



2005-2006 FINE ARTS ELIGIBILITY INFORMATION

GENERAL RULES

- 1. ACADEMIC** — (Credit Requirement) To be eligible, a student must be making satisfactory progress toward the school's requirement for graduation.
- 2. AGE** — A student representing a member school in League activities shall be under 20 years of age on the date of the contest. If, however, a student has started a season, the student will be permitted to complete that season after reaching the student's 20th birthday.
- 3. AMATEUR** — Use of a fine arts ability or skill for personal gain when not performing for or representing the student's school will not disqualify the student from participating in League-sponsored activities.
- 4. AMATEUR STATUS AND AWARDS BYLAW** — Acceptable awards to students in recognition of participation in high school activities include medals, ribbons, letters, trophies, plaques and other items of little or no intrinsic value (\$100.00 or less). Violation will render a student ineligible for participation in that activity.
- 5. COLLEGE/UNIVERSITY TEAMS** — A student shall not have been, at any time, a contestant representing a school higher than a secondary school.
- 6. FAIR HEARING** — The League Constitution provides a Fair Hearing Procedure for the student or parent contesting a school's failure to certify the eligibility of a student. The student has 10 calendar days in which to appeal the school's decision. The appeals process includes an appeal before a hearing panel at the school and the right, if desired, to appeal that decision to the League's Board of Directors. An independent hearing examiner will hear the appeal and make written findings of fact, conclusions and a recommendation for the Board of Directors following the hearing. The Board's decision shall be final. A complete listing of the Fair Hearing Procedure may be obtained from the athletic director or principal of the high school.
- 7. ENROLLMENT, ATTENDANCE, AND REQUIRED SUBJECT LOAD** — Students must be fully enrolled in (as defined by the Minnesota Department of Education) and attending the school before they are eligible to represent that school in League-sponsored activities. Students must be properly registered, attending school and classes regularly, and enrolled in the required number of credits to graduate in four (4) years after entering the 9th grade.
- 8. GENERAL ELIGIBILITY** — In order to be eligible for regular season and MSHSL tournament competition, a student must be fully enrolled as defined by the Minnesota Department of Education and a bona fide member of his or her high school in good standing. A student who is under penalty of exclusion, expulsion or suspension, whose character or conduct violates the Student Code of Responsibilities is not in good standing and is ineligible for a period of time as determined by the principal.

*Student Code of Responsibilities
As a student participating in my school's
interscholastic activities, I understand and accept the
following responsibilities:*

- 1. I will respect the rights and beliefs of others and will treat others with courtesy and consideration.*
- 2. I will be fully responsible for my own actions and the consequences of my actions*
- 3. I will respect the property of others.*
- 4. I will respect and obey the rules of my school and the laws of my community, state and country.*
- 5. I will show respect to those who are responsible for enforcing the rules of my school and the laws of my community, state and country.*

- 9. GRADUATE** — A student shall not be a graduate of a four (4) year high school or any secondary school. Exception: foreign exchange students participating in an approved Foreign Exchange program and has not attained their 19th birthday.
- 10. SEMESTERS IN HIGH SCHOOL** — A student shall not participate in an interscholastic contest after the student's eighth semester in grades 9-12 inclusive. All eight semesters of attendance shall be consecutive, beginning in the 9th grade. The attendance of 15 days or more in one semester will count as a semester in administering this standard.
- 11. FOREIGN EXCHANGE**—Foreign exchange students are limited to 1 year of high school eligibility.
- 12. INTERNATIONAL STUDENTS** – students not participating in a CSJET approved foreign exchange program are eligible only at the B-squad or JV level.

MOOD-ALTERING CHEMICALS

- A. Bylaw**
During the calendar year, regardless of the quantity, a student shall not: (1) use or possess a beverage containing alcohol; (2) use or possess tobacco; or, (3) use or consume, have in possession, buy, sell, or give away any other controlled substance.
 - The bylaw applies to the 12-month calendar year.
 - It is not a violation for a student to be in possession of a controlled substance specifically prescribed for the student's own use by her/his doctor.
- B. Penalties for Category I Fine Arts Activities**
(Category I Activities Defined: 1-Debate; 2-Speech activities, including One Act Play, when a school schedules a season of interscholastic contests.)
 - First Violation:** After confirmation of the first violation, the student shall lose eligibility for the next two (2) consecutive interscholastic contests or two (2) weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.
 - Second Violation:** After confirmation of the second violation, the student shall lose eligibility for the next six (6) consecutive interscholastic contests in which the student is a participant or three (3) weeks, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.

