



Yeshiva University

POLICY ON PROTECTING ATHLETES

The University is committed to ensuring the well-being, safety and protection of each of its student-athletes and will not tolerate any bullying, hazing, harassment or other misconduct. In light of the influence, power and position of trust wielded by coaches and other members of the athletic staff, as well as the influence and power that may be wielded by other student-athletes, the University believes it is important to set forth guidelines to help define appropriate behavior and conduct of its athletic staff and student-athletes in order to cultivate a safe and positive environment for all of its student-athletes. These guidelines apply to the behavior and conduct of all members of the University athletic staff and student-athletes, whether on-campus or off-campus.

Staff Maintaining Appropriate Boundaries

The University expects its athletic staff to serve as role models and appropriate mentors to its student-athletes and facilitate their intellectual, athletic and personal growth. Each member of the athletic staff should maintain professionalism and avoid any appearance of impropriety in his/her relationships with student-athletes. Relationships of a peer-to-peer nature between an athletic staff member and a student-athlete should be avoided. The athletic staff member must recognize that he/she is the educator and must refrain from getting too close and forming an inappropriate relationship with the student-athlete.

Behaviors that an athletic staff member should avoid include, but are not limited to, the following:

- Being alone with a student-athlete, especially when engaging in otherwise permitted physical contact such as when teaching a skill
- Inappropriate socializing with a student-athlete outside of team functions either in person, online or through other electronic means
- Engaging in horseplay, roughhousing or other inappropriate games with a student-athlete
- Providing alcohol or drugs to a student-athlete, or permitting him/her to drink alcohol or take drugs
- Giving inappropriate gifts to a student-athlete
- Physically touching a student-athlete in an inappropriate manner
- Giving a student-athlete a rubdown or massage unless the athletic staff member is an athletic trainer and it is conducted in an open and public location in the presence of others
- Showering or otherwise undressing in front of a student-athlete
- Being in changing areas, restrooms/showers or locker rooms while a student-athlete is undressed
- Sharing a hotel room or other sleeping arrangement with a student-athlete unless the athletic staff member is the parent, guardian or sibling of that particular student-athlete
- Promoting, providing access to and/or sharing pornographic material with a student-athlete
- Communicating with a student-athlete on any topic that is sexual or inappropriate in nature

Every member of the athletic staff also must refrain, and prohibit others, from using audio or visual recording (including a cell phone camera) in changing areas, restrooms/showers or locker rooms used by student-athletes. Under no circumstances should an audio or visual recording of a student-athlete unclothed or partially clothed be taken.

The University recognizes that there may be certain situations where the foregoing behaviors cannot be avoided, such as when the student-athlete requests privacy to discuss a confidential issue or there is an emergency that requires medical care. In such instances, the athletic staff member should consult with

his/her supervisor (who in turn should consult with the University Director of Athletics) to determine the appropriate way to behave.

Bullying and Hazing

The University recognizes bullying and hazing as unacceptable behavior and will not tolerate it.

Bullying generally refers to any form of physical, verbal, demonstrative, or electronic harassment that one should reasonably expect would demean, threaten, or physically or emotionally hurt its victims or others. Examples of conduct that may constitute prohibited bullying include, but are not limited to: (i) threatening another with physical harm; (ii) pushing, elbowing, poking, tripping, sitting on, kicking, or hitting; (iii) demeaning others' athletic ability or performance; and (iv) using one's position of power to coerce or intimidate another person in any way.

Hazing generally refers to any activity expected of someone joining a group (e.g., athletic team) or expected of someone to maintain any status in a group that: (i) humiliates; (ii) degrades; or (iii) risks emotional and/or physical harm or embarrassment to the individual or the University community, regardless of the person's willingness to participate and regardless of its intended result or effect. Examples of conduct that may constitute prohibited hazing include, but are not limited to, requiring someone to: (a) drink alcohol or use drugs; (b) engage in any degrading or humiliating act, or any activity that violates any aspect of the University's Code of Conduct or other policies; or (c) endure any physical striking, beating, burning or branding (or commit such acts upon another), or engage in self-mutilation.

