



The Drake Group

Realizing the Promise of College Athletics

FOLLOW-UP NOTES

WEBINAR #9

“Lack of Accountability for Athlete Abuse in College Athletics”

The Drake Group Webinar Series – Critical Issues in College Athletics
Hosted by 2aDays

Thanks for registering for our March 24, 2022 webinar. A regular feature of our webinar series is “Follow-Up Notes” which provides a link to the recorded webinar, answers to questions from the audience which panelists did not have the time to address or those emailed to us from telephone participants (prepared by Drake Group experts), and information on our next webinar.

1. WEBINAR #9 RECORDING

In case you missed any part of *Lack of Accountability for Athlete Abuse in College Athletics* webinar:

[ACCESS THE RECORDED MARCH 24 WEBINAR HERE](#)

2. UNADDRESSED QUESTIONS FROM THE AUDIENCE

Following are answers offered to questions from the audience we did not have time to address.

First, we also wanted to let you know about other resources from The Drake Group that address issues covered in this athlete abuse webinar:

- Special Report: [College Athlete Health and Protection from Physical and Psychological Harm](#).
- Webinar #3: [The Silent Struggle: Experts Speak on College Athletes’ Mental Health with Webinar #3 Follow-Up Notes and Q&As](#)
- Webinar #7: [Racial Exploitation in College Sports](#) and [Webinar #7 Follow-Up Notes and Q&As](#)
- Special Report: [A Continuing Disgrace: Intercollegiate Athletics Race Issues](#) and the [Executive Summary](#) of this report

Second, we are please to share resources produced by our panelists. Katie Lever mentioned her new book: [*Surviving the Second Tier*](#). And, our scheduled panelist Jessica Luther, an award-winning investigative journalist, author and podcaster, who couldn't be with us because she had taken ill, wrote [*Unsportsmanlike Conduct: College Football and the Politics of Rape*](#).

UNANSWERED Q&As

Q: What is the website address for "two a days" that was mentioned?

A: <https://www.2adays.com/> 2aDays is the leading company in college coach ratings. Our full database of coach ratings and reviews provide first-hand experiences from current and former student-athletes. Founded in 2014, 2aDays stays ahead of the game by helping athletes and their families with Understanding College Athletics™ by offering virtual workshops, coach ratings, recruiting, and wellness information from head coaches, Olympians, pro athletes, and current and former athletes. By using our online tools, you will be empowered through education to start your recruiting process.

Q: What roles do the athletic trainers and also the FARs play in handling student athlete abuse?

A: Athletic trainers are often the only non-coaching personnel who attend every practice and competition and travel with the team. They are best positioned to observe the professional conduct of coach and treatment of athletes. While they are best positioned to report coach misconduct, they have no supervisory authority over coaches in areas unrelated to medical status and athletic injury. They are in a difficult position to criticize the coach's conditioning regimen because the power imbalance vis a vis coaches is considerable. Even if they report to the top medical professional outside the athletic department, they seldom play the role of whistle blower for fear that they will lose their job or sport assignment. As a practical matter, only the most senior, fearless, and experienced athletic trainers will confront a coach on matters such as the use of exercise as punishment, excessive and potentially harmful physical demands, verbal abuse, and the more artful manipulative mechanisms of coach control. Further, the athletic trainer must cultivate the trust of the coach so the coach readily accepts the trainer's advice regarding readiness for play or activity limitations. At the same time, the athletic trainer typically holds a special position with athletes who must also trust their advice. Often the athlete does confide concerns to the athletic trainer, but does not want the trainer to intercede in a way that reveals the athlete's identity, placing the trainer in the unenviable position of being between the proverbial "rock and a hard place."

Technically, the coach's direct supervisor, most often an assistant athletic director, has direct responsibility for evaluating coach performance. Unfortunately, these individuals seldom attend practices, will attend home events but seldom attend all away events. The assistant athletic director may not be a strong enough administrator to exercise their supervisory power. The coach power differential again comes into play.

The Faculty Athletics Representative is even farther removed than the trainers or athletic administrators and does not possess the technical knowledge of coaching pedagogy, proper mechanics, etc. to play an observer/evaluator. FARs are often political appointees (people who

are selected because they won't make waves) and fans of athletic teams ill equipped to be critical of coach behavior. Their role is often limited to annually reviewing athlete exit interviews or athlete evaluation of their experiences. Unfortunately, these evaluation materials are often poorly constructed and administered (not completed by all athletes).

