

United States Senate
WASHINGTON, DC 20510

February 9, 2016

Mr. Larry Scott
Commissioner
Pac-12 Conference
360 3rd Street, 3rd Floor
San Francisco, CA 94107

Dear Commissioner Scott:

As you know, the rates of sexual assault on college campuses across the country are at unacceptable levels, leaving stakeholder groups struggling to raise awareness and push for solutions. Female college students today are more likely to become victims of sexual assault than women who do not attend college and an estimated one in five women who attends college will sexually assaulted during her time in school.¹ It is crucial that students attending institutions of higher education are safe from sexual violence during their college careers.

Due to these alarming rates of sexual assault on college campuses, many schools, athletic departments, and even conferences are changing their transfer policies. In June of 2015, the Southeastern Conference (SEC), which includes 14 southern universities, passed a new policy banning its schools from accepting transfer athletes who were dismissed from their previous school for “serious misconduct” issues. The SEC defines “serious misconduct” as “sexual assault, domestic violence or other forms of sexual violence.”² Similarly, in November of 2015, Oregon State University (OSU) increased its efforts to address sexual violence and increase campus safety by requiring transfer applicants to disclose whether they are ineligible to re-enroll at an institution due to student conduct issues at any institution they attended in the past seven years.³ In addition, the Big 12 Conference athletic directors voted unanimously to recommend adopting a policy that would ban admitting student athlete transfers with a history of serious misconduct.⁴ These new transfer policies are worthy of broader consideration as a mechanism to alleviate the rate of sexual violence on campuses and improve safety for students attending institutions of higher education. However, we realize that there are broad implications to these policy shifts and understand that conferences within the National Collegiate Athletic Association (NCAA) only have jurisdiction over policy changes related to student athletes. We believe transfer student athlete policies should be carefully considered and balanced to ensure due

¹ The U.S. Department of Justice, “The Campus Sexual Assault (CSA) Study”, <https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf> and the Washington Post, College Sexual Assault Survey, <http://www.washingtonpost.com/sf/local/2015/06/12/1-in-5-women-say-they-were-violated/>

² Sports Illustrated, “SEC Passes Rule Banning Transfers Dismissed for ‘Serious Misconduct’”, <http://www.si.com/college-football/2015/05/29/sec-transfer-rule-serious-misconduct-domestic-violence>.

³ Oregon State University, “OSU Adopts Stricter Student Transfer Admissions Policy to Address Sexual Assault Violence, Campus Safety”, <http://oregonstate.edu/ua/nes/archives/2015/nov/osu-adopts-stricter-student-transfer-admissions-policy-address-sexual-violence-cam>.

⁴ Waco Tribune, “Big 12 Ads Unanimously Adopt Ban on Transfers with Serious Past Misconduct”, http://www.wacotrib.com/sports/baylor/football/big-ads-unanimously-adopt-ban-on-transfers-with-serious-past/article_40a4ac0b-953b-5df5-8390-4d10d39e45d5.html


process for all implicated students and contain appropriate safeguards and assurances that they do not deter access for students that pose no safety threats.

A November article in *The Oregonian* stated that the Pac-12 will hold a conference meeting in March, 2016⁵. In recent months, we understand that the conference has been proactive in considering all aspects of potential changes to policies affecting transfers of student athletes. At the upcoming meeting with the presidents and chancellors, we urge you to continue this discussion of student athlete transfer policies and include sexual assault survivors, victims' rights groups—including those representing the accused—and other appropriate advocacy organizations. We applaud individual institutions for taking on this issue on their own, but believe uniform standards and widely shared best practices are necessary. Accordingly we request that you work with your member institutions to advance a Pac-12-wide policy on transfer students and we believe the March meeting is an opportune time to raise this issue, solicit feedback from your member institutions, and begin to work toward a uniform standard.


We realize that this is a difficult issue, but one that is worth taking on to ensure the safety and fair treatment of all students on college campuses. We welcome the opportunity to work with you, your staff, and the Pac-12's member institutions on this issue.

Thank you for your consideration of this matter.

Sincerely,



Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator

cc: All Pac-12 Member Institutions' Presidents, Chancellors, and General Counsels Offices.

⁵ The Oregonian, "Oregon State Takes Stand On Transfers, Will Call Upon Pac-12 to Follow", http://www.oregonlive.com/sports/oregonian/john_canzano/index.ssf/2015/11/oregon_state_takes_stand_on_tr.html