

Student-Athlete Conflict Resolution Process

It is the expectation of the University that all individuals associated with MTSU Athletics (i.e. student-athletes, coaching staffs, training staff, strength and conditioning staff, and other athletic personnel) are committed to the MTSU core values of honesty, integrity, respect for diversity, engagement in the community, and commitment to non-violence. Accordingly, all athletics staff are expected to promote the best interests of students; treat others with respect and civility; conduct all activities with the highest level of ethical standards and integrity; and adhere to the highest standards of conduct, including all elements of the MTSU Statement on the Conduct of Athletics Staff.

Due to the unique relationship between the student-athlete and the coaching/athletics staff, there may be times when an issue or conflict emerges that requires investigation and resolution outside of the typical grievance and appeals policies outlined in applicable University policy. When these circumstances arise, or at such time when a student-athlete feels that, he or she has been treated unfairly or been subject to inappropriate conduct from a coach or any other athletics staff member, the student-athlete may initiate the Student-Athlete Conflict Resolution Process.

The Student-Athlete Conflict Resolution Process provides multiple avenues of reporting to encourage prompt, positive, and equitable resolution of all conflicts and to ensure fair treatment for all involved parties. The intention is to resolve conflicts effectively at the lowest possible level. However, the student-athlete may enter the conflict resolution process at any level by contacting any MTSU Athletics staff member. It is the responsibility of all athletic personnel to be familiar with this process, so that they can assist any student-athlete who brings forward a conflict. Student-athletes may also take advantage of any other university resolution processes available to MTSU students.

For any issue and at any stage in the conflict resolution process, a student-athlete may contact the faculty athletics representative (FAR) or the Compliance and Risk Manager in the Office of Compliance and Enterprise Risk Management to seek advice and assistance. At the request of the student-athlete, the faculty athletics representative (FAR) or the Compliance and Risk Manager may participate in any meeting involving the sport administrator or the director of athletics. Neither the faculty athletics representative (FAR) nor the Compliance and Risk Manager are under the direct supervision of MTSU Athletics.

When a coach or other athletics staff member becomes aware of a conflict shared by a student-athlete, it is their responsibility to ensure that the conflict is treated seriously and as confidentially as possible under the circumstances. Retaliation for reporting a conflict or participating in the resolution process is strictly prohibited. Such retaliation against any person is a serious violation and may result in disciplinary action.

Stage One

Whenever possible, a student-athlete should report the conflict in a timely manner directly to a member of his/her coaching staff. At this level, conflicts may be verbal, rather than formalized in writing, and the goal is swift, effective, and positive resolution that is to the satisfaction of all

parties. The student-athlete may voluntarily choose to approach the individual(s) most directly responsible for the conflict (e.g., if the matter involves a team policy established by the coach, the student-athlete may contact the coach and/or the captain(s) of the team and work to resolve the issue with the coach).

However, the student-athlete is not required to directly confront any person(s) at the source of the conflict or misconduct, or closely associated with the person(s) who is the source of the conflict or misconduct. Instead, the student-athlete may utilize any of the other levels of reporting.

Stage Two

If the student-athlete cannot reach a satisfactory resolution of the conflict through direct interaction, or if the student-athlete is uncomfortable making direct contact with the other person(s) for any reason, the student-athlete should report the conflict to the head coach or the sport administrator, who oversees the student athlete's sport. If the conflict involves the head coach, the student-athlete should report the conflict to the sport administrator.

Sports Administrators:

Chris Massaro: Football, Men's Basketball

Diane Turnham: Women's Basketball, Volleyball, Softball, Women's Soccer

David Blackburn: Baseball, Men's and Women's Golf, Men's and Women's Tennis

Larry Maples: Men's and Women's Cross Country and Indoor/Outdoor Track.

The head coach or sport administrator, as appropriate, will meet in person or otherwise communicate directly with the student-athlete to attempt to resolve the conflict. Again, at this level the conflict may be shared verbally with the head coach or sport administrator, rather than formalized in writing, and the goal is to reach a swift, effective, and positive resolution that is to the satisfaction of all parties.

Stage Three

If the conflict cannot be resolved by the individuals involved in Stage Two, or if the student-athlete is uncomfortable with initiating the conflict resolution process with the individuals mentioned in Stage Two, the student-athlete may elect to file a formal grievance with the Senior Associate Athletic Director or the Director of Athletics. At this level, the following steps should be followed:

1. The written grievance shall be submitted to the Senior Associate Athletic Director or the Director of Athletics and must be filed in a timely manner so that the matter may be addressed promptly and effectively. The written grievance must set forth the facts of the complaint, the grounds on which the complaint is based, and details of any efforts taken to date to resolve the matter.
2. The Senior Associate Athletic Director/Director of Athletics shall provide a copy of the student-athlete's written grievance and any relevant related information and documentation to the faculty athletics representative (FAR) and Compliance and Risk Manager in the Office of Compliance and Enterprise Risk Management.

