Indiana University

STATEMENT OF PRINCIPLES
ON THE CONDUCT OF PARTICIPANTS
IN STUDENT ATHLETIC PROGRAMS

1. Introduction

Student athletic programs are a longstanding and integral part of Indiana University. Participants in the University's athletic programs--students, coaches, and other faculty and staff (collectively "participants")--are covered by the laws, regulations, policies, and procedures applicable to other members of the University community. In addition, these participants and the University itself are subject to a wide variety of requirements promulgated by Indiana University, the National Collegiate Athletic Association or the National Association of Intercollegiate Athletics, the Big Ten Conference or other applicable conferences, professional coaches' and sports' organizations, and federal and state government authorities (collectively "requirements") designed to protect student athletes, ensure the integrity of the University's athletic programs, and promote fair competition. Indiana University is committed to full compliance with all of these requirements, and engages in extensive oversight, education, and training to ensure that all participants in student athletic programs understand and comply with them.

The University’s approach, however, reflects a deeper commitment to the spirit of fair, honest, skillful, and civil competition that these requirements are designed to facilitate. This Statement articulates the fundamental principles for the conduct of all participants in student athletic programs and for those members of the University community responsible for overseeing that conduct. This Statement does not restate or in any way replace the specific requirements to which participants in student athletic programs are subject. Nor does it replace or modify the terms of the Code of Student Conduct, which apply to the conduct of all students of Indiana University. Rather, it reaffirms the values that should permeate those programs, and seeks to remind all members of the University community that conduct inconsistent with those values is not appropriate and cannot be tolerated.

This Statement is divided into five sections. After this initial introductory section, section two articulates those principles that are applicable to all participants--including students, coaches, and other faculty and staff--in student athletic programs. Section three contains corollary principles specifically applicable to coaches and coaching staff (collectively "coaches"). Section four summarizes the obligations of University administrators and others who hold positions or serve on committees with responsibility for student athletic programs and the conduct of their participants. The final section identifies those principles applicable to enforcement of this Statement and other requirements applicable to participants in student athletic programs.

2. Principles Applicable to all Participants

2.1. All participants shall treat one another and all other people with dignity and respect. Participants shall behave according to the rules of their sport(s) and of the University, and shall avoid conduct that demeans, harasses, or threatens any person. Given the breadth of this principle, its specific application will vary depending upon the context. For example, physical contact that is permissible on the playing field would likely be disrespectful in the classroom or if directed toward an official or umpire. But the breadth and force of this principle would prohibit any participant at any time from physically or verbally abusing another person; from using excessive profane language or vulgar gestures; from demeaning or belittling another person or making derogatory comments about his or her race, sex, religion, age, disability, national origin, or sexual orientation; and from engaging in conduct intended, or so reckless as to be likely, to cause harm to another.

2.2. All participants shall evince honesty and integrity in their statements and actions. This not only
requires participants to tell the truth when asked, but also to avoid knowingly obscuring the truth by their actions or statements (such as giving incomplete answers or failing to give answers when required) and knowingly assisting any other person in a dishonest act or statement in connection with participation in student athletic programs and determinations regarding compliance with this Statement.

2.3. The conduct of all participants shall reflect the fact that student athletic programs are first and foremost an educational experience. For example, coaches and student athletes shall focus on developing skill, experience, prowess, and character. Student athletes shall not, and shall not be required to, allow their participation in student athletic programs to interfere with their other educational activities, such as fulfilling class requirements.

2.4. The conduct of all participants shall reflect the fact that by virtue of their participation in student athletic programs sponsored by Indiana University, they are representing the University. As a result, participants are expected to exhibit a higher standard of behavior than might be expected of other students, staff, and faculty, and to avoid conduct that is likely to appear improper.

2.5. All participants shall be aware of, understand, and comply fully with the requirements to which they are subject, including the principles in this Statement; the policies of Indiana University; the requirements of the NCAA or the NAIA, Big Ten Conference or other applicable conferences, and other sports and academic organizations; and applicable laws.

3. Corollary Principles Applicable to Coaches

All of the above principles apply with special force to coaches because of their influential role in the lives and careers of student athletes and the fact that they represent the University in dealing with student athletes, opposing teams, officials, sports organizations, and the public.

3.1. All participants shall treat one another and all other people with dignity and respect.

3.1.1. Athletic programs by definition require coaches to interact physically and vigorously with student athletes. As a result, broad latitude is given to defining appropriate behavior in the context of athletic training and competition. However, conduct that is verbally or physically threatening or abusive, belligerent, or harassing is never appropriate and shall not occur at any time.

