



MIDWESTERN STATE UNIVERSITY

Operating Policies & Procedures Manual

University Operating Policy/Procedure (OP)

OP 20.01: Intercollegiate Athletics

Approval Authority:	Board of Regents
Policy Type:	University Operating Policy and Procedure
Policy Owner:	President's Office
Responsible Office:	Athletics
Next Scheduled Review:	07/01/2023

I. Policy Statement

- A. Through its intercollegiate athletics program, Midwestern State University (MSU or University) provides the opportunity and encouragement for student-athletes to pursue degrees of their choice and develop their athletic abilities in keeping with high standards of academic scholarship, sportsmanship, leadership, and institutional loyalty.
- B. This policy states the requirement of the University's Board of Regents that all intercollegiate programs be maintained in an ethical and academically and fiscally accountable manner with full compliance with NCAA and athletic conference rules, and in accordance with University policies and procedures. To achieve its goals, the University subscribes to the following objectives:
1. To offer an intercollegiate athletics program which compares favorably with other universities of like size and nature and to provide comparable opportunities for both men and women to participate on athletic teams of championship character.
 2. To develop in its student body an understanding and appreciation of the role that intercollegiate athletics plays in university life and to develop realistic attitudes toward that role.
 3. To provide a focal point for the spirit and loyalty of the student body, faculty, staff, alumni, and friends of the University.

4. To encourage all student-athletes to set the attainment of a college degree as their number one goal and to provide the guidance and support needed to help them attain that goal.
5. To maintain policies and lines of authority which ensure institutional control of the intercollegiate athletics program and assign administrative responsibility for all athletic matters to the President of the University.
6. To provide continuous input to and evaluation of the athletic program through a strong, competent, and diversified committee on athletics which recommends policies and procedures to the President of the University.
7. To recognize that student-athletes are students first and athletes second and to encourage them to make positive contributions to the University community in areas outside athletics.
8. To require coaches who teach to meet the same performance standards expected of other University personnel with teaching responsibilities.
9. To adhere to both the letter and the spirit of the rules and regulations of the conferences and/or athletic associations of which the University is a member.
10. To create an environment in which the desire for athletic success never takes precedence over the educational mission of the University or the mental or physical well-being of its student-athletes.
11. To implement and maintain policies designed to ensure that athletic recruiting activities are conducted in an ethical and legal manner, free of inappropriate involvement or influence from individuals or groups outside the University.
12. To provide to as great an extent as possible the resources needed to award in each sponsored sport the maximum amount of athletically-related aid allowed by the rules and regulations of the associations or conferences of which the University is a member.

II. Reason for Policy

The purpose of the Midwestern State University's intercollegiate athletics program is to provide opportunities for members of the student body to participate in and enjoy athletic competition as an important part of the total educational experience. The University is committed to offering an athletics program which places the highest priority on the

physical and educational welfare of its student athletes; teaches and promotes honesty, sportsmanship and fair play; and adheres to the highest standards of amateurism and ethical conduct.

The purpose of this policy is to delineate clearly the roles and responsibilities of the University's Board of Regents, the President of the University, and the University's Director of Athletics regarding the oversight and operation of the University's intercollegiate athletics program. This policy is intended to advance the mission and strategic plan of the University's athletic department, and to ensure appropriate integration and collaboration between the athletics department and the rest of the University.

III. Application of Policy

This policy applies to all intercollegiate athletic programs offered by the University.

IV. Definitions (Specific to this Policy)

For purposes of this policy:

NCAA: The National Collegiate Athletic Association is known by the acronym NCAA. It is a member-led non-profit organization which regulates athletes of over 1,000 institutions and conferences and comprised of three divisions: Division I, Division II, and Division III. MSU joined the NCAA and its Division II in 1995 and is a member of the Lone Star Conference.

Title IX: Title IX of the Education Amendments of 1972 is a comprehensive federal law that prohibits discrimination based on sex in any federally funded education program or activity.