This description of the typical absence of any one supervisor who can control a coach, should not be interpreted as a hopeless situation. What it does mean is that multiple policies and processes must be put in place to prevent athlete abuse or detect it and correct it before the athlete can be harmed:

- Comprehensive written policy detailing prohibited coach behaviors (use the [US Center for Safe Sport CODE](#))
- Review the policy in detail with the following audiences in the room: athletes, coaches, athletic trainers, coach supervisors, strength and conditioning personnel. Make it clear that everyone in the room is a “mandatory reporter” – bottom line is that we must take care of each other. Make it clear that athlete abuse in all of the forms indicated will not be tolerated with penalties up to and including termination of employment
- Adoption of a “whistle blower protection” policy – guarantee of no retaliation against a reporter with violators facing employment termination
- Provide everyone with info on submitting a formal complaint (preferably to the AD)
- Provide a complaint avenue to a licensed health center counselor or social worker who is obligated to keep the identity of a student confidential
- Coach supervisors (asst. Ads etc.) are required to regularly attend practice and games so that professional conduct concerns can be immediately addressed before they become part of the team culture or the coach's pedagogy.
- Make sure end of season student evaluation instruments are state of the art re: construction and content. No disciplinary action should be taken on the basis of such results. The coaches' supervisor should immediately have a meeting with the coach to discuss concerning reports and supervisor observations of coach practices should increase so that a qualified supervisor is making judgements about professional behavior and pedagogy.

Q: Was there any significant differences for women's and men's sports for this study? Is it possible to read the entire study?

A: Simon JE, Docherty CL. Current health-related quality of life is lower in former Division I collegiate athletes than in non-collegiate athletes. *The American journal of sports medicine*. 2014 Feb;42(2):423-9. <https://journals.sagepub.com/doi/abs/10.1177/0363546513510393>. These are some additional studies that might be of interest to people.

- Simon JE, Docherty CL. Current health-related quality of life in former National Collegiate Athletic Association Division I collision athletes compared with contact and limited-contact athletes. *Journal of athletic training*. 2016 Mar;51(3):205-12. <https://pubmed.ncbi.nlm.nih.gov/26959296/>
- Cowee K, Simon JE. A history of previous severe injury and health-related quality of life among former collegiate athletes. *Journal of athletic training*. 2019 Jan;54(1):64-9.

- Simon JE, Lorence M, Docherty CL. Health-related quality of life in former Division I collegiate athletes compared to non-athletes: A 5-year follow-up. *Journal of athletic training*. 2021. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6410981/>
- Kerr ZY, Thomas LC, Simon JE, McCrea M, Guskiewicz KM. Association between history of multiple concussions and health outcomes among former college football players: 15-year follow-up from the NCAA concussion study (1999-2001). *The American journal of sports medicine*. 2018 Jun;46(7):1733-41. <https://pubmed.ncbi.nlm.nih.gov/29620911/>
- Simon JE, Docherty CL. The impact of previous athletic experience on current physical fitness in former collegiate athletes and noncollegiate athletes. *Sports health*. 2017 Sep;9(5):462-8. <https://pubmed.ncbi.nlm.nih.gov/28475420/>
- Simon JE, Grooms DR, Docherty CL. The long-term impact of osteoarthritis following knee surgery in former college athletes. *Journal of Sport Rehabilitation*. 2019 Jan 1;28(1):33-8. <https://pubmed.ncbi.nlm.nih.gov/28787229/>
- Kerr ZY, Prim J, DeFreese JD, Thomas LC, Simon JE, Carneiro KA, Marshall SW, Guskiewicz KM. Musculoskeletal injury history is associated with lower physical and mental health in a historical cohort of former national football league players. *Journal of sport rehabilitation*. 2021 Jan 25;30(5):760-7. <https://pubmed.ncbi.nlm.nih.gov/33494044/>

Q: Do you think that the athletic trainers are also as crucial as coaches to help facilitate a healthy and positive culture?

A: YES. Senior athletic trainers must educate less experienced trainers, especially those serving coaches with large power advantages regarding handling coach concerns. There needs to be a strong relationship between trainers and coach supervisors so the coach supervisor is handling the coach correction issue while protecting the trainer from “tattle tale” accusations. Again, the immediate response to a concern for coach pedagogy must be increase supervisor observations and immediate confront of the problem so that “gradually escalating discipline” (GED) can be practiced. GED is a response sequence that starts with oral coach, then progresses to written expression of concerns to personnel file, written coaching improvement plans and finally written “corrective action”- correct by date or face termination or non-renewal) - noting that GED is discarded in the case of serious transgressions that cause harm to players). Coach supervisors must be supported by the AD. If the AD succumbs to the coach power differential, the system is broken.

Q: If the NCAA publishes “best practices” and recommendations on health safety, mental health, sportsmanship, why don’t they enforce these like they enforce recruiting or compliance violations? It seems there is no penalty for coaches who create toxic environments or are repeat offenders (Kirk Ferentz, DJ Durkin, Todd Graham, etc.)

