

# **SPRINGFIELD COLLEGE**

## **Student Athlete Serious Misconduct Disclosure Policy**

### **I. Purpose:**

Springfield College (“College”) established this policy to provide background and procedures for compiling information about student athlete serious misconduct to assist the College in determining if said athlete is able to participate in the College’s athletics program. This policy is drafted to comply with the NCAA Board of Governor’s Policy on Campus Sexual Violence.

### **II. Scope:**

This policy applies to and requires all incoming, transfer, and continuing intercollegiate NCAA student athletes (“athlete”) to annually disclose, no later than August 1 or prior to their first practice or competition for the current academic year with a team, whichever comes first, whether they have been disciplined through a Title IX proceeding, school disciplinary proceeding, or similar informal resolution process; or criminally convicted of sexual, interpersonal, or other acts of violence. Transfer student athletes must also disclose whether a disciplinary proceeding was incomplete at the time of transfer.

Failure of athletes to make a full and accurate disclosure could result in penalties, including inability to participate in athletics as determined on an individual basis.

As an NCAA member school and consistent with federal and state law, the College will provide relevant discipline information pertaining to any athlete wishing to transfer to another institution and required to complete a similar disclosure.

### **III. Defined Terms:**

**Incoming Student Athlete:** A non-Springfield College student who is not enrolled at another higher education institution, who has expressed interest in attending the College and participating on an NCAA athletics team, who is being recruited by the College’s athletics department to participate on an NCAA athletics team, or a current Springfield College student that intends to try out for an NCAA athletics team.

**Transfer Student Athlete:** A College athlete who is intending to transfer to Springfield College from another higher education institution and participate on an NCAA athletics team or is being recruited by the College’s athletics department to participate on an NCAA athletics team.

**Continuing Student Athlete:** A Springfield College student who participated in the prior competition season as a member of an NCAA athletics team and intends to remain on the team for the subsequent season.

**Interpersonal Violence:** Violence that is predominantly caused due to the relationship between the victim and the perpetrator, including dating and domestic violence.

**Sexual Violence:** A term used to include both forcible and nonforcible sex offenses, ranging from sexual battery to rape.

**Other Acts of Violence:** Crimes including murder, manslaughter, aggravated assault or any assault that employs the use of a deadly weapon or causes serious bodily injury.

The College also recognizes the definitions for prohibited conduct contained in the [Sexual and Gender-Based Misconduct policy](#).

#### **IV. Serious Misconduct Disclosures:**

The College requires every athlete to annually disclose whether they have been disciplined (found responsible) through a Title IX proceeding, sexual misconduct proceeding or informal resolution, or in a criminal conviction, or related process, for any sexual, interpersonal, or other acts of violence, as defined by this policy. Transfer student athletes must also disclose whether a disciplinary proceeding was incomplete at the time of transfer.

The College will take reasonable steps to confirm the information provided by the athlete is accurate or if additional information regarding incidents of sexual, interpersonal, or other acts of violence exists.

The athlete must annually disclose this information by August 1 or prior to their first practice or competition for the current academic year with a team, whichever comes first. For incoming and transfer students, this information may be collected during the recruitment process. Any College staff member involved in the recruitment process may take steps to gather this information during the recruitment process prior to a commitment by the athlete.

##### **a. Procedures**

Each athlete must complete the Serious Misconduct Disclosure Form annually, including any signatures that may be required from the Title IX Coordinator and/or Athletics representative at previous institutions. The form can be found and submitted through Front Rush.

The athletics department, in consultation with the Title IX Coordinator, will review the information and take reasonable steps to confirm the accuracy of the information provided, including directly following up with previous institutions or high schools or reviewing public records for criminal complaints and convictions.

Information collected by the College under this policy will be considered a private/FERPA record and will only be shared with College administrators with a legitimate educational interest.

**b. Reported Serious Misconduct**

When an athlete discloses a prior incident(s) of sexual, interpersonal, or other acts of violence, a College committee comprised of Athletics administrator(s), Title IX Coordinator, Student Affairs, and/or the Faculty Athletics Representative, will review the information on an individual basis to determine the athlete’s ability to participate on an NCAA athletics team. Any decision to deem the student ineligible will result in written notification to the student. This decision will have no bearing on their admission status, however the College may separately determine not to admit a student with a history of serious misconduct as part of the typical admission review process.

Current Springfield College student athletes should make every effort to inform their coach and/or Athletics Department of any new disciplinary actions related to sexual, interpersonal, or other acts of violence that occur during the current academic year and prior to the form completion deadline as soon as possible, in accordance with the Student-Athlete Conduct Statement that appears in the Student-Athlete Handbook.

**V. Responsible Parties/Contacts:**

Questions regarding this policy can be directed to the following individuals:

- Assistant Athletic Director for Compliance and Student Athlete Well-Being/Senior Women’s Administrator/Deputy Title IX Coordinator
- Director, Non-discrimination Initiatives/Title IX Administrator and 504 Coordinator

**VI. Related Policies and References:**

- [NCAA Board of Governors Policy on Campus Sexual Violence](#)
- [Sexual and Gender-based Misconduct Policy](#)
- [Student Handbook](#)
- [Student Athlete Handbook](#)
- [Information Security Policy](#)

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Approved by:	President’s Leadership Team
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