3.1.2. Coaches shall not take advantage of their relationship with and influence over student athletes for personal advantage. This principle not only prohibits financial and sexual relationships with student athletes, it also requires coaches to avoid exercising undue influence or control over matters outside of the student athlete's participation in athletic activities, such as social and extracurricular activities and personal relationships.

3.1.3. Coaches shall actively promote the good health and well-being of student athletes. Coaches shall defer to the judgment of trainers and other medical advisors regarding a student athlete's ability to participate in any athletic activity, and shall enforce the recommendations of trainers and other medical advisors.

3.1.4. The obligation of coaches to treat others with dignity and respect is not limited to their interaction with student athletes, but shall apply to their treatment of all other participants, including other coaches, faculty, staff, and administrators; the athletes and personnel of other teams; officials and referees; members of the news media; and the public.

3.1.5. Coaches shall not in the performance of their duties by words or conduct manifest prejudice or bias based upon race, sex, religion, age, disability, national origin, or sexual orientation, and shall not permit members of their staff or those under their control to do so.

3.2. All participants shall evince honesty and integrity in their statements and actions.
3.2.1. Coaches shall actively promote honesty and forthrightness among student athletes, shall exhibit the highest standard of such behavior themselves, and shall sanction (or report for enforcement) dishonest acts or statements.

3.3. The conduct of all participants shall reflect the fact that student athletic programs are first and foremost an educational experience.

3.3.1. Coaches shall promote and enforce policies and practices that support the academic success of all student athletes and their progress toward graduation.

3.3.2. Coaches shall provide instruction in the requirements applicable to participants, including the principles in this Statement; the policies of Indiana University; the requirements of the NCAA or the NAIA, Big Ten Conference or other applicable conferences, and other sports and academic organizations; and applicable laws.

3.3.3. Coaches shall provide instruction on the promotion of the safety, good health, and well-being of student athletes.

3.3.4. Coaches shall conduct themselves so as to serve as a role model of both compliance with the requirements to which they are subject as participants in student athletic programs and the high standard of behavior required by this Statement.

3.4. The conduct of all participants shall reflect the fact that by virtue of their participation in student athletic programs sponsored by Indiana University, they are representing the University.

3.4.1. Coaches serve in a uniquely public role and therefore shall set high standards in their professional conduct. They shall conduct themselves so as to avoid conduct not only that is improper or inconsistent with their coaching responsibilities, but also that is likely to appear improper or inconsistent.

3.4.2. When speaking to the news media and in other public statements and settings, coaches are presumed to be spokespersons for the University; they shall conduct themselves with respect and dignity and shall refrain from using excessive profane language or vulgar gestures, berating members of opposing teams or referees or other officials, or demeaning or belittling another person or making derogatory comments about his or her race, sex, religion, age, disability, national origin, or sexual orientation.

3.4.3. If, in the context of public statements and settings, coaches wish to speak as private individuals, they shall make clear their intention to do so. When speaking as private individuals, coaches shall not use University logos or property without the permission of the University.

3.5. All participants shall be aware of, understand, and comply fully with the requirements to which they are subject.

3.5.1. Coaches shall comply fully and in good faith with this Statement and with other applicable requirements.

3.5.2. Coaches shall comply fully and in good faith with Athletics Department rules and policies, and with the instructions and reasonable and appropriate requests of Athletics Department personnel.

3.5.3. Coaches shall instruct members of their staffs and student athletes in the requirements of this Statement and other applicable requirements, including University policies on student athletics, conflict of interest, and use of University resources.

3.5.4. Coaches shall participate actively in monitoring compliance with this Statement and other applicable requirements; cooperate fully in their enforcement; guarantee University and Athletics
Department personnel responsible for monitoring compliance with this Statement and other applicable requirements access to practices, locker rooms, and training facilities; and sanction (or report for enforcement) acts that violate this Statement or other applicable requirements.

3.5.5. Coaches may establish team policies, provided they are consistent with this Statement and with other applicable requirements. Team policies shall be in writing, approved by the Athletics Director, and shall be provided to each member of a team by the first day of practice or immediately upon a member’s joining the team. Team policies shall not conflict with this Statement, other University or Athletics Department policies, or other applicable requirements.

3.5.6. Coaches shall conduct themselves fairly and shall not show preferential treatment in the enforcement of student athletic rules.

4. Additional Principles Applicable to Administrators

University administrators, faculty, and others who hold positions or serve on committees with responsibility for student athletic programs and the conduct of their participants, bear significant responsibility for ensuring the vigorous, timely, and fair enforcement of the principles contained in this Statement and the other requirements to which participants are subject, and an atmosphere conducive to full compliance and effective enforcement. These responsibilities are in addition to the many others they have concerning the operation of student athletic programs.