A: The NCAA is litigation risk adverse. If it adopts a rule, it must enforce it, which creates the potential for litigation. When it refuses to adopt athlete protection rules or gender equity requirements, it ceases to act as a “governance” association and becomes what it is, a “trade association” protecting its members. A true athletics governance organization must have a coach and athlete code of conduct and be willing to enforce it (think of the USA national sport

governing bodies having a safe sport code and the ability to ban coaches). Also, by not having a rule or enforcement mechanism, the NCAA effectively throws its members under the proverbial bus with victims holding individual institutions liable.

Q: Given the mental health issues in particular around suicide, do you feel the NCAA should move towards ALL NCAA schools being required to have social workers on their athletic staff? What should the reporting lines be for physical and mental health professionals?

A: It is difficult for conference or national governance entities to direct members to establish certain positions. The policy mechanism is to require a qualified staff member to be responsible for fulfilling a specific function (i.e., compliance officer, etc.). The rule would not say “social worker”; rather it would describe the function and qualification of the position (licensed professional to....) to whom the individual should report (e.g., non-athletics staff, medical professional, etc.). Such a policy can and should be crafted and that is what the chief medical officer of the NCAA has been trying to get the NCAA to do. If you track the origins of the current NCAA rule regarding athlete access to qualified mental health care, you will see the progression from NCAA guidelines to a generic NCAA rule which should be enforceable.

Q: People have studied and quantified college football fatalities resulting from offseason conditioning workouts. Has anyone studied and quantified injuries and/or injury rates from offseason conditioning/workouts/practices across college sports?

A: There was a consensus paper published in 2019 entitled "Preventing catastrophic injury and death in collegiate athletes: interassociation recommendations endorsed by 13 medical and sports medicine organisations" that referenced data available through the National Center for Catastrophic Sport Injury Research (NCCSIR) at the University of North Carolina, Chapel Hill. The NCCSIR collects data on catastrophic injuries across all college sports, but would not necessarily include non-catastrophic injury data. The NCCSIR's 38th annual report, which includes data through Spring 2020 and published in September 2021, is available [here](#).

Additionally, the CDC published a report in 2015 (available [here](#)) that breaks down injuries across college sports from 2009-10 through 2013-14. The NCAA also collects injury data through an [Injury Surveillance Program](#), but it is not always made available to the public. In both cases, it can be difficult to parse which injuries happen in-season versus in the off-season.

As mentioned, there is significant research involving injuries to football players. According to a paper published in 2017 by Scott Anderson (Head Athletic Trainer, University of Oklahoma), since 2000, 33 NCAA football players have died in sport: 27 nontraumatic deaths and 6 traumatic deaths, a ratio of 4.5 nontraumatic deaths for every traumatic death. On average, 2 NCAA football players die per season. Best practices, consensus guidelines, and precautions are ignored, elevating the risk. However, standards exist that will, if heeded, prevent nontraumatic death in athletes training for sport. (<https://pubmed.ncbi.nlm.nih.gov/28140625/>)

See also:

- Nontraumatic Exertional Fatalities in Football Players, Part 1: Epidemiology and Effectiveness of National Collegiate Athletic Association Bylaws (<https://pubmed.ncbi.nlm.nih.gov/32884961/>)
- Nontraumatic Exertional Fatalities in Football Players, Part 2: Excess in Conditioning Kills (<https://pubmed.ncbi.nlm.nih.gov/32913873/>)
- Nontraumatic Injuries in the NCAA: Collegiate Football Strength Coaches Should Exercise Caution this Off-Season (<https://pubmed.ncbi.nlm.nih.gov/34567380/>)

Q: To what extent are excessive, ill-advised, or (arguably stupid) workouts or practices a source of injuries and abuse in college sports?

A: Every athletic department should have a strict prohibition against the use of conditioning or physical exercise or any physical penalty for unacceptable effort or performance. If athletes are not doing what the coach requires, something important or valued by the athlete should be withdrawn – suspension from practice, suspension from games, etc. Further, there should be more accountability across institutions that would prevent an abusive coach from moving on to another school or coaching opportunity.

Q: What are best practices for athletes who want to hold abusive coaches accountable but remain competitive in the sport?

A: Repeating part of the answer to a previous question, multiple policies and processes must be put in place to prevent athlete abuse or detect it and correct it before the athlete can be harmed:

- Comprehensive written policy detailing prohibited coach behaviors (use the [US Center for Safe Sport CODE](#))
- Review the policy in detail with the following audiences in the room: athletes, coaches, athletic trainers, coach supervisors, strength and conditioning personnel. Make it clear that everyone in the room is a “mandatory reporter” – bottom line is that we must take care of each other. Make it clear that athlete abuse in all of the forms indicated will not be tolerated with penalties up to and including termination of employment
- Adoption of a “whistle blower protection” policy – guarantee of no retaliation against a reporter with violators facing employment termination
- Provide everyone with info on submitting a formal complaint (preferably to the AD)
- Provide a complaint avenue to a licensed health center counselor or social worker who is obligated to keep the identity of a student confidential
- Coach supervisors (asst. Ads etc.) are required to regularly attend practice and games so that professional conduct concerns can be immediately addressed before they become part of the team culture or the coach’s pedagogy.
- Make sure end of season student evaluation instruments are state of the art re: construction and content. No disciplinary action should be taken on the basis of such results. The coaches’ supervisor should immediately have a meeting with the coach to discuss concerning reports and supervisor observations of coach practices should increase so that a qualified supervisor is making judgements about professional behavior and pedagogy.

