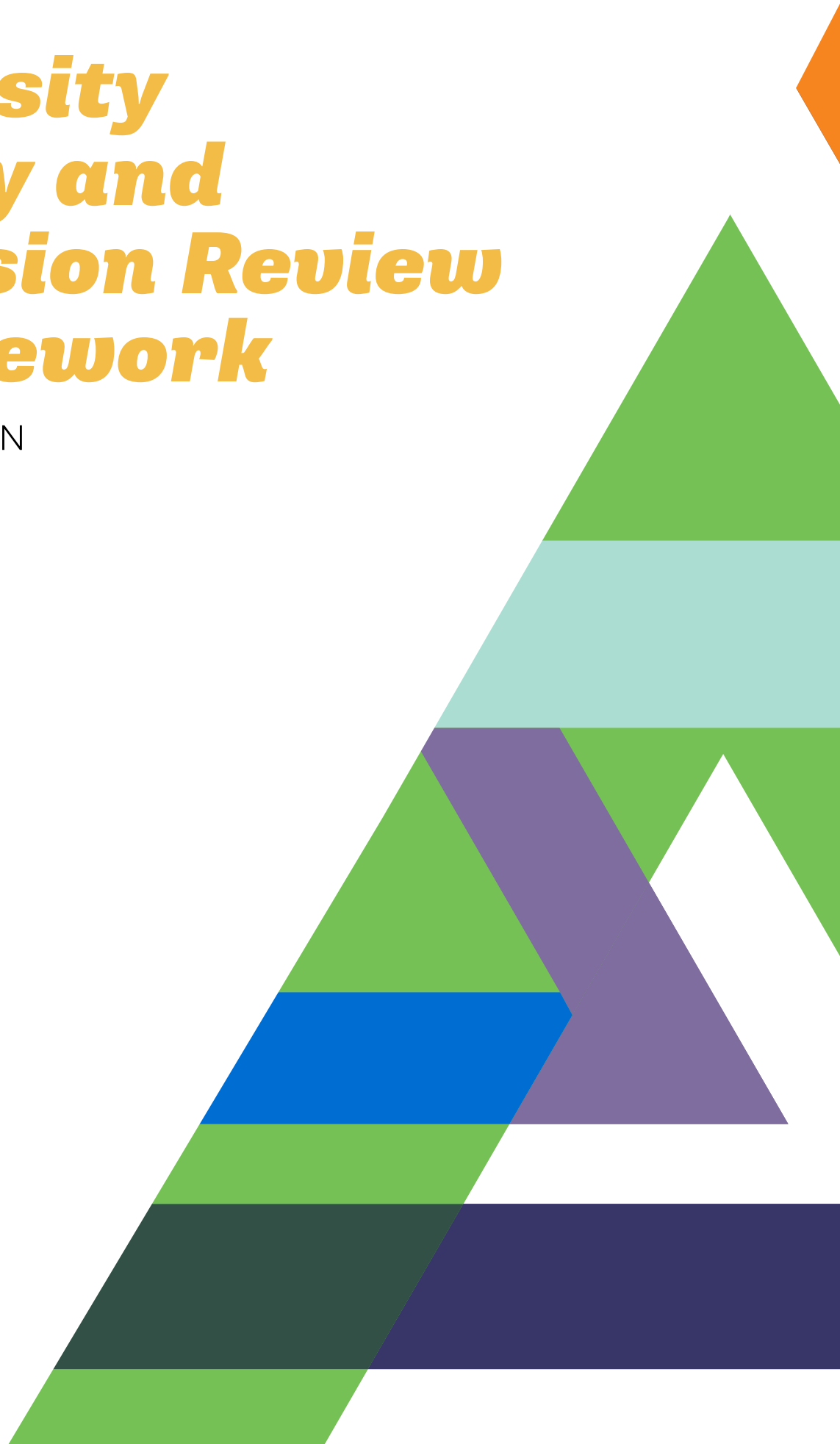


# ***Diversity Equity and Inclusion Review Framework***



# A Sample Framework for Diversity, Equity and Inclusion Reviews in Athletics Departments

## BACKGROUND.

The NCAA is committed to fostering a diverse, equitable and inclusive culture in college athletics and to supporting DEI efforts of member schools, conferences and the national office. Building on the intent of the NCAA's Presidential Pledge and Commitment to Promoting Diversity and Gender Equity in Intercollegiate Athletics,<sup>1</sup> Division I adopted legislation<sup>2</sup> that requires institutions to attest to completing a self-directed DEI review once every four years. In Divisions II and III, the philosophy statement includes a commitment to creating inclusive cultures in athletics. This sample framework was created at the request of the NCAA membership for optional use to support thorough and meaningful DEI reviews in athletics. The four NCAA membership diversity, equity and inclusion committees/task force, NCAA staff and outside counsel reviewed and provided feedback on the resource.<sup>3</sup>

## OBJECTIVE.

Regular reviews provide unique opportunities for schools to examine their DEI efforts closely and to assess whether their existing programs contribute to a more equitable and inclusive athletics community within their organization and beyond. More specifically, athletics departments are urged to determine whether their individual DEI efforts create cultures of belonging where student-athletes and those who teach and lead them, coaches, administrators and staff, feel that they are seen, heard and matter beyond the playing field and for the greater good of the community. If completed in a meaningful way, these reviews help schools maintain an ongoing focus on effort (what the school is doing) and outcome (what student-athletes and staff are experiencing). The work schools invest in these reviews will facilitate the incorporation of DEI principles into the fabric of their day-to-day interactions, discussions, operations and long-term strategic planning. There is great potential for growth and connection for those athletics departments that take the time to learn about, connect with and build on cross-campus initiatives to amplify the impact of their departmental efforts.

