

Understanding Athletics Compliance Requirements

Title IX & Title VII

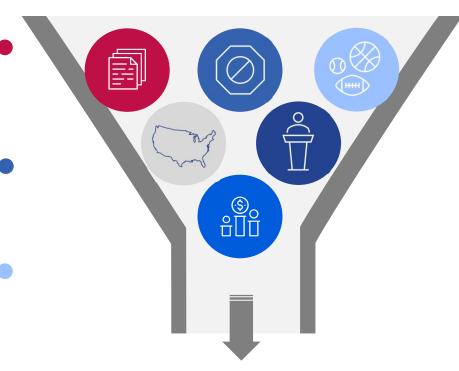
Applies to Recipients of federal funds/ employers

Associations

Applies to NCAA, NAIA, NJCAA, CCCAA, etc. members

Athletic Conferences

Applies to member institutions



Athletics Compliance Requirements

State/Local Laws

May apply to K-12 and/or higher education

Governing/Accrediting Bodies

> For example, K-12 State HSAAs

Insurance and/or Grant Requirements

May apply to K-12 or higher education



NCAA Requirements

NCAA Campus Sexual Violence Policy – Annual Attestation

- Policy training and compliance
- Dissemination of information
- Annual education for all student-athletes, coaches, and staff
- Prior conduct disclosure form for all prospective, continuing, and transfer student-athletes
- Prior misconduct check
- Policy regarding gathering information from previous institution(s)



NCAA and Sexual Violence

The Executive Committee expects NCAA members to...**operate fairly and ethically**, and further to assure that student-athletes are neither advantaged nor disadvantaged by special treatment and that **institutions' athletics departments must:**

- Comply with campus authorities and ensure that all athletics staff, coaches, administrators and student-athletes maintain a hostile-free environment for all student-athletes regardless of gender or sexual orientation
- Know and follow campus protocol for reporting incidents of sexual violence
- Report immediately any suspected sexual violence to appropriate offices for investigation and adjudication



Title IX and Equity

- Title IX is a sex and gender equity law
- Equity refers to the understanding that not all individuals have access to the same resources and opportunities
 - Equity focuses on providing support and resources to reduce disparities in access to the education program
 - Title IX seeks to remedy the inequities created by sex-based harassment and sex discrimination
- Equity requires ongoing investment to build capacity and a culture of continuous improvement



Title IX and Athletics

Title IX requires an institution to:

- Provide equal opportunities for female and male students to become intercollegiate athletes
 - Analyzed by means of a three-part test
- Provide fair and consistent treatment of participants in the overall women's program as compared to the overall men's program
 - Analyzed according to 13 different program components (e.g., the "Laundry List")



Title IX and Athletics

Title IX does not require an institution to:

- Provide the same funding to the overall women's and men's programs
- Provide the same funding to men's and women's teams for the same sport
- Provide specific benefits to teams
- Offer the same number of teams for men and women
- Offer the same sports for men and women
- Provide the same benefits to men's and women's teams in the same sport
- Compete at a specific level



Unique Challenges: Title IX and Student Athletics

- Insular nature of Athletics Departments and Sport on the whole
- Bonding and school/team/department loyalty
- Accepted Locker room hazing behaviors, possibly with Title IX implications
- Zero Sum mentality
- Culture of some sports being "more important" than others (Title IX implications)
- Entitlement and money
- Transgender issues at all level (ES, MS, HS, College)
- Sexualization and subordination of women team sports



Identify the Focus of Athletics Compliance and Climate Assessment

Compliance and Climate Assessment Topics

Assessing the Athletics Program

Why?

Understand a specific complaint or problem

Identify education & reporting strengths and gaps

Identify compliance strengths & gaps

Who?

Athletics Department

All student athletes

Specific Team

Athletics Coaches and Staff



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Compliance and Climate Topics



Opportunities and Experiences



Hazing



Relationships/Interactions with



Harassment and Discrimination



Relationships/Interactions with Teammates



Unique Challenges



Opportunities and Experiences

Equipment & Housing & **Locker Rooms** Scheduling Supplies & Facilities Dining Travel & Coaching Scholarships **Publicity** Per Diem Medical & Support Recruitment Training **Tutoring** Services Services



Coach/Teammate Relationships & Experiences

Communication

Is communication appropriate, respectful, honest, and effective?

Support

Do coaches/teammates offer support both physically and emotionally?

Respect

Does the coach treat the athlete with respect? Do teammates treat each other with respect?

Trust

Does the athlete trust their coach and teammates skills and abilities?