Q: Should federal or state laws be adopted that would protect and/or compensate athletes who are “whistleblowers” of athlete abuse in collegiate programs?

A: YES. This is currently a subject of conversation among legislative staff members of elected members of Congress with regard to “athletes’ rights” legislation. See for example, Senators Booker and Blumenthal’s “[Athletes’ Bill of Rights](#)” filed in the 116th Congress and expected to be refiled in the 117th Congress within the next several weeks. Note: bills die at the end of each Congress (2-year session – we are now in the 2nd year of the 117th Congress). We should insist on such a whistle-blower provision for any athletes’ right legislation or national governance association rules.

Q: Should we advocate for the wearing of body cameras or other tangible measures to monitor coaches or programs so there might be more effective enforcement and adjudication of rules, regulations or laws related to abusive practices?

A: In Division I, but also in other programs, coaches regularly videotape practices and games for the purpose of review by coaches and players. There should be a policy that requires coaches to retain these records for ready access by coach supervisors. Because videotaping practices and games for subsequent detailed review is good pedagogy, this would be an appropriate athletic department policy mechanism that would be a deterrent. However, it is also important to create an environment where athletes feel comfortable reporting their own abuse, but also where teammates can back them up without fear of retaliation. If a program has gotten to the point where body cameras are needed, that program is fundamentally unfit for purpose and should be investigated or addressed on a larger scale.

Q: What can be done to hold the press accountable for failing (for the most part) to report on these athlete abuse issues and to hold universities accountable for the actions of their employees?

A: We are aware that many members of the press protect their access to players and coaches by making sure their stories and coverage is favorable rather than critical. Parents, fans, athletes expressing concern to the publisher when such stories fail to be covered is an effective mechanism when done publicly. A phone call won’t do it. Put it in writing to the publisher, make sure copies are disseminated via social media, etc. Public embarrassment works, especially when laws are not broken or the expense of litigation discourages use of the courts.

Supporting outlets that DO hold institutions and coaches accountable for abuse is also key. The Indianapolis Star broke the Larry Nasser abuse scandal when other media outlets ignored reports of abuse, choosing to maintain their access to elite gymnastics programs, coaches, and institutions. Supporting and amplifying the work of those journalists and outlets could incentivize other outlets to step up and do the hard reporting.

Q: What role does each student athlete play themselves in deciding if they should practice or play if injured or ill?

A: The athlete's critical role should be reiterated in all beginning-of-year meetings of players with the athletic director, coaches, and staff. Everyone – especially coaches and players - has to hear from medical professionals why decisions to seek treatment should be early rather than late and why return to play decisions must be made by medical professionals. Everyone has to hear from the AD and every coach re: no athlete should fear that coaches will infer “laziness” or “lack of toughness” with regard to reporting injuries and no athlete should ever hear such words from a coach in response to an athlete reporting pain or significant discomfort during exercise.

Q: Would a more robust push for diversity, equity and inclusion (i.e., more women, black and brown persons) in NCAA leadership and top coaching positions finally quell systemic abuses in college athletics?

A: Eventually. Research shows that change does not occur with token hires – just one or just a few. Critical mass – usually 80% toward achieving representation in proportions matching the population census – is required to finally question/change the power wielded by the white male majority – especially in previously all male cultural institutions like sport, the military, religion and politics. Progress is so slow because of “homogolous reproduction”- the propensity of organizations when those in power maintain their influence by allowing only those who have similar characteristics to gain access to positions of power and influence within the organization.

Q: It is not only difficult for athletes to challenge abusive athletic staff. It is also difficult for professors to whom the athletes reach out for assistance to challenge abuses. Is there a way to empower professors, to whom student athletes reach out, to advocate on the behalf of athletes and to challenge abusive practices/athletic staff?

A: YES. Athletic department are too isolated from the academic culture of college campuses. The athletic director should make an annual report to the faculty senate on the academic achievement of college athletes (graduation rates, GPAs, comparison of federal graduation rates non-athletes to athletes, disaggregated by race, gender and sport) and to have a frank conversation about athletic department policy that addresses coach abuse of athletes, including time abuse. The answer to this question should be offered by the athletic director, “If an athlete ever expresses concern about athlete abuse in any form, would you please contact me...” with a promise of confidentiality...or a similar response.

Q: How common is it for college sports teams to have faculty affiliated with them as advisors, mentors, etc., and could such faculty not play a role in mediating complaints about abuse?