V. Procedures and Responsibilities

A. The University's Board of Regents (Board) provides oversight and broad policy guidelines for the budget, operation, and activities of the intercollegiate athletics program in a manner consistent with the operation of other units of the University. The Board, as the fiduciary body for Midwestern State University, carries out its oversight through the following specific actions:

1. Delegating administrative responsibility and management for intercollegiate athletics to the Office of the President and lend its full and public support to the President in the execution of her/his duties.

2. Approving, with the President, standards of accountability and benchmarks against which to measure the success of the intercollegiate athletics program.
 3. Holding the President responsible for the appropriate execution of those responsibilities and assessing presidential performance during periodic reviews.
 4. Reviewing and approving the athletics budget as part of the regular institutional budget process, including revenue, expenditures, compensation procedures for the athletic director and coaches, debt capacity, and gift policies, in keeping with the Board's overall responsibility as financial steward of the institution.
 5. Reviewing and approving an athletics department mission statement that reflects the University's mission and academic values.
 6. Including in new Board member orientation a review of all policies pertaining to athletics. This orientation is designed to educate regents about their responsibilities concerning intercollegiate athletics and to clarify expectations for the athletics department and its place within the larger University culture and mission and its tone, direction, and values. This orientation process should further include a review of: the impact of intercollegiate athletics on campus culture, the academic profile of athletes compared with other students, the institution's financial commitment to athletics, the relationship to the athletic conference to which the institution belongs, and the NCAA rules that apply to boards and regents.
 7. Ensuring the full integration of the athletics department into the administrative structure of the University by working with the President and athletics department. This includes determination of whether the athletics director reports directly to the President or through another administrator. (See MSU Policy 2.323 (C) providing that the University's Director of Athletics is directly responsible to the President of the University.)
 8. Periodically conducting a review of governance policies related to intercollegiate athletics.
- B. The President of the University is assigned ultimate responsibility and authority for the operation, fiscal integrity, and personnel of the institution's athletics program, including appointment and supervision of the athletics director(s). The President is also responsible for ensuring that the institution's athletics program is in compliance with all applicable laws and regulations and that the mission, values, and goals of the athletics program are compatible with those of the institution. The President, with authority and responsibility vested by the University's Board of Regents, leads the

University's intercollegiate athletics programs and her/his responsibilities include but are not limited to:

1. Exercising ultimate responsibility for the conduct and control of the athletics department, including all personnel decisions (hiring, firing, compensation, etc.), corporate partnerships, television/radio contracts, booster clubs, and affiliated organizations, including their private fundraising efforts.
2. Ensuring that coaches and the athletic director are required by the terms of their employment contracts to manage their programs in compliance with all applicable laws and regulations and University policies and procedures and shall be subject to discipline for failure to comply.
3. Setting appropriate standards of accountability and benchmarks against which to measure the success of the intercollegiate athletics program. Standards and benchmarks should include finances, admissions, student-athlete well-being, academic advising, graduation rates, facilities, and capital expenditures, and conflict-of-interest policies.
4. Establishing and upholding, with the faculty and administration, academic and eligibility standards for student-athletes that reflect the University's academic values and mission.
5. Communicating to the Board of Regents on her/his fulfillment of responsibilities as they relate to agreed-upon goals, standards, and benchmarks of the intercollegiate athletics program.
6. Reviewing, with the Board, the NCAA institutional self-study and certification process and the institution's compliance with Title IX provisions concerning gender equity, as well as departmental compliance with any laws and regulations to which the University is subject.
7. Along with the University's Director of Athletics, communicating clearly with the Board, coaches, administrators, students, faculty, boosters, and alumni concerning: compliance with institutional, conference, and NCAA rules and regulations; the mission, values, and goals of the athletics department; appropriate stewardship of and contact with donors and students; and the acceptance of benefits from the athletics department.

