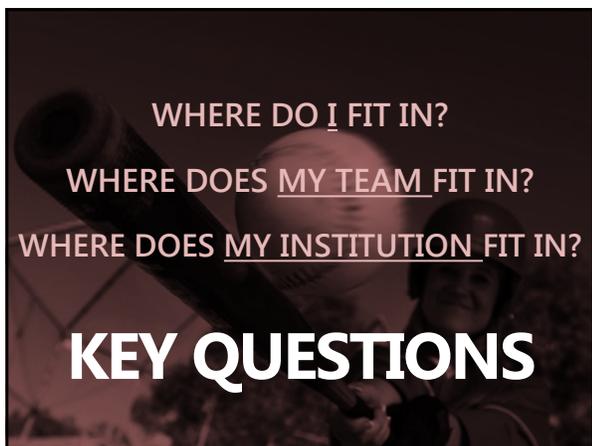
A dark background with a basketball court floor pattern. The text is white and centered.

ATHLETIC CULTURE
IN THE AGE OF TITLE IX
with
COURTER SHIMEALL
JOSHUA NOLAN
MANDI GRANDJEAN
BRICKER & ECKLER LLP

A dark background with a soccer ball and goal net pattern. The text is white and centered.

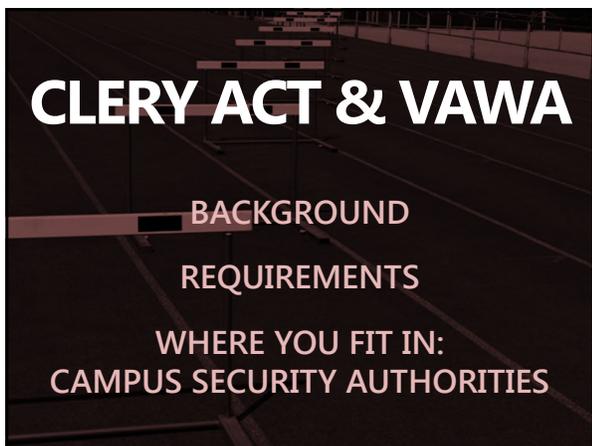
GOALS
WHAT: Legal landscape regarding athletics and Title IX-related issues
WHY: Importance of complying
HOW: Ideas for promoting compliance

A dark background with a person's face and a megaphone. The text is white and centered.

WHERE DO I FIT IN?
WHERE DOES MY TEAM FIT IN?
WHERE DOES MY INSTITUTION FIT IN?
KEY QUESTIONS

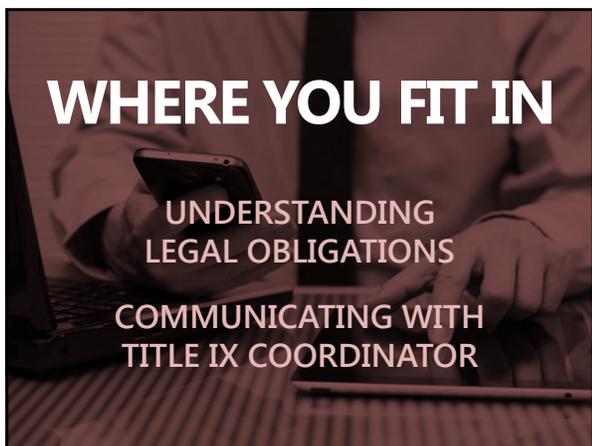














**NEGLIGENCE:
DUTY, BREACH, INJURY CAUSED BY BREACH**

**WHERE YOU FIT IN:
POSSIBILITY OF LIABILITY FOR ANYONE WHO
MIGHT REASONABLY HAVE A DUTY TO A
POTENTIAL PLAINTIFF
E.G., COACH, AD, INSTITUTION**

COMMON LAW CLAIMS

Limits Enforcement	Cause for Enforcement
Member institutions decide bylaws	Public pressure
No bylaw specifically addresses sexual assault	Ambiguous—and broadly worded—bylaws
Ambiguous bylaws	

2.3 The Principle of Gender Equity. [1] It is the responsibility of each member institution to comply with federal and state laws regarding gender equity. (Adopted: 1/11/94)

2.3.1 Compliance With Federal and State Legislation. [2] It is the responsibility of each member institution to comply with federal and state laws regarding gender equity. (Adopted: 1/11/94)

2.3.2 NCAA Legislation. [3] The Association shall not adopt legislation that would prevent member institutions from complying with applicable gender equity laws and federal state legislation, in whatever member institutions comply with applicable gender equity laws. (Adopted: 1/11/94)

2.3.3 Gender Bias. [4] The activities of the Association should be conducted in a manner free of gender bias. (Adopted: 1/11/94)

2.4 The Principle of Sportsmanship and Ethical Conduct. [5] The Association shall promote the character development of participants, to enhance the integrity of higher education and to promote ethics in society. (Adopted: 1/11/94)