Please see the University's Anti-Bullying and Hazing Policy for Students for additional information, as well as for complaint reporting procedures and guidelines (available on-line at <http://yu.edu/student-life/resources-and-services/standards-policies/>).

Romantic Relationships and/or Sexual Conduct

Romantic relationships and/or sexual conduct between athletic staff and student-athletes are not permitted.

Please see the University's Romantic Relationship Policy for additional information, as well as for complaint reporting procedures and guidelines (available on-line at <http://yu.edu/student-life/resources-and-services/standards-policies/>).

Sexual Harassment

The University prohibits, and will not tolerate, any form of sexual harassment, including sexual abuse/assault.

Sexual harassment is generally defined as any unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, demonstrative, or electronic conduct or communication of a sexual nature. Examples of conduct which may constitute sexual harassment include, but are not limited to: (i) verbal comments of an overtly sexual nature, whether in the form of jokes, innuendoes, slurs, or other statements; (ii) the use of sexual teaching materials or comments of a sexual nature not relevant to the material being taught or any other academic purpose; (iii) remarks of a sexual nature about an individual's clothing or body; (iv) remarks speculating about an individual's sexual orientation, activity or previous sexual experiences; (v) verbal harassment or abuse of a sexual nature; (vi) making offensive gender-based remarks; (vii) the display or transmission of sexually offensive objects, photographs, drawings, graffiti, email, electronic social media communications, computer graphics or programs when sexual content is not relevant to any academic purpose; (viii) non-verbal behaviors of a sexually degrading or offensive nature, such as gesturing, or leering; (ix) unwanted touching, hugging, or brushing against an individual's body; and

(x) requests, demands or persistent pressure for sexual favors, particularly when accompanied by an offer of rewards or threats of retaliation.

Sexual violence refers to physical contact with a sexual or intimate part of the body without consent. It includes various forms of sexual intercourse (e.g., rape, incest, statutory rape) as well as other forms of sexual touching (e.g., fondling).

Please see the University’s Non-Discrimination and Anti-Harassment Policy for additional information, as well as complaint reporting procedures and guidelines (available on-line at <http://yu.edu/student-life/resources-and-services/standards-policies/>).

Violations of this Policy

In addition to the reporting procedures and guidelines set forth in the other applicable policies referenced above, violations of this Policy may be reported by the victim, or anyone else who has knowledge of the violation, to the University Director of Athletics, who then in turn will inform the University’s Title IX Coordinator, the Office of the General Counsel and other University officials (as appropriate).

Every member of the athletic staff should promptly report any violations of this Policy to the University Director of Athletics, who then in turn will inform the University’s Title IX Coordinator, the Office of the General Counsel and other University officials (as appropriate), and also should promptly report violations of any other University policies as set forth in the applicable policy. Every member of the athletic staff is expected to monitor the actions of the other members of the athletic staff as well as the student-athletes.

Any suspected child abuse or maltreatment should also be reported to the Child Abuse Hotline (Mandated Reporter Hotline (800) 635-1522; Public Hotline (800) 342-3720) or other appropriate authorities.

The University will respond promptly to any report of a violation of this Policy.

Staff Notification of a Charge/Crime

Any member of the athletic staff who is charged with, or convicted of, a sexual offense by any local, state, federal or foreign entity must immediately report such charge/conviction to the University’s Human Resources Department as well as the University’s Title IX Coordinator.

Title IX Coordinator: Dr. Chaim Nissel, Dean of Students - (646) 592-4201 - drnissel@yu.edu.

Deputy Title IX Coordinators:

(Human Resources) Ms. Renee Coker - (646) 592-4336 - renee.coker@yu.edu

(Athletics) Mr. Joe Bednarsh - (212) 960-0015 - joe.bednarsh@yu.edu

(Cardozo) Ms. Jenn Kim - (212) 790-0429 - jennifer.kim@yu.edu

University Director of Athletics: Mr. Joe Bednarsh - (212) 960-0015 - joe.bednarsh@yu.edu