8. Along with the University's Director of Athletics, serving as the University's spokesperson to the media and public for all matters relating to the University's athletics department.
- C. The University's Director of Athletics is responsible to the President of the University for the leadership of all aspects of the University's intercollegiate athletics program including NCAA compliance; the welfare of student-athletes; ensuring that the academic expectations of student-athletes and their courses of study are consistent with the institution's overall academic standards and commitment to academic integrity; the management of department personnel, financial management, strategic planning, public relations, marketing activities, athletic facilities and, in coordination with the Vice President for University Advancement, fundraising. The responsibilities of University's Director of Athletics include but are not limited to:
1. Develop a mission statement, subject to review and approval by the University's Board of Regents, which reflects the University's mission and academic values.
 2. Promote the welfare and academic achievement of student-athletes. Adhere to NCAA rules and regulations relating to the time demands placed on student-athletes, meeting them in spirit and in practice.
 3. Establish and implement strategic plans; achieve identified goals and objectives for athletic and academic success; safeguard academic integrity; and ensure that the athletics department's plans, goals, and objectives are consistent with and further the University's strategic plan.
 4. Ensure that the athletics department has a culture of compliance, implements an effective compliance program and holds coaches, department staff, and student-athletes accountable for compliance with applicable laws, including Title IX, NCAA, and conference rules and regulations, and University policies and procedures.
 5. Report NCAA violations according to procedures established by the University's Intercollegiate Athletics Committee and promptly notify the President of the University.
 6. Provide information concerning standards of accountability and benchmarks to the President and the Board and provide information on the athletic department's success in meeting those standards.

7. Ensure that the athletics department is complying with provisions concerning gender equity and with all University, conference, and NCAA rules and regulations to which the University is subject.
 8. Manage the fiscal affairs of the athletics department including, in coordination with the University's Vice President for Administration and Finance, developing annual budgets for athletics, managing departmental expenditures in a manner consistent with established budgets, overseeing the marketing, ticket sales, and revenue generating activities of the department, and developing and promoting effective business policies, procedures, and practices within the department.
 9. Collaborate with the Vice President for University Advancement in athletic fundraising, ensuring the close coordination of all fundraising activities with the advancement office, and identifying athletic fundraising priorities consistent with the University's strategic priorities and fundraising strategies.
 10. Along with the President of the University, serve as the University's spokesperson to the media and public for all matters relating to the University's athletics department.
- D. All intercollegiate athletics department funds, regardless of source, shall be deposited in the institutional fiscal office, and all accounting and disbursement of such funds shall be subject to institutional fiscal policies and procedures.
- E. The University's President, Director of Athletics, and Campus Title IX Coordinator must attest annually to the NCAA that:
1. The University's athletics department is informed on, integrated in, and compliant with institutional policies and processes regarding sexual violence prevention and proper adjudication and resolution of acts of sexual violence.
 2. The University's policies and processes regarding sexual violence prevention and adjudication, and the name and contact information for the campus Title IX Coordinator, are readily available within the athletics department, and are provided to student-athletes.
 3. All student-athletes, coaches and staff have been educated each year on sexual violence prevention, intervention and response, to the extent allowable by state law.

The University's athletics department will cooperate with college or university investigations into reports and matters related to sexual violence involving student-athletes and athletics department staff in a manner compliant with the University's policies for all students.

VI. Related Statutes, Rules, Policies, Forms, Information, and Websites

Related Statutes/Rules:

Title IX, Education Amendments of 1972 (20 U.S.C. §§1681-1688); the U.S. Department of Education's Title IX regulations, 34 C.F.R. Part 106, are available at <http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html>

Related MSU Policies:

- 2.323: President's Office (Section C - Athletics Program)
- 2.325: Recruitment of Student Athletes by Institutional Representatives
- 2.326: Athletes Agents

Related Forms:

Related Information:

- MSU Athletics Mission Statement
- MSU Student-Athlete Handbook
- NCAA Regulations
- Lone Star Conference Regulations

Responsible Office

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Revision History

- 11/08/2018 Revised in new policy format and added: paragraph A to Section I - Policy Statement, and first sentence to paragraph B; second paragraph to Section II - Reason for Policy; Section III - Application of Policy; Section IV - Definitions; Section V - Procedures and Responsibilities; Section VI - Related Statutes, Rules, Policies, Forms, Information, and Websites; Section VII - Responsible Office; and Section VIII - Revision History.
- 05/12/1995 Revised by rewriting the entire policy and adding a statement of purpose for the MSU intercollegiate athletics program to bring the policy in compliance with NCAA requirements.
- 11/10/1989 Adopted and approved by the MSU Board of Regents.