## PROCESS.

The framework included in this resource reflects the priorities expressed in the NCAA Board of Governors inclusion statement<sup>4</sup> (equitable participation, inclusive cultures, the learning environment, programming and education, and hiring practices), and the focus on a thorough, collaborative and proactive process reflects the intent and rationale of the Division I review requirement. While the NCAA recognizes that the substance of each review will vary by school, conference, public/private and other affiliations, region and state, the goal is that schools will discover and put in place pathways for student-athletes and staff to reach their full potential. The Division I legislated review is not subject to formal NCAA assessment or approval, and it is not required that a member use any specific format to complete a review.

The sample DEI review framework emphasizes collaboration, focuses on key questions and areas of exploration, and prompts institutions to remedy self-identified shortfalls. Each section ends with suggested action items, and the framework concludes with final suggested actions to put the findings of the review into practice.

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<sup>1</sup> "Presidential Pledge." NCAA, 15 Sept. 2020, [www.ncaa.org/sports/2016/9/16/ncaa-presidential-pledge.aspx](http://www.ncaa.org/sports/2016/9/16/ncaa-presidential-pledge.aspx).

<sup>2</sup> "LSDBI." NCAA, Accessed 3 June 2022, <https://web3.ncaa.org/lstdbi/search/bylawView?id=114940>.

<sup>3</sup> The four NCAA membership diversity, equity, and inclusion committees are the Board of Governors Committee to Promote Cultural Diversity and Equity, the Committee on Women's Athletics, the Gender Equity Task Force, and the Minority Opportunities and Interests Committee. Janet Judge, Partner, Education and Sport Group, LLC reviewed and provided feedback on the resource.

<sup>4</sup> "NCAA Inclusion Statement." NCAA, April 2017, [www.ncaa.org/sports/2016/3/2/ncaa-inclusion-statement.aspx](http://www.ncaa.org/sports/2016/3/2/ncaa-inclusion-statement.aspx). This statement is regularly reviewed and updated by the NCAA's Committee to Promote Cultural Diversity and Equity, on approval by the NCAA Board of Governors.

# Framework Overview

## STEP 1:

### Identify collaborators and create context.

- a. Establish roles and responsibilities for the review process.
- b. Build foundational clarity.
- c. Examine alignment of athletics with the institution's DEI policies, statements, goals and plans.
- d. Examine the scope of DEI planning in athletics.
- e. Examine organizational structures.
- f. Examine foundational athletics department documents.

## STEP 2:

### Review demographics, outcomes and climate/experiences data.

- a. Review demographic data to examine the population of athletics and the broader campus.
- b. Examine trends in the educational and career outcomes of student-athletes and staff.
- c. Examine the efforts to monitor climate and experiences of student-athletes and staff.
- d. Examine collection and use of qualitative information on student-athlete and staff experiences.

## STEP 3:

### Review athletics policies and practices for impact on DEI.

- a. Review hiring practices.
- b. Review student-athlete recruitment practices.
- c. Review professional development efforts for individuals from historically marginalized populations in athletics.
- d. Review student-athlete and staff support offerings/retention efforts.
- e. Review DEI educational efforts for student-athletes and staff.

## STEP 4:

### Review legal, institutional compliance and other responsibilities.

- a. Review general considerations with institutional counsel.
- b. Review processes to meet NCAA policies with the director of athletics, athletics compliance officer(s) and other necessary parties.
- c. Review processes for following applicable federal laws with institutional counsel.
- d. Review the process to meet additional responsibilities (e.g., state, local, accreditation, conference) with institutional counsel, athletics compliance and other responsible institutional staff.

## PUTTING THE FRAMEWORK INTO PRACTICE

The purpose of a program review is to create understanding and context. Reviews set the stage for strategic planning, where specific goals and actions are established and prioritized. These final action items offer a path to launch a strategic or other action planning process and to generally pursue progress on diversity, equity and inclusion in athletics.

1. Compile a master list of strengths, opportunities and items needing further study identified during the review.
2. Determine the most significant strengths and opportunities from the review's findings.
3. Identify specific ways the results of this review help the athletics department set and achieve goals to improve diversity, equity and inclusion.
4. Establish a plan and timeline to follow up on items needing further study, and to address other items that need attention or monitoring before the next review cycle.
5. Communicate the findings of the review to a broad audience and include the related follow-up plan.
6. Celebrate progress to enhance visibility of DEI efforts on campus.

## **STEP 1: Identify collaborators and create context.**

Effective reviews typically include people with a broad range of backgrounds, perspectives and identities, including individuals from a host of personal and professional populations. When identifying collaborators, it is helpful to consider if the reviewers reflect the community being assessed. Also, cross-campus collaboration helps build trust among vital campus partners while reducing inconsistencies in approach and policy development. Proactive collaboration demonstrates that athletics seeks to operate in concert with the school's overall DEI efforts.

