

SEXUAL HARASSMENT AND SEXUAL RELATIONSHIPS BETWEEN COACHES, OTHER ATHLETIC PERSONNEL AND ATHLETES

A. GENERAL RATIONALE

Sexual harassment is a recognized social problem in sport. Sexual harassment in sport deters girls and women from participating and developing as athletes. The development and implementation of policies regarding sexual harassment help to create organizational climates in which women and girls feel free to report such incidents. Setting policy on sexual harassment is also believed to decrease the likelihood of such offenses. The Women's Sports Foundation acknowledges that sexual harassment occurs in athletics and seeks to prevent its occurrence through the development of this policy and position statement.

Leaders of sports governing bodies, educational institutions and athletic programs are encouraged to formulate, implement and evaluate policies on sexual harassment and sexual relationships between coaches and athletes. The following policy is intended to serve, in part, as a model for sport leaders to adopt and/or adapt in order to meet the needs of their respective organizations. Though the ostensible focus of this policy is on coach-athlete relationships, its guidelines and implications include, but are not limited to, other professionals who work with athletes, such as athletic trainers, sports psychologists, officials and sports information personnel.

B. DEFINITIONS OF SEXUAL HARASSMENT AND ROMANTIC AND/OR SEXUAL RELATIONSHIP

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature and can occur separately or be a part of abuse. Romantic and/or sexual relationships between coaches and athletes are regarded as an abuse of professional ethics, status and power.

Sexual harassment is a violation of U.S. law and impairs girls' and women's access to educational resources. In the United States, under Title IX of the Education Amendments Act of 1972, sexual harassment by staff or peers is illegal sex discrimination. There are other laws that also apply, including state civil laws, such as those like Title IX, which prohibit sex discrimination in schools, and state criminal assault and abuse laws, which prohibit many of the physical forms of sexual harassment. Click [here](#) to view federal guidelines on sexual harassment from the Office for Civil Rights of the U.S. Department of Education.

Consensual and/or sexual relationships between coaches and athletes compromise the professional integrity of the coach and educational mission of athletics. Coaches exercise power over athletes, whether in giving them praise or criticism, evaluating them, making recommendations that further their athletic goals or conferring any other benefits on them. Consensual and/or sexual relationships between coaches and athletes are wrong when the coach has professional responsibility for the athlete. Such situations greatly increase the opportunities for a coach to abuse his or her power and/or sexually exploit the athlete. Voluntary consent by the athlete in such a relationship is also suspect, given the fundamentally unequal nature of the relationship. Such relationships can also cause a conflict of interest: how can a coach fairly judge an athlete with whom he or she is having sexual relations? Moreover, other athletes and coaches may be affected by such unprofessional behavior because it places the coach in a position to favor or advance one athlete's interest at the expense of others and implicitly makes obtaining benefits contingent on consensual and/or sexual favors. Furthermore, consensual relationships between minors and coaches often violate state criminal statutory rape laws.

C. WOMEN'S SPORTS FOUNDATION POSITION ON SEXUAL HARASSMENT AND SEXUAL RELATIONSHIPS BETWEEN COACHES AND ATHLETES

1. Sexual harassment and sexual relationships between coaches and athletes subvert the mission of sports organizations and educational institutions to provide leadership and resources for the purpose of improving the physical, mental and emotional well-being of all females through sport and fitness participation.
2. Sexual harassment has debilitating consequences both for its victims and for the society as a whole. In the context of athletic programs it lowers the self-esteem and limits the ability of women and girls to develop their full potential in sports and fitness activities. It impairs the future capacity of its victims to experience full athletic participation and to pursue employment and leadership roles in athletics. This, in turn, deprives the society as a whole of the contributions of these women and damages a genuine appreciation of women's athletic achievements and contributions.
3. Consensual and/or sexual relationships between coaches and athletes undermine the professionalism of coaches, taint the atmosphere of mutual trust and respect between coach and athlete, and hinder the fulfillment of the overall educational mission of athletics. The Women's Sports Foundation views it as unethical if coaches engage in consensual and/or sexual relations with athletes under their supervision, even if both parties have apparently consented to the relationship.
4. The Women's Sports Foundation recognizes that sexual harassment occurs in sport as it does in other institutional contexts, such as government, religious organizations or the workplace. In order to effectively deal with cases of sexual harassment in athletics, as well as to prevent future abuse of women athletes by coaches, the Foundation encourages officers of sports governance bodies, athletic directors and school administrators to formulate policy guidelines and procedures that include periodic training and distribution of the policy, subsequent evaluation of its effectiveness and effective responses to sexual harassment in a timely manner.