A: Mentoring by alumni and faculty are all good programs. The policy line for handling complaints should be to a professional staff member within athletics (coach supervisor, AD?) according to established athletic department policy. Faculty and alumni are generally not trained to deal with these issues.

Q: Could a completely autonomous and empowered Faculty Athletic Representative be a mechanism for oversight and accountability?

A: Unfortunately, too many FARs are selected based on whether they are likely to support the athletics status quo. FARs likely to make waves are seldom selected. That being said the FAR can play a role such as receiving confidential complaints as long as they are handled according to the internal policies and procedures previously described. FARs should review end of season athlete evaluations and conduct exit interview (again – being sure valid assessment instruments and practices are utilized) and there should be a discussion between the AD, coach supervisor and the FAR and a determination of next steps (increased observation, etc.) based on the results of these instruments or in response to complaints received by the FAR. Every FAR should have the right to go up the ladder to report to the President or other senior cabinet member if concerns appropriately raised are ignored or in any situation posing the possibility of athlete harm.

Q: What's your view of the "notification mechanism" of teammates collectively voicing their experience of abusive coaching behavior to a college president or to the conference? A former D3 College President once stated that he thought this is the only mechanism that may have some weight, since administrators will typically dismiss any one individual athlete or one parent or even one public event as being the exception and not the rule.

A: Such free speech and behavior should always be supported. What happens in response to such activity is critical. Coaches and others should always receive a fair investigation and due process protections.

Q: How will NIL affect student athlete abuse issues if at all?

A: It is still too early to evaluate the impact of NILs on athletes' time, mental health, whether unethical agents or boosters from NIL collectives pose a danger. It's clear that the NCAA should have anticipated that athletes were going to regain the basic economic rights that had been previously denied to them. Had they created a framework within which athletes were supported and encouraged to leverage their influence and value while playing college sports, there wouldn't be so many outstanding questions or disparities between various state laws. We will be interested to see if athletes take advantage of the new NIL allowances to leverage other benefits such as mental and physical health protections.

Q: Regarding the point made that administrators and staff are reticent in advocating for athletes against a high-profile coach, due to fears for their jobs, would athletes having employee status greatly improve this situation (due to change in legal rights)?

A: Yes, because employees are provided protections that college students – whether athletes or not – may not be afforded. Even if college athletes were granted employee status, however, there would still be a significant power differential between athletes and coaches/administrators. This is one of the reasons that employee status should not be linked to receipt of a scholarship. Not all athletes are on scholarship, and if non-scholarship athletes are not afforded the same protections as scholarship athletes, the power differential and opportunity for abuse becomes even greater.

Q: Formal coach education for sport coaches should be necessary for employment. None has ever been required. Is any conversation going on to push meaningful & mandatory coach education?

A: We are not aware of any intercollegiate athletic governance organization engaged in such a conversation. We believe this is a universally acknowledged deficiency in the American athletics culture. Elite sports programs do not have coach training standards or if they do, certifications are based more on X's and O's and skills and conditioning training (A, B and C NGB licensing for example). Very little is required on these critical issues of athlete abuse, professional pedagogy practices, mental health, etc.

Q: We have a pretty good idea within college sports of what a medical staff/team should look like and how it should function when it comes to physical health — both preventative/performance-oriented health and treatment/rehabilitation when athletes are injured. What would a medical staff/team look like for mental and emotional health if we believed mental health was as important as physical health?

A: Medical teams in college sports are often understaffed and underpaid, particularly in comparison to salaries and staffing numbers of coaching staffs. Because mental and physical health in college sport are often integrally linked, it would be appropriate for athletic departments to include designated mental health professionals in the overall medical team. As many panelists indicated, these medical professionals should all operate through a reporting structure outside of the “athletic model,” and should include professionals of diverse gender, racial and ethnic backgrounds.

Q: How do we distinguish between “tough” coaching and “abusive” coaching?

A: Tough = demanding excellence in respectful ways, always cognizant of the potential to harm based on the athlete/coach power differential. Abusive = disrespectful, causing mental or physical harm, contrary to pedagogical best practice

Q: Athletic directors and university presidents have to be held accountable for hiring people who harm young athletes. When parents hear stories of their children being treated in appalling ways, is there any way for parents to effectively intercede. How do we respect and understand the dignity we must provide to our adult athletes?

A: As a general rule, parents must recognize that many college athletes are adults and if so, any action taken by the parent should be in concert with the adult child. If there is a lawsuit, it must be brought by the person harmed. Only if the athlete is a child, would the parent act on behalf of the child. Further, FERPA and HIPAA protections may limit parental access to education and health care information of adult children. That being said, whether it's a parent interceding for a child or an adult athlete standing up for himself/herself, generally, start with a meeting with the head of athletics. Follow up that meeting reiterating specific concerns in writing and any agreements reached re: how the athletic department will respond. If the athletic department is unresponsive, go up the ladder, carrying the written record with you – or have a lawyer do it on your behalf. If the institution is unresponsive, failing to correct harm, use of the media to publicly embarrass the institution or use of the courts to require correction are proper responses. Unfortunately, large bureaucracies do not readily change absent public embarrassment or lawsuits.