4.1. These responsibilities include:

4.1.1. Ensuring the integrity of student athletic programs, compliance with this Statement and applicable requirements, and public confidence in the integrity and compliance of all participants in those programs.

4.1.2. Protecting the rights of all participants in student athletic programs.

4.1.3. Informing and educating all participants in student athletic programs of their rights and responsibilities; the requirements to which they are subject as participants; the potential sanctions for failure to comply with those requirements; procedures for monitoring, enforcing, and reporting noncompliance; and the resources available to participants to facilitate their knowledge, compliance, and the protection of their rights.

4.1.4. Ensuring that there is a clear chain of responsibility for monitoring compliance with this Statement and other applicable requirements, reporting noncompliance, and enforcing this Statement and other applicable requirements.

4.1.5. Monitoring compliance with and enforcement of this Statement and other applicable requirements to ensure a high level of compliance, timeliness and fairness in enforcement, and the protection of participants’ rights.

4.1.6. Being accountable to the legislature, taxpayers, spectators, the news media, and the public for the quality, fairness, compliance, and integrity of all student athletic programs.

4.2. While the ultimate responsibility for ensuring the completion of all of these activities rests with the President and the Trustees of Indiana University, it is important that responsibility for day-to-day implementation of these tasks be clearly assigned to specific people, that a clear chain of responsibility exists, that the people in that chain carry out their duties fully, and that all participants in student athletic programs know and follow that chain of responsibility. Absent written instruction from the President to the contrary, primary responsibility for implementation of this Statement, including ensuring the successful completion of each of the tasks identified above, rests:

- in the case of student athletes, with their coaches, the Director of Athletics, and the Compliance
Coordinator;

- in the case of coaches, with the Director of Athletics and the Compliance Coordinator;

- in the case of staff and student employees, with their immediate supervisors and the Director of Athletics;

- in the case of the University Director of Athletics, with the President and the Compliance Coordinator, and in the case of other Athletics Directors, with the Chancellor of the campus on which they are located;

- in the case of faculty or others serving on committees with athletics oversight responsibilities, with the Chair of the committee, the person(s) or body(ies) that appointed them, and to the person(s) or body(ies) to whom the committee reports;

- in the case of administrators outside of the Athletics Department, with their immediate supervisors and the President of the University;

- in the case of the President, with the Trustees of Indiana University.

4.3. The University shall specify publicly the person(s) or body(ies) to which noncompliance by participants should be reported. As a general matter and unless specified to the contrary, alleged noncompliance shall be reported to the person(s) identified above as having primary responsibility for implementation of this Statement, based on the status of the allegedly noncomplying person.

4.4. Exceptions regarding the persons responsible for implementing this Statement and for receiving allegations of noncompliance shall be made in writing and made publicly available.

4.5. The University Athletics Coordinating Council, campus athletics committees, faculty representatives, student athletics boards, the Student-Athlete Advisory Council, and the Athletics Department CORE Committee all play an important role relating to student athletic programs and the protection of student welfare in particular. These and other bodies provide valuable resources for participants in student athletic programs, and, in some cases, exercise significant responsibility in many of the areas covered by this Statement. This Statement is not intended in any way to expand or reduce those responsibilities, but rather to highlight the important continuing role of these bodies in facilitating the implementation of this Statement and compliance with the principles it contains.

5. Principles Concerning Enforcement

The principles in this Statement serve the interests of all participants in student athletic programs and of the broader University community. It is therefore in the interest of all participants to comply fully with this Statement and other requirements applicable to student athletic programs, and to encourage other participants to comply fully. The University expects that all participants will comply. Nevertheless, the quality of any code of conduct is no greater than the means through which it is enforced. The purpose of enforcement is not the detection and punishment of noncompliance for its own sake, but rather to facilitate compliance with this Statement and applicable requirements by all participants.

Of course, not all acts of noncompliance are of equal severity or warrant similar sanctions. In addition, the process by which an alleged offense is investigated and adjudicated will also depend in large part on the nature of the alleged offense and the severity of the potential sanction. Many acts of noncompliance with this Statement or other requirements applicable to participants in student athletic programs will be and should be resolved immediately and without any formal procedure, and will involve comparatively minor sanctions, such as verbal correction. Such sanctions should be applied fairly and generally consistently, but the nature of the offense does not warrant formal procedures or other substantive due process.
At the other end of the spectrum, some acts of noncompliance will be so serious or so frequent or deliberate that existing University policies on faculty, staff, and student conduct and other applicable requirements already provide for potentially severe sanctions and formal processes and standards of review to ensure that those alleged acts of noncompliance are investigated and adjudicated appropriately. This Statement in no way alters the application of those policies.