**a.** Establish roles and responsibilities for the review process. Some people or areas you may want to include in the review are:

**(1)** Athletics representation.

- (a)** Director of athletics.
- (b)** Senior woman administrator (SWA).
- (c)** Faculty athletics representative (FAR).
- (d)** Athletics diversity and inclusion designee (ADID).
- (e)** Administrator overseeing DEI.
- (f)** Sports psychologist(s) and/or mental health providers.
- (g)** Student-Athlete Advisory Committee members.
- (h)** Student-athletes and/or staff committees with a DEI focus.
- (i)** Former student-athlete(s).
- (j)** Athletics staff that are members of or can access resources offered by outside organizations with a DEI focus (e.g., the Black AD Alliance; Diversity, Inclusion and Equity Council of Excellence; The LEAD1 Association;<sup>5</sup> Minority Opportunities Athletic Association; National Association of Collegiate Directors of Athletics; Ross Initiative in Sports for Equality; Women Leaders in College Sports; WeCOACH; and the Women's Sports Foundation).

**(2)** Cross-campus and community representation.

- (a)** Equal opportunity, inclusion, diversity, equity, belonging and related offices, including campus leaders responsible for these areas.
- (b)** Chief diversity officer with campuswide oversight.
- (c)** Campus office of civil rights.
- (d)** Cultural center representatives.
- (e)** Title IX coordinator.
- (f)** Counseling services.
- (g)** Disability services.
- (h)** LGBTQ+ or Campus Pride offices.
- (i)** International Student Services.
- (j)** Student affairs.
- (k)** Admissions.
- (l)** Registrar.
- (m)** Faculty, staff and/or student committees with a DEI focus.
- (n)** General counsel and institutional compliance officers.
- (o)** Human resources.
- (p)** Institutional Research.
- (q)** Staff and faculty with related expertise, including academic (e.g., African American studies, gender studies, religious studies) or consulting work.
- (r)** Community representative(s), including but not limited to people who understand the social, cultural and political history of the land on which the college sits.

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<sup>5</sup> In January 2021, LEAD1 published the white paper "Actionable Recommendations to Create More Diverse Senior Leadership in NCAA Division I Football Bowl Subdivision (FBS) College Sports." Select recommendations from the white paper are included in this DEI review framework.

**b.** Build foundational clarity.

- (1) Establish the “why” to guide the review. Consider why the athletics department is committed to an effective review process and reflect on the benefits of committing to diverse, equitable and inclusive cultures.
- (2) Identify and acknowledge tribal communities that include the descendants of the original inhabitants of the land shared by the college. Consider the colonial narrative that has resulted in the erasure of native people across this country.
- (3) Review the institution and department mission statements and core values.
- (4) Establish common terminology consistent with campus policy and subject to expansion and updating as appropriate, including “diversity, equity and inclusion.” Consider what key DEI-related terms and definitions are used by the institution.
- (5) Review the demographic and other diversity data reflective of the school’s overall and athletics populations. Consider the many different identities to address in the review. Think about those generally recognized by the institution and other identities that might currently be overlooked such as disability, gender identity, national origin, religion and socioeconomic status.
- (6) Review the methodology, findings and recommendations of previous DEI reviews. Review available reporting on follow-up actions from past reviews, if any exist.

**c.** Examine alignment of athletics with the institution’s DEI policies, statements, goals and plans.

- (1) Review the school’s nondiscrimination policy and DEI statements, goals and plans, and examine the extent to which the athletics department is aligned, connected or integrated with each of these institutional commitments.
- (2) Does the athletics department have a published statement of nondiscrimination commitment for student-athletes, coaches and staff in addition to school policy? If so, where is it located and how is it communicated?
- (3) Review the athletics department’s DEI statement, if one exists. Consider the following:
  - When was the statement created and how often is it updated?
  - How was it developed? Who was involved?
  - How is the statement used to guide DEI efforts?
  - How does the athletics statement align with institutional statement(s)?
  - How is the statement shared and communicated within the athletics department? With teams?
- (4) If athletics does not have a DEI statement, how does the department communicate its commitment to DEI?
- (5) How do the athletics department’s goals and plans connect to the institution’s?

**d.** Examine the scope of DEI planning in athletics.

- (1) How clearly stated are the department’s DEI goals?
- (2) Are there specific action plans identified to achieve the goals? Are the plans reviewed and approved by senior staff? Are there metrics to assess progress?
- (3) Who developed the plan(s) and to what extent did this include broad-based campus participation?
- (4) Are the plans regularly updated?
- (5) To what extent is the department meeting stated goals?
- (6) How and to whom are the goals and progress communicated?
- (7) What core identities are addressed in current DEI plans (e.g., international students, LGBTQ+ students, those from various racial/ethnic backgrounds, students with disabilities, women)?

**e.** Examine organizational structures.

- (1) Does the athletic department have a DEI Committee(s) or other formal structure overseeing DEI efforts?
  - What are the goals or charge of the committee?
  - What is the makeup of the committee? Does it include a variety of roles and titles and diversity of identities? Do student-athletes serve on the committee? To whom does the committee report?
  - How are committee goals and plans shared?
  - What is the connection between the DEI committee in athletics and broader institutional committee(s)?
- (2) Is there a Title IX designee within athletics? Is there a written description of the designation and specified reporting obligations? Is the Title IX designee known within the athletics community?
- (3) When/how often is there communication between the campus Title IX officer and the athletics department? Does the communication broadly address Title IX, including sexual violence prevention and education and athletics compliance?

