

AGREEMENT 10. SPORTSMANSHIP POLICY

(Adopted 1974; revised 1991; 1995; 2000; revised 6/2/13 & effective 8/1/13; revised 1/12/22)

10.01 General Purpose and Scope. The Big Ten Conference expects all contests involving a member institution to be conducted without compromise to any fundamental element of sportsmanship. Such fundamental elements include integrity of the competition, civility toward all, and respect, particularly toward opponents and officials. Accordingly, each member institution, through the actions of the individuals or groups of individuals listed in Agreement 10.1.1 below, has an obligation to behave in a way that does not offend the elements of sportsmanship described above. Actions that are offensive to the integrity of the competition, actions that offend civility, and actions of disrespect are subject to review and are punishable in accordance with the terms of this policy. Although this policy will apply most commonly to actions that occur within or around the competitive arena, the scope of its application is intentionally left unrestricted in order to accommodate any behavior, which may occur in any setting, deemed by the Commissioner to offend the underlying objective this policy seeks to achieve. For example, public comments or public messaging made at any time by individuals listed in Agreement 10.1.1 below, including comments or messages posted even temporarily via social media, are subject to review and punishable in accordance with the terms of this policy. (Note that throughout Agreement 10, use of the term “Commissioner” shall refer to the Commissioner or the Commissioner’s designee.)

10.1 Role of Member Institutions

10.1.1 Responsibility and Accountability. An institution is responsible for, and therefore, may be held accountable for, the actions of its employees, coaches, student-athletes, band, spirit squads, mascot(s), general student body, and any other individual or group of individuals over whom or which it maintains some level of authority. In addition, any member of the above groups may be held individually accountable if found to have committed an offensive action as contemplated by this policy.

10.1.2 Obligation to Cooperate. Each institution is obligated to cooperate with the Commissioner during the course of an investigation as to whether an offensive action has occurred. An institution’s failure to cooperate shall result in a breach of this policy, which shall be punishable in accordance with the terms of the policy.

10.1.3 Presumption of Commitment to Sportsmanship. Each institution is presumed to be committed to sportsmanship as contemplated by this policy, and is encouraged to take any action it deems appropriate to further the underlying objective of this policy. Such actions may be proactive in nature (e.g., education, sportsmanship campaigns); such actions may be reactive in nature (e.g., institutionally imposed suspensions in response to offensive actions). Although the Commissioner has the ultimate authority to impose disciplinary action in accordance with Agreement 10.2 below, nothing in this policy shall be construed to suggest that institutions are limited in their ability to impose any disciplinary action deemed appropriate in advance of any action that may be taken by the Commissioner.

10.2 Authority of the Commissioner

10.2.1 Exclusive Authority to Determine Whether Offensive Actions have Occurred. The Commissioner shall have the exclusive authority to determine whether an offensive action, as contemplated in Agreement 10.01 above, has been committed by anyone referenced in Agreement 10.1 above. In making this determination, the Commissioner may consider any evidence that he or she deems relevant. The Commissioner may accept any information provided by any source, but except as

outlined in Agreement 10.3.1 below, has no formal obligation to do so.

10.2.2 Authority to Take Disciplinary Action. In the event the Commissioner determines that an offensive action has occurred, the Commissioner shall have the authority to impose any disciplinary action in response to the offensive action, subject to the provisions of Agreement 10.3.3.1 below.

10.2.3 Factors that may be Considered when Deciding upon Disciplinary Action. In deciding whether to impose disciplinary action, factors to be considered by the Commissioner may include, but shall not be limited to, the following:

- a) the general nature or severity of the offensive action
- b) any injury or damage that results directly from the offensive action
- c) the manner in which the offensive action fits within the context of the rules of the game for the sport at issue
- d) any action taken or imposed in accordance with the applicable rules of the game (e.g., actions taken by game officials)
- e) the response of and/or any action taken by the involved member institution(s)
- f) the response of and/or any action taken by any other entity that may have jurisdiction over the offensive action (e.g., law enforcement)
- g) any prior offensive action(s) as contemplated within this policy