Q: Are there any mental health resources or support available for coaches at the college level? Should there be? Would that have a trickle-down effect on athletes?

A: There is definitely an argument to be made that if coaches were able to seek mental health support, it would benefit their programs and schools as a whole. This is another reason that having mental health professionals on staff, but that operate in a reporting structure outside the athletic department, is so important. Just as college athletes need to feel comfortable that their discussions are confidential, coaches would benefit from seeking mental health support in a system that maintains their confidentiality as well. Encouraging coaches to seek support could only benefit the teams and institutions.

Q: It was suggested that coaches get more training. Wouldn't it be good to also educate the athletes on how to deal with these situations so that they are fully prepared when there are no resources available to them?

A: See answers to previous questions regarding the AD's responsibility to ensure regular athlete education on policies, complaint and service mechanisms.

Q: There is no longer an "off season" for college athletes (where for example they can devote more time to academics). Not sure if this happened suddenly or gradually. Should there be more stringent regulations to ensure an off-season?

A: YES, The Drake Group is on record calling for all sport seasons to be conducted within one academic semester and that governance association rules protect athletes from excessive time demands in-season or coercion to train with athletics personnel outside of season.

Q: Isn't money really the source of so many of the problems? The pressure to win and make more money puts more pressure on the coaches and the players. How can coaches move beyond caring more about the win/loss record when that's how they're measured?

A: Yes, because coaches who excel get paid more and are more likely to have their programs better resourced -among D-I football and basketball coaches. But all coaches measure their athletic success by wins and their natural tendency is to push athletes to be all they can be. There is a constant struggle on the part of athletic trainers, mental health professionals, academic staff and administrators to get the message across to coaches driven to succeed that "more" doesn't mean getting better – more reps, more weight lifted, more workouts, more time spent practicing, etc. A quick look at chronic injury data and consistent reports of lack of sleep demonstrates the problem. Thus, the real issue is whether there are sufficient guardrails to protect the athlete from excess everything...which gets to the necessity of multiple policies and processes – everyone being educated about prohibited behaviors and having strong enough support personnel to confront driven coaches. There are ways to use money as disincentives by having policies that tie raises or the offer of multiyear agreements or renewal of such agreements to graduation and other academic standards and specifically, injury rates, professional behavior, etc. Key is the AD who puts the system together and demands that everyone stay within the guardrails. If the AD is weak in this regard, strong and experienced 2nd in commands who in charge of everyday athletic

department operations can play that role or a super strong athletic trainer. It all eventually comes down to quality administrators with sound educational sport philosophies who also understand the role of clear policy and education of all stakeholders in making sure the guardrails are enforced.

Q: Faculty advisers have an independent base of power, so can be athletes' advocates without suffering repercussions themselves—unless the AD starts complaining to the provost about faculty interference!

A: Strong FARs, faculty academic advisors and others not employed by the athletic department and with access to higher authorities who support them – and, yes, higher authorities who won't fold – can make a difference. But this doesn't replace the need for policies, education, mandatory reporting, complaint processes, GED, etc. that need to be present and operating all of the time!

Q: Have you found software programs like RealResponse to be helpful in forcing accountability for sports organizations? What are the other innovations out there that organizations should be looking into to hold ourselves accountable and give athletes a greater voice to report abuse?

A: Many universities have adopted electronic complaint systems, including complaint systems that allow for anonymous reporting. Where these systems break down is when the folks in athletics don't enforce policy and other systems. No electronic system replaces good people. A key responsibility of the athletic administrator is making sure the good people stay on the bus and the bad see the exit. The most toxic environments thrive when winning is more important than showing the coach the exit.

Q: At what point is the institution responsible for inappropriate behavior regarding college athlete well-being?

A: All of the policy, education, supervision and complaint systems previously described should be viewed as the "standard of care" that should be practiced by every athletic department. If harm occurs and these systems are not in place, the risk for litigation is high and the prospect of successfully defending against such litigation is decreased.

Q: I'm a member of the media and am eager to expose coach abuses, but struggle to find outlets that will publish. There are too many abuse cases; too few victims willing to speak up (understandably); and too much general acceptance of rotten coach behavior. Any advice on how we can reach a wider audience?

A: Print media no longer supports comprehensive investigative journalism (a space and money problem). Thus, electronic media – mastering podcasts, social media promotion, and twitter following are the name of the game – and playing all three communication tools as frequently as possible – is necessary to build the critical mass to cut through the clutter of information. No shortcuts, persistent effort over time, and maximum commitment to this new media strategy is the game that must be mastered.