3. **Third and Subsequent Violations:** After confirmation of the third or subsequent violations, the student shall lose eligibility for the next twelve (12) consecutive interscholastic contests in which the student is a participant or four (4) weeks, whichever is greater. If after the third or subsequent violations, the student has been assessed to be chemically dependent and the student on her/his own volition becomes a participant in a chemical dependency program or treatment program, then the student may be certified for reinstatement in MSHSL activities after a minimum period of six (6) weeks. Such certification must be issued by the director or a counselor of a chemical dependency treatment center.
4. **Accumulative Penalties:** Penalties shall be accumulative beginning with the student's first participation in a League activity and continuing through the student's high school career.
5. **Denial Disqualification:** A student shall be disqualified from all interscholastic fine arts activities for nine (9) additional weeks beyond the student's original period of ineligibility when the student denies violation of the rule, is allowed to participate and then is subsequently found guilty of the violation.

C. Penalties for Category II Fine Arts Activities

(Category II Activities Defined: 1-Debate; 2-Speech activities, including One Act Play, when a school schedules no interscholastic contests and participates only in the League-sponsored tournament series; 3-Music activities; 4-Visual Arts activities.)

1. Each member school shall develop penalties which it will apply to the participants in these activities.
2. **Accumulative Penalties:** Penalties shall be accumulative beginning with the student's first participation in a League activity and continuing through the student's high school career.

RACIAL/RELIGIOUS/SEXUAL HARASSMENT/VIOLENCE AND HAZING

A. Definitions

1. **Racial Harassment** consists of physical or verbal conduct relating to an individual's race when the conduct:
 - a. has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment; or
 - b. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 - c. otherwise adversely affects an individual's employment or academic opportunities.
2. **Racial Violence** is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race.
3. **Religious Harassment** consists of physical or verbal conduct relating to an individual's religion when the conduct:

- a. has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment; or
- b. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- c. otherwise adversely affects an individual's employment or academic opportunities.
4. **Religious Violence** is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion.
5. **Assault** is:
 - a. an act done with intent to cause fear in another of immediate bodily harm or death; or
 - b. the intentional infliction of or attempt to inflict bodily harm upon another; or
 - c. the threat to do bodily harm to another with present ability to carry out the threat.
6. **Sexual Harassment** is a form of sex discrimination that violates Section 703 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., and Minnesota Statutes Sections 363.01-.14, the Minnesota Human Rights Act.
 - a. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature. Sexual harassment is illegal but may or may not be criminal activity.
 - b. Sexual harassment may include but is not limited to:
 - 1) verbal, written/graphic harassment or abuse;
 - 2) subtle pressure for sexual activity;
 - 3) inappropriate patting or pinching;
 - 4) intentional brushing against the individual's body;
 - 5) demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
 - 6) demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
 - 7) any unwelcome touching of a sexual nature.
7. **Sexual Violence** is a physical act of aggression that involves the touching of another's intimate parts, either above or underneath the other person's clothes, or forcing another to touch one's intimate parts, either above or underneath one's clothes. Intimate parts, as defined in Minnesota Statutes 1990, Section 609.341, include the primary genital area, groin, inner thigh, buttocks, or breast of a human being. Sexual violence is a criminal activity.
 - a. Sexual violence may include, but is not limited to:

- 1) touching, patting, grabbing, or pinching another person's intimate parts, either same sex or opposite sex.
 - 2) coercing or forcing sexual touching on another;
 - 3) coercing or forcing sexual intercourse on another;
 - 4) threatening to force sexual touching or intercourse on another.
8. "Hazing"
- a. Hazing means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 - 1) Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 - 2) Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 3) Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health of the student.
 - 4) Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 - 5) Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
 - b. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.
 - c. Reporting Procedures
 - 1) Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy.

- 2) The building principal is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school district human rights officer or to the superintendent.
 - 3) Teachers, administrators, officials, volunteers, and employees of the school district shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of, observes, or had other knowledge or belief of conduct which may constitute hazing shall inform the building principal immediately.
 - 4) Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades or work assignments.
- d. Reprisal
- The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, coach, official contractor or employee of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

B. Bylaw

During the school year, a student shall not violate the racial/religious/sexual harassment and racial/religious/sexual violence and hazing bylaws of the Minnesota State High School League. Interpretation: The bylaw applies to the entire school year and any portion of an activity season that occurs prior to the start of the school year or after the close of the school year.

C. Categories of Activities

1. Category I Activities: Those League-sponsored activities in which a member school has a schedule of interscholastic contests, exclusive of League-sponsored tournaments:
 - a. Debate
 - b. Speech activities, including One-Act Play, when a school schedules a season of interscholastic contests.
2. Category II Activities: Those League-sponsored activities in which a member school does not have a schedule of interscholastic contests, exclusive of League-sponsored tournaments:
 - a. Speech activities, including One-Act Play, when a school schedules no interscholastic contests and participates only in the League-sponsored tournament series.
 - b. Music activities.
 - c. Visual Arts activities.