10.3 Procedural Elements

10.3.1 Commissioner's Discretion, Timeliness, and Due Process. The Commissioner has the discretion to pursue, or choose not to pursue, an investigation as to whether an offensive action has occurred. In the event the Commissioner decides to pursue such an investigation, the Commissioner shall commence the investigation as expeditiously as possible upon notification that such an offensive action may have occurred. Upon commencement of such an investigation, the Commissioner shall determine, as expeditiously as possible, whether an offensive action did occur. Any involved institution or individual at risk of disciplinary action shall be provided an opportunity, which may be waived, to offer its or his or her position as to whether an offensive action occurred. The timeframe within which an institution or individual shall provide its or his or her position shall be set by the Commissioner, and shall be reasonable in light of the circumstances. Upon determination that an offensive action did occur, the Commissioner shall, as expeditiously as possible, determine whether disciplinary action should be imposed, and if so, what it should be.

10.3.2 Notice of Disciplinary Action. In the event it becomes clear that an institution is likely to be subjected to disciplinary action, the Commissioner shall notify that institution or individual at the earliest reasonable opportunity. Under no circumstances shall the Commissioner comment publicly regarding either an investigation or disciplinary action without having first provided notice to any involved institution or individual.

10.3.3 Categories of Disciplinary Actions.

10.3.3.1 Standard Disciplinary Action. Standard disciplinary actions shall include admonishment, reprimand, fines that do not exceed \$10,000, and suspensions from no more than two contests. Any combination of the preceding actions shall be considered to be a singular standard disciplinary action. Decisions by the Commissioner to impose a standard disciplinary action shall be final and are not subject to appeal.

10.3.3.2 Major Disciplinary Action. Disciplinary actions exceeding those listed in Agreement 10.3.3.1 above must receive prior approval by the Joint Group Executive Committee (JGEC). In any case for which prior approval is sought, the JGEC shall be provided, in writing, the involved institution's or individual's position as described in Agreement 10.3.1 above. The JGEC may only approve, deny, or lessen the proposed penalty; it shall not increase the proposed penalty. Further, the JGEC may not lessen the penalty to a level lower than that for which its approval is required. Review and action by JGEC shall occur as expeditiously as possible, and its decisions shall be final and are not subject to appeal.

10.3.3.2.1 Interim Action. Prior to receiving approval, the Commissioner may impose as interim action any lesser disciplinary action (i.e., any disciplinary action for which prior approval would not be required), which shall be in effect until the JGEC has had the opportunity to review and act upon any proposed major disciplinary actions.

10.3.3.2.2 Recusal and Temporary Replacement. Any member of JGEC whose institution is involved in an incident for which approval of a major disciplinary action is sought shall be recused and temporarily replaced by an individual (or individuals) representing an institution (or institutions) not involved in the incident at issue. If either the current or incoming Chair (or Co-Chairs) of the Faculty Representatives is (or are) to be recused, any such member of JGEC shall be temporarily replaced by at least one member of the Faculty Representatives who most recently served as Chair (or Co-Chair) of the Faculty Representatives. If both the current and incoming Chairs (or Co-Chairs) of the Faculty Representatives are to be recused, they shall be temporarily replaced by the preceding two Chairs (or Co-Chairs) of the Faculty Representatives (at least one individual per institution represented). If the current Co-Chairs of the Administrators Council are to be recused, they shall be temporarily replaced by the members of the Administrators Council who most recently served as Co-Chairs. At least one of the former Co-Chairs (either the Athletic Director or Senior Woman Administrator) must still be in the same role at the applicable institution. In the event no eligible replacement(s) in a given group (either Faculty Representatives or Administrators Council) exist(s), the Commissioner shall appoint a replacement from the applicable group that may be based on availability but with primary consideration given to seniority.

10.3.4 Annual Review. Any case for which the Commissioner has pursued an investigation as described in Agreement 10.3.1 above shall be reviewed by the Joint Group on an annual basis, regardless of whether any disciplinary action has been imposed. The purpose of the annual review is to ensure the Commissioner is administering the policy in a reasonable, fair, and consistent manner.

10.3.5 Notice of Closure. For any case in which an institution has been provided notice of being at risk, the Commissioner shall notify that institution when the matter is closed, regardless of whether disciplinary action was or has been imposed.