Comment: Send a link to this seminar to your local TV and Newspaper sports reporters with a simple message: report on these issues. It's important. Send the link to your student media organizations with the same message.

3. OUR NEXT ISSUE: WEBINAR #10 - "College Athletes' Freedom of Speech and Expression – or the Lack Thereof"

SAVE THE DATE! Thursday, April 21, 2022 from 2:00-3:30pm.

Panelists will explore how rights of free speech operate in the context of intercollegiate athletics including speech used abusively by athletes, athletes protesting abuse by coaches, trainers, or other university staff, athletes engaging in political protest, coaches' efforts to control athletes' use of social media, and commercial speech that is invoked in the context of NIL licensing.

You will receive an email with registration information as soon as it is posted!

4. LINKS TO RECORDINGS OF PREVIOUS WEBINARS

WEBINAR #1

"Wild West or Brave New World – National Experts Share Their Thoughts on College Athlete Compensation"

[ACCESS AUGUST 19 RECORDING HERE](#)

Featuring Val Ackerman, Commissioner, Big East Conference; Len Elmore, Co-Chair, Knight Commission on Intercollegiate Athletics; Blake Lawrence, Co-Founder and CEO of Opendorse; Andrew Zimbalist, Robert A. Woods of Economics, Smith College and President-Elect -- The Drake Group

WEBINAR #2

"Millionaires or Minimum Wage? Current and Former College Athletes Speak on Athletes' Compensation"

[ACCESS AUGUST 26 RECORDING HERE](#)

Featuring Julie Sommer, four-time NCAA All-American swimmer; Maurice Claret, former Ohio State football running back, acclaimed author; Brianna Ellis, sophomore basketball point guard at Univ. of New Orleans; Julian Ross, fifth year senior running back at Ohio Univ.

WEBINAR #3

"Experts Speak Out on College Athletes' Mental Health"

[ACCESS SEPTEMBER 30 RECORDING HERE](#)

Featuring Emmett Gill, Chief Visionary Officer for Athletes and Advocates for Social Justice in Sports; Shamaree Brown, Director/Student-Athlete Programs and Compliance, Atlantic Coast Conference; Daniel Chung, Sports Psychologist, Rutgers University Athletics; Brad Hambric, Clinician and Licensed Professional Counselor, University of Georgia Athletics; Abigail Eiler, Assistant Athletic Director, Director of Athletic Counseling, Chief Diversity Equity and Inclusion Officer, University of Michigan Athletics; Nicki Moore, Vice President and Athletic

Director, Psychologist, Colgate University; Charles Small, Senior Associate Athletic Director for Student Services, Iowa State University.

WEBINAR #4

"The Transgender Athlete in Girls' and Women's Sports: The Collision of Science, Law, and Social Justice Explained"

[ACCESS NOVEMBER 4 RECORDING HERE](#)

Featuring Juniper Eastwood, first NCAA Division I openly transgender athlete competing on a women's team; Donna deVarona, two-time Olympic gold medalist swimmer, member of USOPC Board of Directors; Joanna Harper, Loughborough University (U.K.), medical physicist, former elite marathoner, transgender athlete; Martina Navratilova, former pro tennis player, most Grand Slam titles won by one player (male or female), long active in LGBTQ rights; Nancy Hogshead Makar, three-time gold medalist swimmer, CEO, Champion Women, civil rights lawyer; Tracy Sundlun, Director, National Scholastic Track and Field Championship, six-time Olympic coach; Donna Lopiano, President, The Drake Group, former UT-Austin Women's Athletics Director, former CEO, Women's Sports Foundation.

WEBINAR #5

"Title IX and the NIL Marketplace: Subterfuge or Opportunity to Remedy Historical Inequities?"

[ACCESS NOVEMBER 17 RECORDING HERE](#)

Featuring Jayma Meyer (Facilitator and Panelist), Counsel, Simpson Thacher & Bartlett; Visiting Clinical Professor, Sports Law, Indiana University; Gloria Nevarez, Commissioner, West Coast Conference, Member of the NCAA Men's Basketball Committee and Transfer Working Group and the Knight Commission on Intercollegiate Athletics; Julie Sommer, Attorney, former NCAA All-American swimmer at the University of Texas at Austin and USA Swimming National Team member, and member of The Drake Group Board of Directors; Donna Lopiano, President, The Drake Group, gender equity consultant, and former UT-Austin Women's Athletics Director and CEO of the Women's Sports Foundation.

