

Appendix C: Wright State University Athletics Guiding Principles on Prospective Student-Athletes with Records of Sexual Misconduct

These principles are designed to help protect all members of the Wright State University community.

Any prospective student-athlete who has been convicted of or pled guilty or no contest to a felony involving sexual misconduct (as defined below), or has been found responsible for sexual misconduct by a formal institutional disciplinary action at any previous collegiate or secondary school shall not be eligible for athletically-related financial aid, unofficial or official visits to campus, practice or competition at Wright State University without the athletic department conducting an appropriate inquiry into the prospective student-athlete's background to determine the nature and circumstances surrounding the conviction or finding.

For purposes of these guidelines, "sexual misconduct" is sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation and any other violation defined in the Wright State University Policy applicable to these areas.

Wright State University requires the athletic department to perform due diligence efforts to gather pertinent information regarding the prior conduct of every prospective student-athlete who seeks to enroll and participate in intercollegiate athletics. To the extent possible, a criminal background check and internet search should be performed on every prospective student-athlete. Accessing as much as possible publicly available information regarding prospective student-athletes, including their digital footprint, is strongly recommended.

Coaches should also talk to teachers, coaches, administrators, teammates and family members of prospective student-athletes. In addition, prospective student-athletes should be specifically asked about any previous or potential arrests, convictions, protective orders, probation, suspensions, expulsions, or other discipline involving sexual misconduct or any other matter. Sample questions that should be asked are listed below.

Upon learning that a prospective student-athlete has a history of sexual misconduct, the Coach and/or Athletic Director should consult with the university Title IX Coordinator, University General Counsel, and the President to review the pertinent facts surrounding the student-athlete's prior history. Any issue as to if or should these principles apply to a particular prospective student-athlete shall be resolved by the Office of General Counsel and the President.

Sample Questions/Recruiting Questionnaire:

- Have you ever been arrested for anything related to sexual misconduct? This includes but is not limited to: sexual assault, rape, domestic violence, sexual harassment, or trafficking?
 - If yes, when?

- Were you convicted or did you accept a plea deal?
 - What were the details of the conviction or plea deal?
- Have you ever been subject to a university discipline process related to sexual misconduct? This includes but is not limited to: sexual assault, sexual harassment, sexual exploitation, dating violence, domestic violence or stalking.
 - If yes, when?
 - What policy were you alleged to have violated?
 - Were you found responsible of the university policy violation?
 - If yes, what were the details of the finding of responsibility?
 - If yes, what was the sanction or punishment for the violation? (ex. Suspension, expulsion etc. if suspension, please indicate how long)
- Has a restraining order ever been issued against you?
 - If yes, when?
 - Please provide details
- Has a university protection order or no contact order ever been issued against you?
 - If yes, when?
 - Please provide details
- Have you ever been placed on probation as a result of any sexual misconduct related incidents?
 - If yes, when?
 - Please provide details
- Have you ever been suspended or expelled?
 - If yes, when?
 - Please provide details
- Have you been subject to any other form of discipline not listed as a result of a sexual misconduct incident?
 - If yes, when?
 - Please provide details
- Have you ever withdrawn from a school or institution while an investigation or conduct proceeding was pending?
 - If yes, when?
 - Please provide details
- Are you willing to sign a release so that Wright State University's Title IX Coordinator may access your educational record related to any sexual misconduct issues from any prior schools, colleges or institutions that you have attended?