

Successful Strategies to Combat Sexual Misconduct in College and University Athletics

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Education and Awareness

- Training
- Culture
- Awareness



Policies

- What policies are effective?
- Hiring and Firing Policies:
 - Athletics doesn't get a free pass
 - Don't pass the bad penny
 - Don't compromise morals for wins



Sexual Misconduct Policy

- Simplicity, readability, fundamental fairness
- Requires reporting by everyone but a handful of people
- Take the reader through the process from start to finish
- What is ineffective: legalese, citing or quoting regulations, inequality between parties



Report Made: Now What? Investigation

- Two tracts: law enforcement and Title IX
- Not interchangeable investigations:
 - Purpose of law enforcement investigation is to allow the prosecutor to determine whether to bring criminal charges
 - Purpose of Title IX investigation is to allow the hearing panel to determine whether the Sexual Misconduct policy was violated



Determinations

- Law enforcement: standard is beyond a reasonable doubt
- Title IX: standard is, in many cases, preponderance of evidence
 - Informal resolution
 - Hearings
- Next stop: the courthouse



Courts as Change Agents

- Orders have wide impact
- Court ordered mediation
 - Intangible things are negotiable (additional training, apologies, etc.)
- Trying more cases



QUESTIONS