D. WOMEN'S SPORTS FOUNDATION GUIDELINES FOR ADMINISTRATORS CHARGED WITH HIRING AND SUPERVISING COACHES

Officials who are responsible for the administration and oversight of coaches and athletic programs should:

1. Formulate a written policy that details appropriate and inappropriate behavior. The policy should clearly define sexual harassment and explain the sanctions for sexual harassment. (While counseling for a coach or other athletic personnel may be appropriate in some circumstances, counseling is not a sanction.) Job descriptions for coaching staff and volunteers should address the issues of sexual abuse and sexual contact.
2. Develop and distribute clear rules that prohibit coach-athlete dating and/or sexual relationships. Periodically distribute these rules to coaches, other athletic personnel and students. These rules should specify the length of time that should pass after the cessation of a coach-athlete relationship before dating might occur. (The length of time specified should fit the age and/or social-psychological characteristics of athletes in the administrative setting; e.g., interscholastic athletes, college athletes, elite athletes or professional athletes.)
3. Provide coaches, athletic personnel and students with information, training and continuing education about how power, dependence, "love" and sexual attraction can influence coach-athlete relationships. Upper-level administrators need to take responsibility for organizing educational and training sessions for coaches, staff and students in cooperation with those persons whose responsibility is to handle sexual harassment for the college or school.
4. Develop a complaint procedure for reporting sexual harassment. (See the sample procedures below.) Athletes should be given multiple opportunities to report cases of sexual harassment to neutral persons, that is, officials from outside the athletic department, e.g. guidance counselors, school psychologists and school nurses might be identified as referral agents. Procedural guidelines should also recognize that, in addition to needing direction and assistance in order to process the complaint itself, victims may benefit from personal counseling, although that is not a substitute for the complaint process.

Although virtually all colleges and most secondary school systems have sexual harassment policies, not all provide sufficient information to students. Specific training and information about the sexual harassment policy should be provided periodically in writing and by training to the athlete, and specific information should be tailored to athletes so that athletes are aware that they are also covered by sexual harassment. Such information should include the following:

- what is sexual harassment
- whom to talk to about it
- how informal and formal complaint procedures work
- protections against retaliation and examples of retaliation
- time frames for reporting and for the complaint procedure
- confidentiality
- encouragement of reporting by third parties (students who are not being harassed, but students who know of students of are).

5. Ensure that procedures for reporting sexual harassment protect the privacy of any athlete or coach involved as much as possible. It is helpful to distinguish between informal and formal procedures for reporting sexual harassment. Informal procedures may involve initial discussion of alleged incidents with athletes, clarification of circumstances and perceptions, counseling and resolution accepted by the harassed person without formal hearings and investigations. Confidentiality should be the same for informal and formal processes. Confidentiality throughout the process cannot be 100% guaranteed because those with a need to know will be informed of the investigation. A school has an obligation to act in response to a complaint, and it should not let confidentiality impede any type of investigation. Coaches should have to report to someone when they know about sexual harassment. Strict confidentiality should be maintained during informal reporting, meaning that only the individuals who need to be informed shall be. Formal procedures incur the filing of an official complaint against the alleged perpetrator. Both athlete and coach need to be advised of their rights at this time and limitations on confidentiality must be explained.

6. Ensure that procedures for determining whether sexual harassment has occurred protect the legal rights of coaches and students until litigation or administrative hearings have been completed.

7. An appeals procedure should be developed in the event that the accused harasser or alleged victim is dissatisfied with the outcome of a hearing. Coaches or athletes cannot be denied their right to pursue legal redress in a court of law. There are federal and state statutes of limitations involving these rights that might apply.