Problematic Dynamics

Does the coach or do the other athletes engage in intimidation, coercion, or manipulation>



Hazing, Discrimination/Harassment and Unique Challenges

For coaches/staff:

- Direct disclosures/notifications
 - Prevelance/frequency
 - Response
- Climate perceptions:
 - E.g.: "Hazing in the athletics department is common at this school"
- Reporting/Response perceptions:
 - Barriers to reporting
 - Beliefs about what happens when a report is made
- Knowledge of and comfort with:
 - Policy
 - Where/how to report
 - How to respond

For athletes:

- Direct experiences
 - Type of experience, reporting, impact
- Indirect experiences/perceptions
 - Behaviors they have witnessed
 - Climate perceptions (e.g. hazing in the athletics department is a problem at this school"
- Reporting/Response perceptions:
 - Barriers to reporting
 - Beliefs about what happens when a report is made
- Knowledge of:
 - Policy
 - Where/how to report

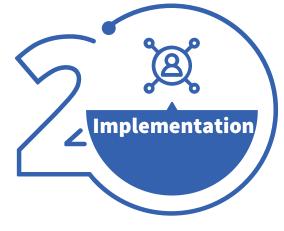


Engage in Assessment Efforts

Compliance and Climate Assessment Approaches

Climate Survey Stages







Determine a strategy and write the survey

Administer the survey to the selected participants

Analyze, publish, and use the results



Climate Survey Development



Climate Survey development steps, determine the following:

- Survey population
 - Entire athletics department, coaches/staff only, athletes only, specific team
- Sample selection approach
 - Targeted
 - Simple Random Sample
 - Stratified
 - Census
- Survey scope
 - Opportunities and experiences, hazing, harassment/discrimination, unique challenges
 - Other protected characteristics: race, religion, national origin, disability, etc.



Climate Survey Design



- Keep the survey to a length that can be completed in one sitting
 - 10-15 minutes is ideal
- Use simple questions that can be understood by all participants
- Focus on how the results will be reported
 - What is the purpose of this question?
 - What will we do with the information we learn from this question?
- Use a mixed-model design to capture both qualitative and quantitative data
- Use "skip logic" to target questions
- Be willing to use "Prefer not to answer" or "Not listed" as a response



Climate Survey Question Types



Demographic

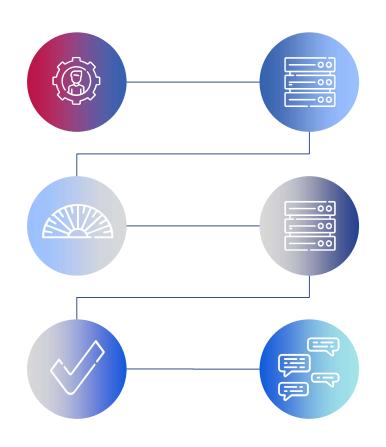
Collect participant information (gender, year in school, team). Useful in comparing groups.

Likert Scale

Ask participants to rate their experiences, agreement, or opinions on a scale. Useful in understanding climate.

Dichotomous

Questions that require a yes or no answer. Useful in identifying prevalence/frequency and building skip logic.



Single Answer Multiple Choice

Require participants to choose one answer from a list.

Multi-Answer Multiple Choice

Allows participants to choose more than one answer from a list. Useful in questions that have more than one possibility.

Open Ended

Asks participants to narrate an answer. Useful in capturing qualitative data and deeper insights.



Climate Survey Implementation

- Goal: Attain the highest level of survey completion ("response rate")
- Consider timing of implementation
- Develop a plan that maximizes response rate:
- Structured time to complete survey
- Incentives to participate
- Analyze response rates at specific intervals during the survey implementation period
- Do you need to revamp promotion efforts?
- Can additional outreach take place?
- Can additional incentives be provided?



Analysis



- Ensure the analysis is conducted by individuals with survey expertise
- Analysis should provide a story for the data
 - This story should be easily understood and shed light on areas of further exploration
 - Overly complicated analysis and data presentation should be avoided
- More advanced statistics (e.g., correlative analysis) can be used in moderation to compare populations

Climate Survey Report



- Draft a comprehensive overview of the Climate Survey responses
- Compiling a report can feel onerous, some tips to help:
 - Create or follow a template
 - Assign sections to committee members to draft
 - Allocate sufficient time for writing and review
- Consider:
 - Various presentations of the data (e.g., comprehensive report, executive summary, PowerPoint presentation, Infographic)
 - Showcasing both qualitative and quantitative data
 - Sharing a "next steps" plan to address areas needing improvement



Climate Survey Outcome Sharing







Action Planning



- Identify key stakeholders to advise and assist with post-survey action planning and implementation
- Committee action planning should consider:
 - How does the survey inform possible offerings, opportunities, or experiences?
 - How does the survey inform possible policy changes?
 - What barriers or perceptions of barriers exist?
 - What does the data tell us about our department/team climate?
 - How can we better inform our community about response and support measures?



Leveraging Data

- Regularly consult with the data beyond the window of survey implementation to:
 - Build trust with internal and external community
 - Improve climate and increase compliance connection to prevention and training initiatives
 - Inform policies, practices, and Title IX response efforts
- Infuse climate survey implementation into an annual assessment plan for continuous improvement







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