3. The Senior Associate Athletic Director/Director of Athletics shall be responsible for initiating a timely and comprehensive review of the grievance, including meeting directly with the student-athlete bringing the issue forward. The Senior Associate Athletic Director/ Director of Athletics may interview any appropriate student-athletes, athletics department or coaching staff, and/or University personnel in completing the review.
4. The Senior Associate Athletic Director/Director of Athletics may designate other athletics department and/or University personnel such as the faculty athletics representative (FAR) and/or the Compliance and Risk Manager to conduct or assist with the review. For example, a grievance related to treatment by a trainer may involve a review by the Assistant Athletic Director of Sports Medicine.
5. The Senior Associate Athletic Director/Director of Athletics shall issue a final decision in writing to the student-athlete. The written decision shall be copied to the sport administrator, faculty athletics representative (FAR), the Compliance and Risk Manager in the Office of Compliance and Enterprise Risk Management, and to the Office of the President. The report of the final decision shall include a statement of the decision, a description of the process used to reach the decision, and the rationale for the outcome.
6. Either party to a Stage Three complaint may request a review through the Stage Four process.

Stage Four

If resolution cannot be reached by the levels that are internal to the Athletics Department, or if these internal mechanisms are not appropriate, the student-athlete (or anyone involved in the particular conflict resolution/grievance matter) may seek the assistance of the Compliance and Risk Manager in the Office of Compliance and Enterprise Risk Management.

The Compliance and Risk Manager is an independent, neutral third party that does not advocate for the University or for either party to a conflict. The Compliance and Risk Manager is available, at the request of any party involved in a conflict resolution/grievance matter, to act as an impartial mediator and may be called upon to intervene at any stage of the conflict resolution/grievance process. The Compliance and Risk Manager seeks to conduct a careful investigation, which leads to a fair and reasonable settlement of conflicts and grievances. The Compliance and Risk Manager reports directly to the Assistant Vice President of Compliance and Enterprise Risk Management, and ultimately, to the University President.

At this stage, the following steps should be followed:

1. The written grievance shall be submitted to the Compliance and Risk Manager in the Office of Compliance and Enterprise Risk Management in a reasonably timely manner so that the matter may be addressed promptly and effectively. The written grievance must set forth the facts of the complaint, the grounds on which the complaint is based, and details of any efforts taken to date to resolve the matter.

2. The Compliance and Risk Manager shall provide a copy of the student-athlete's written grievance and any relevant related information and documentation to the faculty athletics representative (FAR) and the Director of Athletics.
3. The Compliance and Risk Manager shall be responsible for initiating a timely and comprehensive review of the grievance, including meeting directly with the student-athlete bringing the issue forward. The Compliance and Risk Manager may interview any appropriate student-athletes, athletics department administration or coaching staff, and/or University personnel in completing the review.
4. After appropriate internal review, the Compliance and Risk Manager shall issue a report of findings in writing to the student-athlete. The report shall be copied to the sport administrator, faculty athletics representative (FAR), the Director of Athletics, the Office of University Counsel, and the Office of the President. The report shall include a statement regarding the initial complaint as filed, a description of the process used to review the complaint, and a statement of the outcome and findings of the review.
5. Depending on the statement of outcomes and findings of the review, the report may be forwarded to the Student Conduct office or to Human Resource Services, as appropriate, for recommendations to the President regarding follow-up and additional action, if any. Where appropriate, the Compliance and Risk Manager may also provide confidential recommendations to address legal risk and improve legal compliance to the Office of the University Counsel.

Special Notes

Cases involving possible misconduct, discrimination, or harassment based on a protected class as set forth in [Policy 26 Discrimination and Harassment Based on Protected Categories Other than Sex](#), [Policy 27 Misconduct, Discrimination, and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#), and/or [Policy 29 Title IX Compliance](#) may be reported by a student-athlete to a coach, sports administrator, any member of the MTSU administration, and/or Director of Athletics, who will report the allegation to the Office of Institutional Equity and Compliance. The student-athlete may also report such allegations directly to the Office of Institutional Equity and Compliance. This process is outlined in the Student Athlete Handbook. Any allegation of misconduct, discrimination, or harassment covered under one of the policies referenced above will be investigated under the procedures set forth in the applicable policy and will not be reviewed under the processes set forth herein.

Separate policies and procedures also have been established to address situations in which a student-athlete wishes to appeal a decision by the athletics department to:

1. Deny a student-athlete permission to speak to another institution about transferring;
2. Deny a student-athlete permission to use the one-time transfer exception; or
3. Cancel, reduce, or not renew a student-athlete's athletically-related financial aid.

Student-athletes or others with questions about those policies and procedures should consult with the MTSU Athletics Compliance Office or refer to the Student-Athlete Financial Aid Appeal Policy and/or the Student-Athlete Transfer Appeal Policy, both of which are published in the Student-Athlete Handbook.

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