

Upper Iowa University Athletics Campus Sexual Violence Prevention Procedure

Upper Iowa University (UIU) is committed to cultivating a positive team culture and creating an environment in which all students feel safe and respected. Consistent with the NCAA Board of Governors Policy on Campus Sexual Violence, UIU Athletics has implemented a policy consistent with the NCAA to address sexual and interpersonal violence prevention and acts of sexual violence, particularly those related to the adjudication and resolution of matters related to sexual and interpersonal violence.

In a manner consistent with federal and state law, UIU may share relevant discipline information and incomplete Title IX proceedings with other NCAA member institutions upon request when a student-athlete attempts to enroll in a new college or university. In addition, UIU will take reasonable steps to confirm whether incoming, continuing, and transfer student-athletes, including incoming graduate students, have been disciplined through a Title IX proceeding or criminally convicted of sexual, interpersonal, or other acts of violence.

When recruiting incoming student-athletes, UIU may take steps to gather pertinent information that reasonably yields information from the former institution(s) and notify relevant staff members that the student left the institution with an incomplete Title IX proceeding, was disciplined through a Title IX proceeding, or has a criminal conviction for sexual, interpersonal, or other acts of violence.

The athletic department will cooperate with college or university investigations into reports and matters related to sexual and interpersonal violence involving student-athletes and athletic department staff in a manner compliant with institutional policies for all students.

Clarification of Terms

Students shall complete an annual disclosure relating to their involvement in the following:

- **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:** A term used to include murder, manslaughter, aggravated assault or any assault that employs the use of a deadly weapon or causes serious bodily harm.

Annual Self-Disclosure Form

The Assistant Athletic Director for Compliance is responsible for the distribution and collection of the Campus Sexual Violence Disclosures, as required. All returning and incoming student-athletes are asked to complete the Campus Sexual Violence Disclosure form annually. Students without a form on file shall be emailed directly requesting that the annual disclosure form be completed.

Incoming Transfer or Graduate Student Athletes

Within the Campus Sexual Violence Disclosure form, transferring students are required to also disclose if they were facing any pending or incomplete Title IX proceedings at their previous institution(s) at the time of transfer. All Athletic Transfer Tracer forms shall be reviewed for each transferring student. Student-athletes who are identified as having issues not shown within the Tracer which require the former institution to be contacted, will initiate a further review of that student-athlete's disclosure.

Review of Self-Disclosures

The Assistant Athletic Director for Compliance will be responsible for the review of each student-athlete disclosure. If an incoming freshman or continuing student-athlete provides an affirmative disclosure, an investigation will be initiated seeking further information. Transferring students with an affirmative disclosure will initiate an investigation including information being sought from the previous institution(s) in regard to any Title IX proceedings or outcomes not known to UIU.

Any affirmative disclosure shall result in that student-athlete being suspended from all countable athletically related activity (CARA) until an investigation is fully completed.

A Conduct Review committee comprised of the Senior Women Administrator, Associate Athletic Director for Internal Operations, Assistant Athletic Director of Compliance and Chief Conduct Officer will review the findings of each investigation. A written report will then be sent to the Vice President of Athletics and Assistant Vice President for Student Life/Title IX Coordinator detailing the issues and committee recommendation.

Should the affirmation be upheld, that student-athlete shall not be permitted to receive athletically related financial aid, practice, or compete for Upper Iowa University. The Assistant Athletic Director for Compliance shall notify the head coach, sport administrator, and the student-athlete of their findings and decision. The student will have the option to appeal the decision and seek a meeting with the Vice President of Athletics within 5 business days after receiving the notification. The Vice President of Athletics will either approve or refute the appeal within 5 business days of hearing the appeal. The Vice President of Athletics' decision is seen as final. The Vice President will inform the Assistant Vice President for Student Life/Title IX Coordinator of the final appeal decision.

Penalties for Non-Compliance

Continuing and transfer student-athletes who fail to make full and accurate disclosures, as described in this document, may be subject to penalties, including loss of eligibility to participate in athletics as determined by the University.

Universities that are not able to attest their compliance with the above Annual Attestation requirements will be prohibited from hosting any NCAA Championship competition for the next applicable year.

Future Policy and Procedures

The current procedures used to enforce compliance in this area may be reviewed and updated annually.