- (4) How is the athletics department engaging student-athletes, including SAAC, affinity groups (a collection of individuals who share a common identity characteristic) and others on DEI issues that they care about and are impacted by?
- (5) What roles do the ADID,<sup>6</sup> SWA<sup>7</sup> and FAR<sup>8</sup> have regarding DEI? How well known and how impactful are these roles?
  - Does the ADID have a background in DEI work, or was the individual appointed to the position due to other factors? What training is this person provided?<sup>9</sup>
  - Is the ADID an athletics department employee, or does the individual work outside of athletics? Is the ADID positioned to effectively influence and shape DEI policy and initiatives within the athletics department and across campus? How does the ADID collaborate with other campus departments?<sup>10</sup>
  - Is the SWA engaged in senior-level decision-making for the conduct and administration of the overall athletics program?
  - Are the ADID, SWA and FAR provided with resources and access to support their active engagement in DEI efforts?
  - How do the ADID, SWA and FAR keep abreast of issues and trends in intercollegiate athletics?
  - Are the ADID, SWA and FAR regularly consulted by athletics and campus decision-makers, student-athletes and other key partners on DEI topics?
  - To what extent do the ADID, SWA and FAR have the opportunity or responsibility to present information at departmentwide staff meetings?<sup>11</sup>
  - Are the ADID, SWA and FAR provided with resources (e.g., time, authority, administrative support, professional development opportunities) to support their active engagement in carrying out their responsibilities?
- (6) What affinity groups at the college or university are working well? What can athletics learn from these affinity groups to better support student-athletes?

**f.** Examine foundational athletics department documents (e.g., strategic plan, policy and procedure documents, handbooks, team rules and expectations, training aids, websites, regular meeting schedules and agendas and other relevant foundational documents). Consider the following:

- (1) How well do the foundational documents contribute to creating an environment where people of all identities feel respected and express feelings of belonging?
- (2) Do the documents consistently use inclusive language?
- (3) How are DEI terms communicated within athletics?
- (4) Do students and staff appear to be familiar with the DEI terms and their proper use?
- (5) Do department meeting agendas regularly and adequately include DEI topics?
- (6) Do athletics senior staff members regularly discuss the department's DEI expectations in organized settings?
- (7) Do the mission statement and/or values speak to the importance of supporting diverse student-athletes and a culture of inclusion? Do they address equitable opportunities for all student-athletes across their intersection of identities?
- (8) Has the institution formulated written policies aimed at ensuring adequate institutional support and equity for men's and women's programs?
- (9) How definitively and consistently are existing policies being used/enforced?
- (10) Is there a documented process in place to evaluate and update athletics department policies? If so, where is the policy located and who has responsibility for overseeing the process? How (and how often) does this occur, and is there an emphasis on DEI in this process?

## ACTION ITEMS

1. Identify who will work on the review, and each person's role in the process.
2. Establish meeting and communication expectations for the review process. While timelines vary greatly, a thorough review can take a full academic year to complete.
3. Gather information and conduct meetings to address items b-f under step one.
4. Capture a list of strengths, opportunities to improve, and items needing further study related to step one. Specifically consider whether and how athletics can engage in cross-campus collaboration to support DEI efforts.

<sup>6</sup> "Athletics Diversity and Inclusion Designees." NCAA, <https://www.ncaa.org/sports/2021/7/26/athletics-diversity-and-inclusion-designees.aspx>.

<sup>7</sup> "Senior Woman Administrators." NCAA, <https://www.ncaa.org/sports/2013/11/21/senior-woman-administrators.aspx>.

<sup>8</sup> "Faculty Athletics Representatives Association." NCAA, <https://www.ncaafara.org>.

<sup>9</sup> This question was sourced from LEAD1's 2021 white paper, "Actionable Recommendations to Create More Diverse Senior Leadership in NCAA Division I Football Bowl Subdivision (FBS) College Sports." See the paper for additional recommendations: <http://lead1association.com/wp-content/uploads/2021/01/LEAD1-DEI-Working-Group-Recommendations-FINAL-1.pdf>.

<sup>10</sup> See note 9.

<sup>11</sup> See note 9.



## **STEP 2: Review demographics, outcomes and climate/experiences data.**

Data is an informative starting point and important ongoing reference to understand your student-athlete and staff population. It can be used to set specific goals to increase representation in particular areas, or to help educate others about the diverse makeup of your population.

- a.** Review demographic data to examine the population of athletics and the broader college, including student-athletes, students and staff, across significant elements of identity (e.g., gender, race, ethnicity and national origin) over a period of at least the past five years. This data may be found in the institution's Integrated Postsecondary Education Data System data, or in self-reports to the NCAA.<sup>12</sup>
  - (1)** To what extent are the demographics in athletics consistent with the rest of campus? Consider for student-athletes, coaches, staff and leadership.
  - (2)** What are the demographic trends in athletics, and how do they compare with the trends for the broader college population?<sup>13</sup>
  - (3)** To what extent do the leaders in athletics reflect the student-athlete population?
  - (4)** To what extent is the composition of the population in athletics consistent with the diversity, equity and inclusion vision or goals for the athletics department and for the college or university?
  