WEBINAR #6

"Keeping Everything We Love About Collegiate Sport While Fixing Its Failed Governance Structure"

[ACCESS DECEMBER 2 RECORDING HERE](#)

Featuring KARL IDSVVOOG, Associate Professor, School of Media and Journalism, Kent State University. PANELISTS: DONNA LOPIANO, President, Sports Management Resources; JAYMA MEYER, Counsel, Simpson Thacher & Bartlett; Visiting Clinical Professor, Sports Law, Indiana University; B. DAVID RIDPATH, Associate Professor of Sports Business, Ohio University, College of Business; BRUCE SMITH, Director of Empowerment Strategies, ACES Group; ANDREW ZIMBALIST, Robert A. Woods Professor of Economics, Smith College.

WEBINAR #7

"A Continuing Disgrace: Addressing Intercollegiate Athletics Race Issues"

[ACCESS JANUARY 13 RECORDING HERE](#)

Featuring BRUCE SMITH, Ph.D. (Moderator), Director of Empowerment Strategies/CEO ACES Group; N. JEREMI DURU, J.D., Professor of Law, American University; KAIYA

McCULLOUGH, Social Justice Advocate and Former Professional Soccer Player; EMMETT GILL, Ph.D., Chief Visionary Officer, Athletes and Advocates for Social Justice in Sports.

WEBINAR #8

"The Disintegration of the NCAA: The Price of Rejecting National Governance"

[ACCESS FEBRUARY 24 RECORDING HERE](#)

Featuring B. DAVID RIDPATH (Moderator), Associate Professor of Sports Business at Ohio University, College of Business; MARQUITA ARMSTEAD, Executive Associate Athletic Director and Senior Woman Administrator, University of Nebraska; JASMINE ELLIS, Associate Athletic Director for Student-Athletes Academic Services, University of Akron; OLIVER LUCK, Former Chief Executive Officer and Commissioners of the XFL and NFL Europe; JULIE SOMMER, Attorney, member of The Drake Group Board of Directors, former NCAA All-American swimmer; ANDREW ZIMBALIST, Robert A. Woods Professor of Economics, Smith College, President-Elect of The Drake Group.

5. WAYS YOU CAN HELP

If you believe The Drake Group is doing good work, please also consider making a small donation to support our work. You can donate, see our six-point plan for Congress, and learn what we do [HERE](#).

6. THANKS TO OUR MARCH 24 PANELISTS!



MODERATOR, TAMMI GAW, MS, ATC, Esq. Founder, Advantage Rule, LLC, a consulting group focused on athlete health and safety, with an emphasis on amateur athletes' rights. As one of only a handful of professionals licensed as both an attorney and an athletic trainer, her career has included in-house counsel positions, non-profit management and board participation, and C-suite level work with integrated planning for large and medium scale sporting events. Tammi is an international speaker on issues around sports business, law, medicine, and social justice.



EMMETT GILL, Ph.D., MSW, LMSW is the Chief Visionary Officer for Athletes and Advocates for Social Justice in Sports, Member, The Drake Group Board of Directors, and the founder of AthleteTalk, a wellness app for athletes. Formerly, Gill served as the Director of Student-Athlete Wellness and Personal Development at the University of Texas at Austin where he provided clinical services for college athletes and created signature programming including initiatives for injured athletes and substance use and was also a clinical professor in the Steve Hicks School of Social Work.



KATIE LEVER, a member of The Drake Group Board of Directors and doctoral candidate at the University of Texas, where she researches NCAA rhetoric and policy. Katie is a freelance sportswriter whose work has been featured in *Fansided*, *Extra Points*, *Global Sports Matters*, and *Forbes*. Her work with *2aDays* discusses NCAA policy and sports law, and their effect on college athletes. Katie's debut novel, *Surviving the Second Tier*, launched in February 2022. Lever graduated from Western Kentucky University in 2016 with a B.A. in Communication Studies and in 2018 with an M.A. in Organizational Communication. At WKU, she was a Division I athlete running track and cross country and was a two-time Sun Belt Conference champion in indoor and outdoor track and field.



KELSIE SAXE, Ph.D. student at the University of Tennessee whose research focuses on cultivating healthy and high performing cultures within collegiate athletic teams. Recent research endeavors have focused on the importance of cultivating psychological safety within athletic teams and its impact on both athlete wellness and performance. Prior to academia, Saxe served as an assistant swimming coach at three different NCAA, Division I institutions. Saxe graduated with her Bachelor's degree from the University of Idaho where she was a student-athlete on the swimming and diving team. She then went on to earn her master's in Recreation and Sport Management from the University of Tennessee.



JANET SIMON, Ph.D., Associate Professor in the Division on Athletic Training, School of Applied Health Sciences and Wellness, and College of Health Sciences and Professions, Ohio University. Dr. Simon has published over 70 peer-reviewed articles in various sports medicine and orthopedic journals and has been principal investigator or co-investigator on Department of Defense and National Institutes of Health grants. Research interests include measuring the outcomes of various rehabilitation interventions, evaluating health related quality of life of high school and college athletes who suffer sport-related injury, and the use and development of patient-based instruments to measure outcomes of healthcare service.