

13. At the end of the following day, Tuesday, October 1st, the Plaintiff was called to the athletic director's office where she met with the director, Jon Longley, and the assistant principal, Chet Jackson. Mr. Jackson said "it has come to my attention that there was an incident on Saturday night" and he asked the Plaintiff what happened. The Plaintiff explained that she went to the party to help her friend, and that the Boxford police arrived while she was there. Mr. Longley stated that he was aware she had been charged with the offense of "minor in possession of alcohol" and had been summoned to court. He added that such a charge was a violation of the "chemical health policy" of the MIAA Rule and North Andover School Athletic handbook. Without obtaining additional information he immediately suspended the Plaintiff from the volleyball team for five games and stripped her of her status as Captain of the team.

14. The Plaintiff was told that if she did not agree to the punishment and further agree to attend four sessions with a health teacher to address concerns about "chemical health," she would be suspended from the team for an additional three games.

15. On Wednesday October 2nd, the Plaintiff was made to sit out from a scheduled volleyball game and was told that she could not warm up with the team, could not wear her jersey (because she couldn't have a number), could not stand on the court with her team for the national anthem, had to sit at the end of the bench throughout the game and had to wear street clothes the entire time. The Plaintiff had not been informed of all these aspects of her punishment before they occurred, which made the experience much more painful. The Plaintiff was intentionally made the target of scorn and ridicule in front of many people without justification.

16. The Plaintiff is now experiencing serious emotional distress. She feels not only embarrassed and falsely accused of an offense she did not commit, she is distraught because she feels betrayed by officials and because she was punished for an offense she did not commit.

17. The Plaintiff is in her senior year and has enjoyed a successful tenure at North Andover High School where she has been an honor student earning A's and B's. She is also a student ambassador who has served on the student council. Last year she belonged to SADD (Students Against Destructive Behavior). She volunteers at Andover Commons, a facility for elderly and disabled persons. She has a great relationship with her varsity volleyball coach, Veronica Schaefer, for whom she has played since freshman year. Coach Schaefer knows the Plaintiff and her family well as she also coached the Plaintiff's older sister. Coach Schaefer can attest to the fact that Erin has a reputation for volunteerism and helping people in need.

18. The Plaintiff takes great pride in her status as a leader among her peers, and in that capacity is known by her friends as someone they can turn to for help. At a time when young people are too often indulging excessively in harmful substances, causing harm to themselves and putting others at risk, the Plaintiff takes responsibility for protecting others and avoiding tragedies. Her willingness to do just that by offering to retrieve a friend in need from a potentially dangerous situation did not justify the imposition of sanctions under either Massachusetts law or North Andover School District policy.