- b.** Examine trends in the educational and career outcomes of student-athletes and staff.
  - (1)** Compare student-athlete graduation, retention, job placement and earning potential data across significant elements of identity (e.g., race/ethnicity and gender) over a period of at least the past five years. Are there gaps or significant outliers in outcomes data for any specific identities?
  - (2)** Is the athletics department tracking staff attrition, promotion and pay by race/ethnicity and gender? If so, are there any discernable trends?
  - (3)** Are people of color, women and employees from other historically marginalized groups fairly represented in different operational and leadership roles?
  
- c.** Examine the efforts to monitor the climate and experiences of student-athletes and staff.
  - (1)** Is your athletics department administering a climate survey directly to student-athletes or partnering with efforts to survey the broader campus?
    - What is being monitored (e.g., demographic information; programming; recruitment and retention policies; hiring; coaching; level of comfort and safety in the classroom, on campus and within teams; accessibility of facilities; use and awareness of campus resources such as cultural centers; access to staff/tutoring; student-athlete voice or expression; connection with faculty; internship/externship opportunities)?
    - How often is the climate survey administered?
    - How is the campus climate survey data analyzed, shared and used?
  
  - (2)** Examine coach/season performance evaluations, exit interviews or other assessment instruments. Consider the following:
    - Do the assessment instruments address significant issues of DEI related to the student-athlete experience? Do they include consideration of the physical, emotional and social well-being of student-athletes across core dimensions of diversity such as ability, gender identity, natural origin, race/ethnicity and sexual orientation?
    - Is direct student-athlete feedback gathered regarding the topics covered in the Title IX treatment areas/"laundry list" (e.g., equipment and supplies, scheduling of contests and practice times, per diem and travel)?
    - How are the evaluations and exit interviews used? Are they conducted regularly and in a meaningful way?

<sup>12</sup> The NCAA Institutional Performance Program is available to NCAA members in MyApps. See <https://www.ncaa.org/sports/2017/11/1/division-i-institutional-performance-program.aspx>.

<sup>13</sup> The NCAA publishes a searchable demographic database with information about member schools' student-athletes, coaches and administrators.

See <https://www.ncaa.org/sports/2018/12/13/ncaa-demographics-database.aspx?id=1729>.



**(3)** Do head coach evaluations include consideration of the establishment of a safe environment for their student-athletes (e.g., education on and methods for discussing and resolving harassment or discrimination)?

**d.** Examine collection and use of qualitative information on student-athlete and staff experiences.

**(1)** What mechanisms are used to gather qualitative information on student-athlete experiences (e.g., discussion forums or in-person interviews)?

**(2)** How is the qualitative information analyzed, shared or used?

## **ACTION ITEMS**

**1.** Gather information and conduct meetings to address items a-d of step two.

**2.** Capture a list of strengths, opportunities to improve, and items needing further study related to step two. Does existing data and analysis provide enough information for the athletics department to understand the athletics and college population and set specific goals?



### **STEP 3: Review athletics policies and practices for impact on DEI.**

Rather than focusing only on specific diversity, equity and inclusion policies, all athletics policies and practices should be examined for impact on climate, outcomes and experiences. Ultimately DEI is not a singular effort; all department operations should be intentional about advancing diversity, equity and inclusion.

#### **a. Review hiring practices.<sup>14</sup>**

- (1)** Does the athletics department have strategies for recruiting applicants that identify as racial and ethnic minorities, women and other historically marginalized groups for athletics positions? What are the outcomes of these strategies?
- (2)** What process is used to form search committees? What efforts are in place to ensure that racial and ethnic minorities, women and historically marginalized groups are included on the committees, including for high-profile searches?<sup>15</sup>
- (3)** What bias training is provided to the search committees?
- (4)** What efforts are in place to identify racial and ethnic minorities, women and other historically marginalized groups in candidate pools on an ongoing basis?
- (5)** Do candidate pools reflect the desired composition of the department?
- (6)** What role does networking and ongoing connection to individuals from different identity groups play in your institution's hiring practices?
- (7)** What mechanisms are in place to ensure that job postings are communicated to potential candidates from different gender, racial/ethnic or other historically marginalized backgrounds?
- (8)** Has your school communicated its participation in the NCAA presidential pledge?<sup>16</sup>
- (9)** Has your school used the NCAA Leadership Collective<sup>17</sup> to identify a diverse pool of candidates?
- (10)** If your institution uses search firms, what consideration is given to the search firm's record of advancing candidates from diverse backgrounds?

#### **b. Review student-athlete recruitment practices.**

- (1)** What initiatives is your campus undertaking to recruit a diverse population of student-athletes?
- (2)** Are recruiting materials offered in different languages or accessibility options? Do materials include a wide variety of student-athlete identities?
- (3)** To what extent are staff and coaches from historically marginalized populations engaged in recruiting visits?<sup>18</sup>
- (4)** Are resources provided to coaches to help recruit student-athletes from diverse backgrounds and locations for all sports?
- (5)** Are men's and women's sports programs provided equitable resources for recruiting?
- (6)** What do you show recruits on visits to help them feel welcome on campus? Is DEI information about the local area and community provided to students to help them feel welcome?
- (7)** Are other campus offices that serve various identities (e.g., international students, LGBTQ+ students, those from various racial/ethnic backgrounds, students with disabilities, women) engaged or highlighted in the recruiting process?

