



Published on Sports Management Resources

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## [The "Writing is on the Wa..."](#)

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The "writing on the wall" is clear; athletics departments need to do a much better job addressing issues of coach and staff misconduct, not only because these staff members work with minors in summer camps and clinics, but because the world around us has changed regarding public tolerance of what might formerly been characterized as "tough" coach behavior.

We live in a much more litigious society that is increasingly more protective of our children. Parents are no longer supporting coaches as if they were Gods or Knute Rockne. Laws like Title IX prohibit sexual harassment and abuse. State child welfare laws name coaches and athletics staff members as mandatory reporters of those who cause harm to minors. The Clery Act requires the public reporting of crimes and even charges of criminal behavior that occur on college campuses. The value of "respect for others" has taken on increased importance in a society that is increasingly diverse, less tolerant of discrimination and more demanding with regard to inclusive behavior. Athletes (minors as well as adults), and their parents are filing complaints about coach sexual abuse as well as verbal, emotional and physical abuse. The unwritten rule of "athlete toughness" no longer extends to silence in the event of a concussion. In short, the atmosphere of educational sport has changed while the culture of sport in

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many athletics departments has retained anachronistic beliefs about acceptable coach behavior.

All of these factors should be sending a message to athletics directors that they must immediately assess the systems they have in place to ensure that they are (1) providing the highest level of protection to the athletes and youth summer camp and clinic participants they serve, (2) have policies and training programs in place to make sure that athletes, coaches and staff understand the behaviors that cross the line into the realm of professional misconduct or criminal conduct, and (3) provide athletes, youth program participants and their parents and staff members a mechanism to make a confidential report to someone outside the athletics department and be assured that making such a report will not result in retaliation. These policies and programs must also be fully aligned with school district and higher education institution programs that have been put in place to address new legal obligations, programs that many athletics departments have chosen to ignore. Indeed, athletics department isolation was one of the fatal flaws in the Sandusky-Penn State child abuse case.

Following is a basic risk assessment checklist that should be considered by every athletics director:

1. Creating a culture of respect begins with the athletics director's commitment to establishing this as a primary goal. Are there one or more goal statements in the program's strategic plan that express a commitment to creating a respectful athletics department culture?
2. Does the athletics department strategic plan contain measurable objectives tracked by data collection or surveys that support such goals?
3. Is there a detailed ethical conduct policy that addresses staff and student-athlete responsibilities in the area of expected conduct? Such policies should address (a) behaviors that are prohibited by law (such as sexual harassment and abuse), (b) behaviors addressed by institutional policies (such as bullying and hazing) and (c) professionally inappropriate behaviors that are prohibited by institutional or athletics program policy. In particular regarding professional misconduct, the athletics program needs to address instructional areas where crossing the line between appropriate and inappropriate conduct most often occurs: physical punishment, emotional and verbal abuse, physical bodily contact, equal treatment based on gender, assigning responsibility for team success/failure, romantic/dating/social relationships between coaches/supervisors and subordinates/students, use of peer/captain pressure, social isolation and team initiation rituals.
4. Are staff members, student-athletes and parents of youth program participants required to sign acknowledgement agreements saying they have received and understand their responsibility to conform with ethical conduct policies?
5. Is the sexual harassment/professional conduct complaint procedure a part of the conduct policy and is it posted in locker rooms? Does it include the obligation of staff members to report, a reporting mechanism in which confidentiality is assured and someone external to the athletics department who receives such reports?
6. Does the athletics department have a policy that requires finger-print based criminal background checks, a check of national sport governing body banned coach lists and documented reference checks for every employee or volunteer working in athletics or an athletics sponsored program such as summer camps or clinics that have minors as participants?
7. Does a formal training program exist for all new employees, camp/youth sports program coaches, staff and volunteers and student-athletes with regard to legal and ethical obligations and conformance with department conduct policies? This program should be documented (i.e., power point, video, etc.) and include all handouts distributed as part of the program. Does this program include the athletics director appearing in person and making clear comments regarding

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expectations related to building and maintaining a culture of respect, equality of treatment and responsible reporting of prohibited behaviors?

8. Is there a policy describing the reporting, investigation and enforcement process, including possible sanctions, that must be used in the complaint process. Does the process utilize a "preponderance of evidence" standard and does the accused have an opportunity to address the allegations made against him or her? If the alleged behavior violates the law, does the process require that the allegation be reported to a law enforcement agency? Does the policy specify "mandatory" reporters as required by state child welfare laws? Is the investigation and enforcement process executed by trained institutional authorities who are not staff members of the athletics department?

Now is the time to act to be sure all of the pieces are in place to protect our athletes and educate coaches and staff members.

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Note: SMR conducts workshops that provide athletics departments with model goals, objectives, policies, educational materials, and training programs that fulfill all of the requirements listed above.

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