Student Athlete Serious Misconduct Disclosure Policy

General Description

Policy Summary:
Trinity University is dedicated to engaging in and collaborating on efforts to support campus-wide sexual violence and violence prevention initiatives. In accordance with these prevention efforts and recommendations from the National Collegiate Athletic Association (“NCAA”) Board of Governors, Trinity University adopts the following written policy.

Purpose:
To comply with Trinity University’s obligations related to the NCAA’s Policy on Sexual Violence.

Scope:
This policy applies to all incoming, new transfer, and current student-athletes.

Policy Content

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An incoming, new transfer, or current student-athlete who: (a) has been convicted of or pled guilty or no contest to a felony or misdemeanor involving “Serious Misconduct,” or (b) has been subject to official institutional or athletic department disciplinary action at any time during enrollment at any high school or collegiate institution (excluding limited discipline applied by a sports team or temporary disciplinary action during an investigation) due to Serious Misconduct may not be eligible for athletic practice or athletic competition at Trinity University.

For incoming and new transfer student-athletes at Trinity University, the University shall conduct an appropriate inquiry into the student-athlete’s background that complies with the Trinity Expectations for Due Diligence Inquiries (described below) prior to providing institutional financial aid or allowing the student-athlete to participate or compete in athletics. This information will be collected from incoming and transfer students in their admissions portal prior to enrollment and must be completed by August 1.

For current student-athletes at Trinity University, the University shall require certification to be completed by June 30th for the Fall Semester and January 15th for the Spring Semester.
After a review of the completed certification, the University may preliminarily deem a student-athlete ineligible to participate in athletic practice and/or competition. If an incoming, transfer, or current student-athlete (or the student-athlete’s representative) is deemed ineligible, a waiver will be granted if:

1. A panel from Trinity University consisting of the University’s Title IX Coordinator, Associate Athletic Director for Compliance (or their designee), and one other University employee outside of Athletics and who is knowledgeable of trauma as it relates to survivors of Serious Misconduct designated by the President (the “Sexual Violence and Serious Misconduct Review Panel”) concludes that compelling exceptional circumstances exist for a waiver of this Policy;

2. The Sexual Violence and Serious Misconduct Review Panel submits a written report to the President of the University that describes the basis for its conclusion; and

3. The University President and the Athletics Director review and approve the Sexual Violence and Serious Misconduct Panel’s report granting a waiver from this Policy.

**Expectations for Due Diligence Inquiries**

Trinity University, through its Title IX Coordinator, takes reasonable steps to gather pertinent information regarding the prior conduct of any incoming, transfer, or current student-athlete who seeks to enroll or otherwise participate in intercollegiate athletics at the University.

For purposes of this policy, “Serious Misconduct” is defined as all prohibited conduct included in the Trinity University Policy Prohibiting Sexual Harassment and Sexual Misconduct and as well as, murder, manslaughter, aggravated assault, and assault with a deadly weapon or causes serious bodily injury, as defined by the Texas Penal Code. Serious Misconduct would also include any other felony or misdemeanor considered equivalent to those listed above in any jurisdiction where a current or prospective student-athlete was convicted or plead guilty or no-contest.

While Trinity University reserves the right to use its discretion in conducting such due diligence based on the specific circumstances of each situation, at a minimum, the University shall on at least an annual basis ask the following questions of each student-athlete prior to the student-athlete practicing or competing on behalf of Trinity:

1. Do you have pending criminal charges, juvenile proceedings, or civil proceedings against you, any of which involves an act of serious misconduct, murder, manslaughter, aggravated assault, assault with a deadly weapon, and/or assault that caused serious body injury?

2. Have you been convicted of, pled guilty to, or pled no contest to any crime involving:
   a. Sexual Misconduct?
   b. Murder?
c. Manslaughter?
d. Aggravated assault?
e. Assault with a deadly weapon?
f. Assault that caused serious bodily injury?

3. Have you been adjudicated responsible (or any similar determination regardless of how labelled) in any juvenile proceeding for an act involving an act of serious misconduct, murder, manslaughter, aggravated assault, assault with a deadly weapon, and/or assault that caused serious bodily injury?

4. Have you been disciplined in any way, expelled, suspended, or placed on probation at any previous college or high school institution for serious misconduct, murder, manslaughter, aggravated assault, assault with a deadly weapon, and/or assault that caused serious body injury?

5. At the time you left any of your previous institution(s), were you the subject of a pending proceeding that could have resulted in a disciplinary measure, suspension, expulsion, or probation as it relates to serious misconduct, murder, manslaughter, aggravated assault, assault with a deadly weapon, and/or assault that caused serious body injury?

6. Are you currently the subject of a proceeding that could result in a disciplinary measure, suspension, expulsion, or probation as it relates to serious misconduct, murder, manslaughter, aggravated assault, assault with a deadly weapon, and/or assault that caused serious body injury at your current institution?

Answers to these questions, at a minimum, should be provided by each student-athlete annually prior to practice or competition, even when Trinity University has no independent reason to suspect the student-athlete may have engaged in conduct that triggered application of this Policy.

When Trinity University has an independent reason to inquire into a current or prospective student-athlete’s prior conduct, the University, through its Title IX Coordinator, will conduct a thorough inquiry designed to gather all information needed to assess the situation. This inquiry may include interviewing the student-athlete and others who might possess pertinent information to provide any such information, and where appropriate, requesting authorization from such persons to obtain pertinent documents and information from third parties. When a question exists whether the student-athlete has triggered the application of this Policy, the Title IX Coordinator is expected to notify the Serious Misconduct Review Panel prior to making the decision to allow the student-athlete to practice or compete.

Finally, the University’s Title IX Coordinator and/or Dean of Students will promptly notify the University’s Athletics Director when a student-athlete is subject of a proceeding that could result in a disciplinary measure, suspension, expulsion, or probation as it relates to serious misconduct, sexual misconduct, murder, manslaughter, aggravated assault, assault with a deadly weapon, and/or assault that caused serious body injury.
Terms & Definitions

Terms and Definitions:

<table>
<thead>
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<th>Term:</th>
<th>Definition:</th>
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<tr>
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<tr>
<td>Incoming Student Athlete</td>
<td>An incoming student-athlete is a high school or international athlete who is initially enrolling at Trinity or an athlete who is attempting to engage in intercollegiate competition for the first time at Trinity.</td>
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<td>New Transfer Student Athlete</td>
<td>A transfer student-athlete is an athlete from another two- or four-year institution who is initially enrolling at Trinity and who is attempting to engage in intercollegiate competition at Trinity.</td>
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<tr>
<td>Current Student Athlete</td>
<td>A current student-athlete is an athlete who has been enrolled at Trinity and has participated in intercollegiate athletics while enrolled at Trinity.</td>
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Revision Management

Revision History Log:

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<td>Eric Maloof</td>
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<td>v1.0</td>
<td>5/19/2022 8:51 AM</td>
<td>Holly Warfel</td>
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Vice President Approval:

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<tr>
<th>Name:</th>
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<tr>
<td>Eric Maloof</td>
<td>Vice President for Enrollment Management</td>
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