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<sup>14</sup> Additional considerations can be found in the NCAA Division III publication, "The Diverse Workforce." [https://ncaaorg.s3.amazonaws.com/inclusion/d3/D3\\_INC\\_HiringResource.pdf](https://ncaaorg.s3.amazonaws.com/inclusion/d3/D3_INC_HiringResource.pdf).

<sup>15</sup> See note 9.

<sup>16</sup> "Presidential Pledge." NCAA, 15 Sept. 2020, <https://www.ncaa.org/sports/2016/9/16/ncaa-presidential-pledge.aspx>.

<sup>17</sup> "NCAA Leadership Collective." NCAA, <https://www.ncaa.org/sports/2020/12/10/ncaa-leadership-collective.aspx>.

<sup>18</sup> See note 9.

- c.** Review professional development efforts for individuals from historically marginalized populations in athletics.
- (1) How is athletics ensuring it prepares individuals from historically marginalized populations for advancement or other growth opportunities?
  - (2) How does the athletics department allocate financial and other resources to professional development for historically marginalized populations? How significant is the resource allocation?
  - (3) How does the department communicate with student-athletes and staff about campus, NCAA and other outside professional development opportunities (e.g., Career in Sports Forum, Emerging Leaders Seminar, Postgraduate Internship Program, NCAA Inclusion Forum, programming offered by professional and affinity groups)?
  - (4) To what extent does the athletics department work with or support participation in organizations dedicated to advancing athletics professionals with historically marginalized backgrounds (e.g., Minority Opportunities Athletic Association, Women Leaders in College Sports, etc.)?
  - (5) What regular mentoring opportunities exist for historically marginalized populations? Does the mentoring effort include clear expectations for the mentor and mentee? To what extent are mentees connected with influencers in college sports?<sup>19</sup>
  - (6) To what extent are individuals from historically marginalized populations given leadership opportunities to expand their growth?
- d.** Review student-athlete and staff support offerings/retention efforts.
- (1) What specific strategies does the athletics department have to build and enhance student-athlete and/or staff belonging?
  - (2) Is the athletics department implementing land acknowledgments to honor the unique sovereign status of Indigenous people and the sacred land on which the university was built?<sup>20</sup>
  - (3) How does the new employee onboarding/new student-athlete orientation process promote feelings of belonging and contribute to building an inclusive culture?
  - (4) To what extent are there safe places for people from historically marginalized populations to share their perspective and experiences about topical issues without fear of being terminated, reprimanded, ostracized, or having the perception of sounding “angry” or “intense”?<sup>21</sup>
  - (5) How do staff use campus disability support offices, including referring student-athletes and communicating with the athletics department and student-athletes about services offered?
  - (6) Does the athletics department ask all employees what special equipment, technology, workspace and/or support they might need to maximize their success? To what extent are these items or support provided?<sup>22</sup>
  - (7) What efforts are in place to support student-athletes of all gender identities?<sup>23</sup>
  - (8) What efforts are in place to ensure proper pronoun use throughout athletics?
  - (9) What photos are being used to depict student-athletes? Do the images promote feelings of belonging?
  - (10) What efforts are in place to ensure the proper pronunciation of student-athlete and staff names, from both home and visiting teams?
  - (11) What efforts are in place to ensure that dress codes, including hairstyles, support diverse cultures?<sup>24</sup>
  - (12) What efforts are in place to serve the different and intersecting identities of student-athletes and staff related to mental health?<sup>25</sup>
  - (13) Are student-athletes, coaches and staff informed of and given the opportunity to participate in DEI-related programs and services (support or otherwise) on campus?
  - (14) To what extent are requests to celebrate religious, nation- and culture-specific holidays and to commemorate cultural heritage months/days supported?<sup>26</sup>
  - (15) What efforts does the school make to ensure that student-athletes, coaches and athletics department staff know whom to contact if they experience an issue of discrimination (e.g., gender, race, ethnicity, sexual orientation, religion or national origin)?

<sup>19</sup> See note 9.

<sup>20</sup> “Celebrating Native American Heritage Month.” NCAA, [https://ncaaorg.s3.amazonaws.com/inclusion/ethnic/INC\\_CelebratingNativeAmericanHeritageMonth.pdf](https://ncaaorg.s3.amazonaws.com/inclusion/ethnic/INC_CelebratingNativeAmericanHeritageMonth.pdf).

<sup>21</sup> See note 9.

<sup>22</sup> See note 9.

<sup>23</sup> “NCAA Gender Identity and Student-Athlete Participation Summit Meeting Summary.” NCAA, 5-6 Oct. 2020, [https://s3.amazonaws.com/ncaaorg/about/ncaa/Report\\_from\\_Transgender\\_Student-Athlete\\_Participation\\_Summit.pdf](https://s3.amazonaws.com/ncaaorg/about/ncaa/Report_from_Transgender_Student-Athlete_Participation_Summit.pdf).

<sup>24</sup> See note 9.

<sup>25</sup> See the NCAA Diverse Student-Athlete Mental Health and Well-Being Summit Final Report, [https://ncaaorg.s3.amazonaws.com/ssi/mental/samhwb/2020SSI\\_SAMHWBSummit\\_Report.pdf](https://ncaaorg.s3.amazonaws.com/ssi/mental/samhwb/2020SSI_SAMHWBSummit_Report.pdf).

