

# United States Senate

WASHINGTON, DC 20510

February 7, 2019

John Swofford  
Commissioner  
Atlantic Coast Conference  
4512 Weybridge Lane  
Greensboro, NC 27407

James E. Delany  
Commissioner  
Big 10 Conference  
5440 Park Place  
Rosemont, IL 60018

Greg Sankey  
Commissioner  
Southeastern Conference  
2201 Richard Arrington Jr. Blvd. North  
Birmingham, AL 35203

Bob Bowlsby  
Commissioner  
Big 12 Conference  
400 East John Carpenter Freeway  
Irving, TX 75062

Larry Scott  
Commissioner  
Pacific 12 Conference  
360 3rd Street, 3rd Floor  
San Francisco, CA 94107

Dear Commissioners:

We write today to request that you take serious and meaningful steps to address the misconduct and sexual violence within the athletics programs in your respective conferences. In the absence of meaningful action by the National Collegiate Athletic Association (NCAA), we are looking to your conferences to stand up for the thousands of young people who experience sexual violence on campus by cultivating a culture of safety, accountability, and respect for students' rights. We believe that participation in athletics is a privilege, not a right, and that college athletes who perpetrate serious misconduct must be held accountable.

The NCAA's decision to convene the Commission to Combat Campus Sexual Violence ("the Commission") in 2016 was an important first step towards combating the epidemic of campus sexual violence. Therefore, we were incredibly disappointed by the NCAA Board of Governors' decision to quietly dissolve the Commission in August 2018 without addressing any real challenges or recommending meaningful solutions. Notably, the Commission specifically recommended that the Board of Governors adopt legislation dealing with issues of individual

accountability. This legislation could have addressed problematic policies that allow students with histories of serious misconduct to transfer between institutions within athletic conferences. The NCAA Board of Governors dissolved the Commission without considering this or any other meaningful legislation regarding sexual violence prevention that extends further than the actions already required by federal law.

In the absence of NCAA leadership, several universities and athletic conferences across the country have proactively implemented policies to address sexual violence and serious misconduct on campus, including some conferences that have policies to prevent transfer of students with a history of sexual assault from transferring into any of their member universities.

To better understand your plans to address the epidemic of campus sexual violence, specifically as it pertains to college athletes, we ask you to consider the following questions while you work to evaluate conference policies and to provide the following information to our offices.


1. Please describe any steps your conference has taken in the last year to reduce rates of serious misconduct or sexual violence among young people who participate in college athletics, and plans you have for working on this issue in the future.
2. Is your conference considering any changes to college athlete policies, including transfer policies, to address incidents of serious misconduct or sexual violence? Why or why not?
3. Have member institutions within your conference seen significant reductions in incidences of sexual violence through federally-required education efforts alone, as recommended by the Commission? How do you collect information from your members related to consequences for students who have perpetrated serious misconduct or sexual assault?
4. Do your member institutions refuse admission, financial aid, or any other privileges to students or transfer students who are not athletes and who have serious misconduct or sexual assault records? If so, do your member institutions have exceptions to or implement these policies differently in the case of college athletes?
5. Do your member institutions have policies in place to address criminal records of college athletes and transfer college athletes? If so, do these policies mandate informing other institutions, should the student elect to transfer? If so, please provide these policies.
6. If your member institutions do request student background checks, how do the institutions protect the student's privacy rights? Does your conference have a policy on student privacy rights? If so, please provide those policies.


All students deserve the opportunity to obtain higher education free from sexual violence or misconduct. We urge you to work with sexual assault survivors, victim's rights groups, and other advocacy organizations to take meaningful action so students can feel truly safe on campus.


Sincerely,

  
Ron Wyden  
United States Senator


  
Patty Murray  
United States Senator


  
Jeffrey A. Merkley  
United States Senator

  
Margaret Wood Hassan  
United States Senator

  
Richard Blumenthal  
United States Senator

  
Amy Klobuchar  
United States Senator

  
Tina Smith  
United States Senator

  
Edward J. Markey  
United States Senator