There are likely to be, however, acts of noncompliance that fall between these two extremes: They involve offenses or behavior that are sufficiently serious or the subject of sufficiently burdensome sanctions to warrant procedurally more than immediate resolution, but not so great as to necessarily fit within existing University policies or other applicable requirements. The following enforcement principles provide general guidance that may be useful in all situations, but that are designed specifically to guide investigations, adjudications, and the imposition of sanctions only in this broad intermediate setting.

5.1. Enforcement shall be accessible, swift, fair, consistent, certain, appropriate, and accountable.

5.1.1. The University shall investigate credible reports of noncompliance with this Statement or other applicable requirements. The determination of a report's credibility necessarily involves many factors. However, except in unusual circumstances, a report shall be considered credible only if it is made by a person who has personally witnessed or experienced the allegedly noncomplying act, or by a coach or administrator with oversight responsibilities for participants in student athletic programs.

5.1.2. Acts of noncompliance shall be reported as swiftly as possible after the person making the report becomes aware of them. Delays in reporting a violation may significantly impair the University's ability to investigate the complaint and interfere with the alleged perpetrator's due process rights. Delays may also raise questions about the credibility of the complainant. Exceptional delay may, therefore, based upon the known circumstances, necessitate that the University decline to investigate a complaint.

5.1.3. Anonymous allegations will not be formally acted upon by the University, except to the extent required by law or other applicable requirements. Any person making an allegation concerning a participant shall be informed that his or her identity may be disclosed to that participant.

5.1.4. The participant shall be given the opportunity to receive and provide information regarding the alleged noncompliance.

5.1.5. Allegations shall be investigated and resolved as speedily, informally, and confidentially as is possible and consistent with University policies and procedures and other applicable requirements.

5.1.6. Allegations of noncompliance shall be received, investigated, and adjudicated, and sanctions, if determined to be appropriate, shall be imposed consistently. This does not require that all procedures or sanctions be identical, but that similarly situated participants be treated consistently and that there be a general consistency among the treatment of all participants.

5.1.7. The method of investigation and adjudication should be appropriate to the alleged offense. While all processes should be as swift as possible, the resources devoted to an investigation or adjudication, their extent, and the priority given to them should reflect the nature of the alleged offense.

5.1.8. Sanctions should also be appropriate to the alleged offense, taking into account the circumstances and context of the offense, the perpetrator's University status, whether a pattern of improper conduct exists, the magnitude of the violation, and the effect the conduct has had on others. A single offense, particularly where the act of noncompliance is found to be unintentional and resulted in little or no harm to another person, might result in a minor sanction, such as:

- a warning
- increased monitoring
• probation
• University or community service.

5.1.9. On the other hand, repeated or deliberate noncompliance, or noncompliance that threatens or
results in physical harm to another person or other demonstrable injury, should be subject to significant
sanction, such as:

• suspension from one or more games or leave without pay
• dismissal from a team
• suspension or expulsion from the University
• termination of employment
• referral for criminal prosecution

5.1.10. As noted above, sanctions are intended to facilitate compliance by all participants. Therefore,
when considering the imposition of sanctions, the University shall take into account the impact on Indiana
University, other participants, other members of the University community, other constituencies of the
University, and the public, and the extent to which the conduct clearly constituted noncompliance and
was known to constitute noncompliance, as well as fairness to the noncomplying party and to other
participants.

5.1.11. The University shall, to the extent permitted by law, make publicly available reports of
enforcement activities. Names and other identifying information shall be withheld as required by law,
University policy, or other applicable requirements, or as necessary to protect the privacy of the persons
involved.

5.2. Appeals

5.2.1. If a sanction that is imposed for an act of noncompliance would give rise to an opportunity for
review under an applicable University policy or other applicable policies, then that review shall be
governed by the policy giving rise to it. This Statement does not create any independent right of review or
appeal.

5.2.2. In the event that a contract with a participant in student athletic programs contains terms
concerning rights of review that are inconsistent with this Statement, the contract shall govern.

5.2.3. Nothing in this Statement shall limit the right of the University to take immediate action regarding a
participant in student athletic programs to protect the interests of the University community.

Adopted by the Athletic Code of Conduct Commission on September 6, 2000.

Athletic Code of Conduct Commission

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