<sup>26</sup> See note 9.

- (16) How does the department support and encourage affinity groups, other student-athlete leadership groups, and student-athletes in general to learn and lead in the areas of diversity, equity and inclusion?<sup>27</sup>
- (17) Does athletic staff support or help raise awareness about different social causes? What conversations about activism are being had within teams? The athletics department at large?
- (18) Is there specific funding available to support social activism efforts by student-athletes and athletics department staff? Is this funding sufficient to achieve DEI goals in athletics?
- (19) To what extent does the school support and encourage a positive game environment during intercollegiate athletics events?
- (20) To what extent does the institution have specific policies or initiatives focused on the environment experienced by visiting teams?
- (21) What procedures are in place to address fan behavior that violates the campus or athletics department's values?

**e.** Review DEI educational efforts for student-athletes and staff.

- (1) What DEI education is in place for student-athletes, coaches and other athletics staff? Are the educational efforts ongoing?
- (2) Is educational content focused on the specific culture and needs of the athletics department (e.g., implicit bias training, foundational DEI topics, Diversity 101, inclusion mental health, anti-racism, LGBTQ+, allyship and social activism)?
- (3) Do educational efforts have stated goals? Are they assessed to gain feedback that can direct and shape future programming?
- (4) To what extent is the education format varied and tailored to the specific audience (e.g., cultural months, workshops, trainings and TED Talks)?
- (5) How does the athletics department allocate financial and other resources for DEI-related education? How significant is the resource allocation?
- (6) How are student-athletes involved in identifying topics or formats for education?
- (7) Does DEI education include partnering with campus departments and faculty whose work focuses on DEI?
- (8) During the past year, has a representative from the athletics department attended an NCAA Inclusion Forum or NCAA Convention session on DEI? How was information learned at those events used?

## ACTION ITEMS

1. Gather information and conduct meetings to address items a-e for step 3.
2. Capture a list of strengths, opportunities to improve and items needing further study related to step three. Specifically consider whether written policy is followed in practice and how well known and accessible department policies are.

<sup>27</sup> "The Power of the Student-Athlete Voice: Activism for Social Impact." NCAA, <https://www.ncaa.org/sports/2021/7/23/student-athlete-activism.aspx#sapower>.

## **STEP 4: Review legal, institutional compliance, and other responsibilities.**

While legal and institutional obligations will vary by campus, the NCAA has a baseline expectation that its members comply with all federal, state and local laws, in addition to NCAA legislation and policy. Other important expectations may be established by the accrediting body, conference, institution, athletics department or individual teams.

This review framework is not meant to be a substitute for schools' ongoing obligations to comply with all relevant federal and state laws, including Title IX of the Education Amendments of 1972. Title IX requires all federally funded schools to provide gender equitable participation, athletics-related financial aid, and support and benefits across a nonexhaustive list of 11 treatment areas. For more information about a school's obligations under Title IX, see the Office for Civil Rights website<sup>28</sup> and the NCAA's gender equity planning resources.<sup>29</sup>

Finally, the NCAA acknowledges that some state and local laws may create barriers for schools to engage in specific DEI work. Ultimately, the NCAA constitution<sup>30</sup> requires members to commit to promoting DEI in athletics activities and events, hiring practices, professional and coaching relationships, leadership and advancement opportunities.

### **a. Review general considerations with institutional counsel.**

- (1) Does the school currently comply with all federal, state, and local laws; campus policies and procedures; and NCAA legislation and policy?
- (2) How are these made available and accessible to student-athletes and staff?
- (3) What steps are in place for tracking legal and compliance updates and communicating them to athletics leadership, coaches, other staff and student-athletes?
- (4) What other important expectations are established by the school's accrediting body, conference, institution, athletics department or individual teams?
- (5) Does the department work collaboratively with legal counsel and institutional compliance to identify all relevant sources of law and policy?
- (6) How does the institution overall ensure that its athletics program complies with the law or has identified appropriate action steps designed to meet these responsibilities?
- (7) What training is required of those in positions of oversight for athletics equity areas, including, as required by Title IX, the provision of gender equitable participation, athletics-related financial aid, and the 11 treatment areas?
- (8) What process is in place to consider legal and compliance matters in the regular update of athletics policies?
- (9) Does the school have a process in place for students and staff to report concerns related to legal, compliance or other responsibilities? Is this process widely known?

### **b. Review processes to meet the following NCAA policies with the director of athletics, SWA, ADID, athletics compliance officer(s) and other necessary parties:**

- (1) NCAA Division I legislation<sup>31</sup> requiring a once-in-four year DEI review and attestation.
- (2) NCAA championships and event hosting policy.<sup>32</sup>
- (3) NCAA Board of Governors policy on campus sexual violence.<sup>33</sup>
- (4) NCAA transgender student-athlete participation policy.<sup>34</sup>
- (5) NCAA Institutional Performance Program.<sup>35</sup>

<sup>28</sup> "Office for Civil Rights." U.S. Department of Education, 17 Nov. 2021, <https://www2.ed.gov/about/offices/list/ocr/index.html>.

<sup>29</sup> "Gender Equity Planning." NCAA, [https://ncaaorg.s3.amazonaws.com/inclusion/bestprac/NCAAInc\\_BestPracticeGenderEquity.pdf](https://ncaaorg.s3.amazonaws.com/inclusion/bestprac/NCAAInc_BestPracticeGenderEquity.pdf).

