that can be implemented to assist with the reduction or prevention of drug use in high school sports programs are:

- Drug education classes that provide information regarding the physical, social and mental effects drugs can have on the individual.
- The implementation of a drug testing procedure.
- Firm program rules that exhibit a zero tolerance for drug use by any athlete.
- Testimonies by professional and collegiate athletes who have used drugs in the past and lost their right and privilege to be a part of the sport that has brought them success.

### **Bullying**

Sadly, bullying is something of a regular occurrence within the parameters of a school. Bullying, in its most conventional sense, can be illustrated through the imbalance of power of one individual, which is then used upon another individual. When discussing bullying, one often have the image of a smaller, weaker student being pushed into the lockers by a taller, stronger individual.

Those instances of bullying still do occur within school settings, however, with the rise of electronic communication, a new form of bullying has emerged (Goffin & Avitzour, 2012). Bullying now occurs in school settings through a variety of means, which always end in the same result, a student being hurt.

If we are to shift our gaze upon high school sports, bullying is still prevalent in the arena of sport and can often stem from an association with a certain sport. Therefore, it is important for coaches to implement policies regarding bullying. Coaches have a duty to protect their athlete from both foreseeable and unforeseeable harm. By implementing a code of conduct in reference to bullying, coaches can assist with lowering the already existent levels of bullying that may be present in a program, and possibly eradicate the possibility of bullying occurring on a sport team

Rules and guidelines that can be used to assist with the lowering and removal of bullying within a sport program are as follows:

- The program must have a zero-tolerance stance for bullying on the program.
- The program must have a zero-tolerance stance for bullying as a whole.
- If a player is proven to have acted as a bully and caused physical, social or mental harm, to a student or teammate, the student shall be removed from all team activities until further notice.
- Provide athletes with educational materials showing the ramifications that can occur while acting as the bully or being the recipient of such behavior.
- The use of school administrators in incidents of bullying is paramount.
- If an athlete is the recipient of bullying, we must ensure that we use all available resources to assist with the issue: principal, superintendent, and counselor.

### **Restrict the Use of Cell Phones**

Cellphones are a norm within society; it seems as if everybody has one, whether it be pre-teens, teenagers, adults or the elderly. Cellphones do have their benefits such as being able to connect people through a phone call or a message. However, cell phones also can be dangerous and be a source of distraction.

In society today, social media often plays an integral role in the use of a cell phone. As social media becomes a staple of modern life, it will not be uncommon for student-athletes to be engrossed in the many forms of communication that social media provides. Sadly, social media has captivated the lives of our athletes and can have effects on many areas such as performance. Encel et al. (2017) found that nearly 31% of their sample used social media during competition. The results are alarming in the least. Another result that was found was that “68.1% of

athletes had accessed Facebook within two hours prior to competition” (Encel et al.). Due to the addictive qualities that social media has (Andreassen et al., 2016), its extended use can have effects on both the mental preparation and physical preparation of the athlete.

Another danger that comes with the use of cellphones, is the inappropriate use of cell phones within the confines of the locker room and/or changing facilities. Along with adolescence comes immaturity, a lack of ethical and moral standing on behalf of the individual, and the desire to be accepted by their peers. Therefore, it is not uncommon for cell phones to be used within locker rooms and/or changing facilities to capture inappropriate pictures. With the lack of ethical and moral development, these inappropriate and often endangering images can be sent like wildfire through the means of a cellular device (Albury & Crawford, 2012).

Due to the potentially harmful and dangerous uses that often accompany cellphones, it is important that certain guidelines and rules are set in place within sport programs so that performance and social standing are not damaged or hurt. Guidelines that can be implemented are as follows:

- Cellphones are to be placed in a basket prior to entering the locker room and/or changing facility.
- Cellphones will be handed back to the athlete once the athlete has changed and will be departing from the facility.
- The use of cell phones within the locker room and/or changing facility will not be accepted and will result in further consequences.
- The use of social media during an athletic event will not be tolerated and will result in additional consequences.
- The use of social media prior to athletic events is frowned upon and athletes should be encouraged to use their time appropriately by mentally preparing for the athletic event.

#### **Ensuring a Safe Environment for Athletic Participation**

Participation in sport is often determined by the use of a facility, or area, in which the sport can take place such as: a court, a pool, or even an athletic track. It is of high importance that the athletes have a safe environment in which participation can occur, “Between 10% and 25% of child and adolescent injuries on school property” (Rivara et al., 1989). Due to the potential for injury, it is of high importance that athletic participation is supervised so that the potential for injury is reduced. An important point to stress is that coaches must educate their athletes on appropriate clothing during participation, appropriate placement of water bottles, utensils, equipment and anything else that accompanies the sport so that we can reduce or remove negligence from the situation. Leishman (1992) stated that “When a student is injured while participating in interscholastic athletics he or she may bring a suit for negligence against coaches, trainers, athletic

directors, principals, and school boards”, therefore it is of high importance that the environment in which athletic participation will occur, is safe. If coaches take the necessary approaches to securing the athletic environment, we can remove the chances of being sued for negligence. The following rules should be implemented so that a case for negligence cannot be brought forth:

- Ensure appropriate clothing and equipment is worn at all times during participation.
- Check the athletic environment for anything that could potentially cause harm.
  - Make the appropriate adjustment whether it be addressing the issue with the athletic director, principal or school board;
  - Or remove the potential for harm.
- Promote good personal health to reduce the risk of further injury or spreading of infection.
- A facility check should occur before each use that encourages coaches to inspect equipment and the premises.

#### **Teams Must Travel as a Team**

During a competitive athletic season, fixtures occur both at home, and away. In most instances, the teams travel together to away fixtures, so they can ensure the team will be at the necessary venue at the correct time. By having the team travel together, is also ensures safe travel. Therefore, it is important for programs to implement rules and regulations regarding safe travel.

LaVetter, & Kim (2010) stated “Transporting college athletes has been an overlooked risk management issue facing administrators.” As stated previously, not only is there the benefit of being on time to the athletic function, but team travel also provides a form of security that is often overlooked. LaVetter & Kim (2010) also discuss how through improper means of transportation to athletic events “Team travel accidents have caused death, injury, liability claims, property loss, and grief”.

With the evidence pointing towards legal ramifications for improper means of transportation to athletic events and the further possibility of death and injury, it is highly advisable for high school athletic programs to implement procedures that ensure a safe means of travel for their athletes, coaches, staff and any others who ride to such events. Procedural guidelines regarding team travel that can be implemented into a high school program are as follows:

- All members of the team must ride to the athletic event on the school provided bus and/or coach.
- All members of the team are to respect rules and regulations regarding safe travel as issued by the Department of Motor Vehicles.
- Any member of the team who does not ride back on the school issued bus are to have completed the following:

- Complete the school issued sign out list with the use of a school approved parent or guardian thus transferring liability from the school/program to the individual who has signed the sign-out list.
- Remove all items belonging to the athlete from the school issued bus.

### Conclusion

In a world where litigation reigns supreme, there are many ways in which players, coaches, administrators and athletic directors can find themselves in unwanted situations. Many of the issues listed above can be reduced and if not avoided if the program takes the proper and necessary precautions. It is important for members of the coaching staff and program to address such issues prior to the beginning of the season through a pre-season meeting. Implementing a pre-season meeting ensures a good start to help protect the athlete and members of the program from unwanted litigation. By addressing the issues listed above prior to the season, coaches are able to inform not only the players but parents also, on the programs standing in regards to certain policies and procedures and the means in which they will be resolved.

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