



NCAA provides clarification on their policy regarding campus sexual violence by publishing resources

November 3, 2021

The National Collegiate Athletic Association (NCAA) added [numerous policy implementation resources](#) to help institutions comply with their [policy on campus sexual violence](#). Since 2018, each member school has been required to sign an annual attestation that confirms compliance with the NCAA policy. Starting this academic year, revised policy items 1-3 must be attested by the May 15, 2022, deadline. Policy items 4-6 must be attested the following year by the May 15, 2023, deadline (but may be implemented prior).

The NCAA published the following resources to assist schools in evaluating and implementing a compliant policy and procedure:

- **Checklist** – The NCAA released a campus sexual violence policy recommended [checklist](#) to support school's efforts in evaluating and implementing campus sexual violence policies and procedures. The checklist focuses on general recommendations, including creating a cross-campus collaboration team and additional recommendations for specific NCAA policy items schools are required to attest to for the 2022-2023 academic year.
- **Timeline** – In addition to the checklist, the NCAA released a campus sexual violence policy recommended [timeline](#). The resource recommends schools to have started the process of compliance in June 2021 and continue through May 2022 to achieve compliance with the policy.
- **FAQs** – The NCAA also released two FAQ documents, one for [administrators](#) and one for [student-athletes](#), in an attempt to clear up lingering questions. For example, it includes the definitions of "Title IX proceeding" and "discipline," as well as

explaining that informal resolutions should be disclosed if under Title IX or similar campus proceedings that are the result of a final finding of responsibility for sexual violence, interpersonal violence or other acts of violence.

- **Sample policies and procedures** – Only NCAA member schools with affiliated login credentials can gain access the sample policies and procedures. This is a helpful tool for institutions because it can serve as a starting point in creating a system that works for their campus.

The NCAA correctly recognized that a “one-size fits all” policy and/or procedure is not the most effective way to prevent sexual misconduct on individual campuses. This rightfully gives institutions the freedom to tailor their policies consistent with their mission and values. It also gives institutions an opportunity evaluate and modify existing policies and procedures already working on their campus. For example, institutions should already have policies on Family Educational Rights and Privacy Act (FERPA) and other privacy policies, including policies related to parental consent for minors, and those can be altered to comply with the NCAA requirements.

The NCAA leaves more details in the hands of the institution, including whether the institution wants to conduct criminal background checks of athletes and whether the institution wants to include additional forms of misconduct as part of their disclosure process beyond sexual violence, interpersonal violence or other acts of violence. So, although the supplementary resources clarifies the policy’s requirements, it also tells institutions they possess flexibility in many respects.

Now that institutions have additional clarification on the campus sexual violence policy attestation from the NCAA, one thing is for certain: schools need to start internal communications, if not started already, and consider the NCAA’s recommended steps to effectively evaluate and implement policies and procedures.

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