<sup>30</sup> "NCAA Constitution." NCAA, 14 Dec. 2021, [https://ncaaorg.s3.amazonaws.com/governance/ncaa/constitution/NCAAGov\\_Constitution121421.pdf](https://ncaaorg.s3.amazonaws.com/governance/ncaa/constitution/NCAAGov_Constitution121421.pdf).

<sup>31</sup> "LSDBI." NCAA, <https://web3.ncaa.org/lstdbi/search/bylawView?id=114940>.

<sup>32</sup> "NCAA Selection Process and Information." NCAA, <https://www.ncaa.org/sports/2019/5/1/bids.aspx>.

<sup>33</sup> "NCAA Board of Governors Policy on Campus Sexual Violence." NCAA, 27 April 2021, <https://www.ncaa.org/sports/2017/8/17/ncaa-board-of-governors-policy-on-campus-sexual-violence.aspx>.

<sup>34</sup> "Transgender Student-Athlete Participation Policy." NCAA, <https://www.ncaa.org/sports/2022/1/27/transgender-participation-policy.aspx>.

<sup>35</sup> "Division I Institutional Performance Program." NCAA, <https://www.ncaa.org/sports/2017/11/1/division-i-institutional-performance-program.aspx>.

"Division II Institutional Performance Program." NCAA, <https://www.ncaa.org/sports/2015/9/11/ncaa-division-ii-institutional-performance-program-resources.aspx>.

"Division III Institutional Performance Program." NCAA, <https://www.ncaa.org/sports/2016/9/6/division-iii-institutional-performance-program-ipp.aspx>.

- c.** Review processes for following applicable federal laws with institutional counsel:
  - (1)** Equal Protection Clause of the United States Constitution.
  - (2)** Federal nondiscrimination laws in education that apply to recipients of federal financial aid and their implementing regulations protecting students, including the following:
    - (a)** Those that prohibit discrimination based on race, color and national origin (Title VI of the Civil Rights Act of 1964).
    - (b)** Those that prohibit discrimination based on sex and/or gender (Title IX of the Education Amendments of 1972).
    - (c)** Those that prohibit discrimination based on disability (Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990).
    - (d)** Those that prohibit discrimination based on age (Age Discrimination Act of 1973).
    - (e)** Those that require the posting of relevant athletics-based information such as the Equity in Athletics Disclosure Act of 1994.
  - (3)** Laws that prohibit discrimination in employment, including the following:
    - (a)** Those that prohibit employment discrimination based on race, color, religion, national origin and sex (Title VII).
    - (b)** Those that prohibit discrimination based on sex, gender, sexual orientation and gender identity (Title IX); wage discrimination based on sex (Equal Pay Act of 1963); and pregnancy, childbirth, or a medical condition related to pregnancy or childbirth (Pregnancy Discrimination Act of 1978).
    - (c)** Those that prohibit employment discrimination against qualified people with a disability or perceived disability status (ADA).
    - (d)** Those that prohibit employment discrimination against people age 40 or above based on age (Age Discrimination in Employment Act of 1967).
    - (e)** Those that make it illegal to discriminate against employees because of their genetic information (the Genetic Information Nondiscrimination Act of 2008).
    - (f)** Those that prohibit covered employers from discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity or national origin (Executive Order 11246).
    - (g)** Those that prohibit discrimination based on a person's status as a veteran (Vietnam Era Veterans' Readjustment Assistance Act of 1974).
  - (4)** Relevant federal agency guidance and other federal law requirements.
- d.** Review the process to meet the following additional items with institutional counsel, athletics compliance and other responsible institutional staff:
  - (1)** State and local laws.
  - (2)** Accreditation standards.
  - (3)** Conference expectations, review processes and/or attestation requirements.
  - (4)** Other local and institution-specific requirements, as relevant.

## ACTION ITEMS

- 1.** Identify and describe the impact of local laws, educational efforts, advocacy groups, etc. that may:
  - a.** Limit the advancement of DEI efforts.
  - b.** Promote the advancement of DEI efforts.
- 2.** Identify and describe any other communication or other initiatives that limit or support compliance and DEI efforts.
- 3.** Capture a list of strengths, opportunities to improve, and items needing further study related to step four.

## **FINAL ACTION ITEMS: Putting the Framework Into Practice**

The purpose of a program review is to create understanding and context. Reviews set the stage for strategic planning, where specific goals and actions are established and prioritized. These final action items offer a path to launch a strategic or other action planning process or to generally pursue progress on diversity, equity, and inclusion in athletics.

- 1.** Compile a master list of strengths, opportunities and items needing further study identified during the review.
- 2.** Determine the most significant strengths and opportunities from the review's findings.
- 3.** Identify specific ways the results of this review help the athletics department set and achieve goals to improve diversity, equity and inclusion.
- 4.** Establish a plan and timeline to follow up on items needing further study and to address other items that need attention or monitoring before the next review cycle.
- 5.** Communicate the findings of the review to a broad audience and include the related follow-up plan.
- 6.** Celebrate progress to enhance visibility of DEI efforts on campus.

This will be a living document updated on a regular basis. If you have feedback on ways to enhance this resource, please send those comments to: [inclusion@ncaa.org](mailto:inclusion@ncaa.org)