2.5 The Principle of Sound Academic Standards. [6] The Association shall promote the highest quality of education, to ensure that all students receive a high quality education. (Adopted: 1/11/94)

2.6 The Principle of Diversity within Governance Structures. [7] The Association shall promote diversity of representation within its various divisions, governance structures and activities. (Adopted: 1/11/94)

2.7 The Principle of Diversity within Governance Structures. [8] The Association shall promote diversity of representation within its various divisions, governance structures and activities. (Adopted: 1/11/94)

2.8 The Principle of Rules Compliance. [9] The Association shall ensure that all participants in its activities adhere to the rules and regulations of the Association and its member institutions. (Adopted: 1/11/94)

2.9 The Principle of Amateurism. [10] The Association shall ensure that all participants in its activities adhere to the rules and regulations of the Association and its member institutions. (Adopted: 1/11/94)





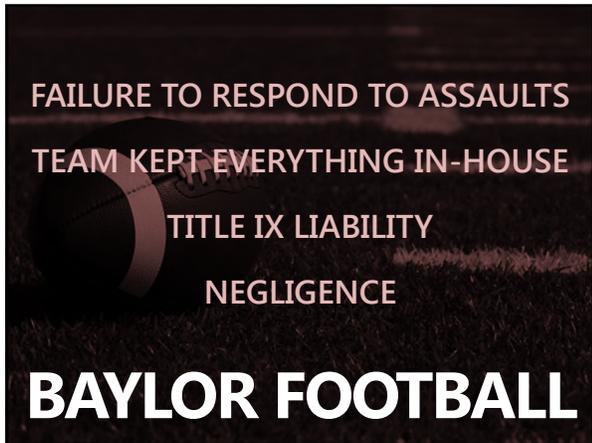




INDIVIDUALS

TITLE IX LIABILITY:
DELIBERATE INDIFFERENCE,
HOSTILE ENVIRONMENT

NEGLIGENCE



FAILURE TO RESPOND TO ASSAULTS
TEAM KEPT EVERYTHING IN-HOUSE

TITLE IX LIABILITY
NEGLIGENCE

BAYLOR FOOTBALL



BASKETBALL

ALLEGATIONS:
ESCORTS PAID TO HAVE SEX WITH PLAYERS

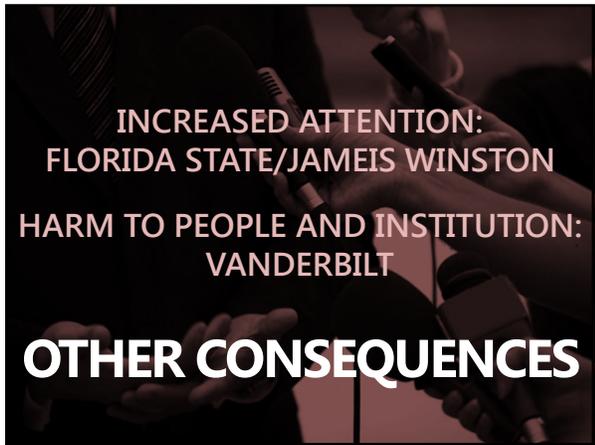
NCAA SUSPENDS HEAD COACH:
FAILURE TO MONITOR

NCAA SCRUTINY



INSTITUTIONAL RESPONSES
STOP CONDUCT, PREVENT RECURRENCE,
ADDRESS EFFECTS

HARVARD SOCCER
PRINCETON SWIMMING
COLUMBIA WRESTLING
AMHERST CROSS COUNTRY



INCREASED ATTENTION:
FLORIDA STATE/JAMEIS WINSTON

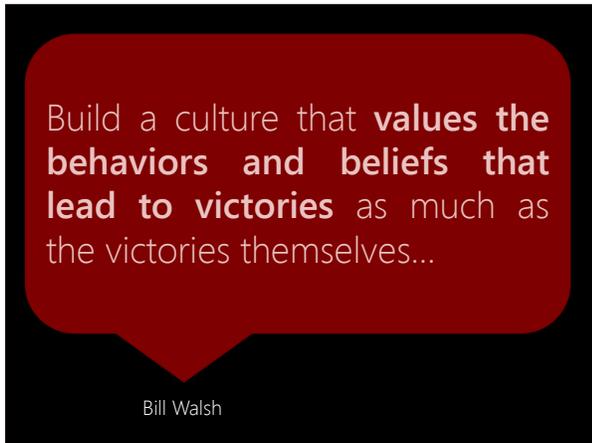
HARM TO PEOPLE AND INSTITUTION:
VANDERBILT

OTHER CONSEQUENCES



JOB SECURITY















COMPLIANCE
AS A STRENGTH, NOT A LIABILITY

USE AS OPPORTUNITY
TO BUILD CULTURE

BUILD TRAITS THAT TRANSLATE
TO THE FIELD AND BEYOND

EDUCATE THE WHOLE PERSON



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NEXT WEBINAR
AUGUST 11, 2:00PM
WHAT YOU MISSED
THIS SUMMER
www.bricker.com/events