- D. **Penalties for Category I Activities**
1. Racial/Religious/Sexual Harassment and Hazing Violations
 - a. First Violation: After determination of the violation, a student shall lose eligibility for the next two (2) consecutive interscholastic contests or two (2) weeks of a season in which the student is a participant, whichever is greater. Recommendations: 1) It is recommended that the school develop a local education program through which the student would receive information about racial/religious/sexual harassment and racial/religious/sexual violence. 2) It is recommended that, when appropriate, the school refer a student to a community agency or a professional individual outside the school for counseling.
 - b. Second Violation: After determination of the second violation, the student shall lose eligibility for the next six (6) consecutive interscholastic contests in which the student is a participant or three (3) weeks, whichever is greater. Recommendation: It is recommended that before being re-admitted to activities following suspension for the second violation, the student shall show evidence in writing that the student has received counseling from a community agency or professional individual such as a school counselor, medical doctor, psychiatrist, or psychologist.
 - c. Third Violation: After determination of the third or subsequent violations, the student shall lose eligibility for the next twelve (12) consecutive interscholastic contests in which the student is a participant or four (4) weeks, whichever is greater.
 - d. Accumulative Penalties: Penalties shall be accumulative beginning with the student's

- first participation in a League activity and continuing through the student's high school career.
2. Racial/Religious/Sexual Violence Violations: After determination of the violation of the racial/religious/sexual violence rules, the student shall lose eligibility for the next year, i.e., twelve (12) calendar months.
- E. **Penalties for Category II Activities:**
Each member school shall develop penalties that it will apply to the participants in these activities. A current copy of the member school's policy shall be kept on file in the member school.

TRANSFER RULE

A student in any grade level 7-12, who disenrolls from one high school and enrolls in another high school shall be ineligible to compete in any varsity event for a period equal to 50% of the regular season contests scheduled in all activities for one (1) calendar year from the date of the transfer, unless one of the conditions of the transfer rule A-D have been met.

- A transfer student is eligible for varsity competition if:
- A. The student is enrolling in 9th grade for the first time.
 - B. The student transfers from one school district attendance area to another during the same academic school year or during the summer months preceding the start of an academic school year in which there is a change of residence and occupancy by the student's parents or legal guardians.
 - C. The student's residence is changed pursuant to a child protection order, placement in a foster home, or a juvenile court disposition order. The student was fully eligible and attending a Minnesota school on the last day of the previous school year and enrolls in and attends a new school on the first day of the school year under the provisions of Minnesota state law.
 - D. The student was fully eligible and attending a Minnesota school on the last day of the previous school year and enrolls in and attends a new school on the first day of the school year under the provisions of Minnesota state law. A student is limited to one transfer under the provisions of this section during the student's high school career, grades 9-12.

CONTACT YOUR ATHLETIC DIRECTOR for specific information in this area. Transfer students are immediately eligible for sophomore, B-squad or junior varsity athletic competition.

Reminder: Return the attached signed statement to your school prior to practice or participation.

TO: Participants in MSHSL Fine Arts Activities and Their Parents or Guardians

This brochure is a summary of the basic regulations that students and parents or guardians should understand. Complete regulations are found in the MSHSL Official Handbook which is available at each member high school, and which is also posted on the MSHSL Web site: www.mshsl.org in Resources/Publications/Eligibility section.

Please keep this brochure for reference, and if there is a question about any rule interpretation, CONTACT YOUR SCHOOL PRINCIPAL OR ATHLETIC/ACTIVITIES DIRECTOR.

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*Statement to be signed by the participant from a MSHSL member school
and by the participant's parent or guardian*

I have read, understand, and acknowledge receiving the 2005-2006 Fine Arts Eligibility Information Brochure, which contains a summary of the eligibility rules of the Minnesota State High School League. I understand that a copy of the Official Handbook of the MSHSL is on the League Web site (www.mshsl.org) for my review.

I further understand that a member school of the MSHSL must adhere to all of the rules and regulations that pertain to the League Music and Speech activities a school may sponsor, but that local rules may be more stringent than MSHSL rules.

The student/parent authorizes the release of documents and other pertinent information by the school in order to determine student eligibility.

In addition, the student/parent understands and agrees that public information shall include names and pictures of students participating in or attending extra-curricular activities, school events, and High School League activities or events.

Student's Signature

Birth Date

Grade in School

Date

Parent's or Guardian's Signature

Date