8. Ensure that athletic personnel receive periodic training regarding how to respond when an athlete comes to them concerning situations of and sexual harassment. Coaches should not handle these situations by themselves. Administrative officials should appoint a specialist to handle these complaints (both formal and informal).
9. Policy guidelines must protect coaches and athletes from retaliation before, during and after a hearing or appeals process.
10. Respond quickly to allegations of harassment. Take immediate action to ensure that the environment is free of sexual harassment. Ensure that an investigation proceeds in a timely manner. Have time frames for how soon an investigation begins, how long it should take, how soon parties should be notified of the findings, and how soon sanctions, if any, should be decided and implemented. Have investigatory guidelines to ensure that investigators follow proper procedures for a fair and effective investigation. Provide training for investigators.
11. Prepare a press statement that specifies your organization's sexual harassment policy. This statement should be posted in prominent places and distributed to new staff.
12. Screen all applicants for coaching staff and volunteer positions. The policy on sexual harassment and consensual relations between coaches and athletes should be explained in all pre-employment interviews with all prospective staff or volunteers. Such persons can also sign a statement agreeing not to engage in any physical or psychological abuse or sexual harassment.
13. Periodically assess whether sexual harassment is occurring within the athletic department.

E. WOMEN'S SPORTS FOUNDATION GUIDELINES FOR COACHES

1. Coaches have the duty and responsibility to establish and maintain an educational and athletic environment free of sexual harassment.
2. Coaches have a duty and responsibility to take seriously all incidents or complaints of sexual harassment and to report them to the appropriate Title IX coordinator or administrator in the school.

3. Coaches should be required to participate in periodic training and educational experiences that enhance coaches' understanding of issues surrounding sexual harassment and romantic coach-athlete relationships.

F. WOMEN'S SPORTS FOUNDATION GUIDELINES FOR ATHLETES

1. All athletes should be encouraged to immediately report an incident she believes is a form of sexual harassment by a coach, whether the incident was directed at her or she observed it happening to someone else.

2. All athletes should be required to take periodic sexual assault training courses.

3. Athletes should inquire about their rights to confidentiality before reporting an incident of sexual harassment to a professional. Athletes should be encouraged to discuss confidentiality throughout the entire reporting process. Confidentiality should be the same for informal and formal processes. Confidentiality throughout the process cannot be 100% guaranteed because those with a need to know will be informed of the investigation. Statements of confidentiality can be made verbally by professionals, but athletes should understand that such agreements do not guarantee that such requests will be honored. Athletes should be advised that it is better to receive such assurances in the form of written policy statements or a written agreement. (See section D5 above regarding confidentiality).

G. WOMEN'S SPORTS FOUNDATION COMMITMENT TO PROVIDE ASSISTANCE

1. Foundation staff is trained to respond effectively to telephone inquiries regarding sexual harassment.

2. The Foundation has developed and distributes an Educational Resource Kit for Student-Athletes that (1) states the educational mission of the Foundation, (2) provides definitions and examples of sexual harassment, (3) lists suggestions for athletes to seek appropriate professional help and (4) includes some relevant articles and references for further reading.

3. The Foundation has developed and distributes an Educational Resource Kit for Professionals (e.g. athletic administrators, coaches, educators, journalists and lawyers) that (1) states the educational mission of the Foundation, (2) includes a copy of the Foundation's Statement on Sexual Harassment and Consensual Relationships between Coaches and Athletes, (3) lists the names of organizations that have devised policies regarding sexual harassment in athletics and (4) includes relevant articles and bibliographic materials.
4. The Foundation promotes and facilitates the education of coaches, administrators and parents on the issue of sexual harassment and romantic and/or sexual coach-athlete relationships. Such interventions focus on prevention (i.e. stopping abuse before it happens) as well as teaching individuals how to recognize such problems and to respond to abuse after it occurs.
5. The Foundation produces and disseminates copies of the Position Statement on Sexual Harassment and Sexual Relationships between Coaches and Athletes to coaches organizations and sports governance bodies.

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Founded in 1974 by Billie Jean King, the Women's Sports Foundation is a charitable educational organization dedicated to advancing the lives of girls and women through sports and physical activity. The Foundation's Participation, Education, Advocacy, Research and Leadership programs are made possible by individual and corporate contributions.

The Foundation is located in Nassau County, N.Y. For more information, please call the Foundation at (800) 227-3988 or visit www.WomensSportsFoundation.org.

Download Elements of a Good Policy from Dr. Bernice Sandler's Book "Student-to-Student Sexual Harassment K-12: Strategies and Solutions for Educators to Use in Classroom, School, and Community"