

New NCAA Policy Directed to Sexual Assault Awareness and Prevention

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On August 8, 2017, the NCAA announced a new policy directed to sexual assault awareness and prevention for schools participating in NCAA Division I, II or III athletics ("the Policy"). Officially enacted on August 10, 2017, the Policy requires, among other things, that athletes, coaches and athletics administrators complete annual sexual violence prevention education. Further, schools must also ensure that sexual violence prevention policies are readily available and distributed to athletes. Each school's president or chancellor, athletic director and Title IX coordinator must attest to their Institution's compliance with the requirements of the Policy annually. A list of compliant schools will be posted on the NCAA website.

A copy of the Policy is available at NCAA Sexual Violence Policy. The NCAA has also posted resources and guidance on its website concerning sexual violence prevention and awareness to support compliance with the Policy. Schools should note that sexual violence prevention and awareness programs undertaken to comply with the Clery Act, as amended by the Campus Save Act in 2013, including the distribution of grievance procedures and training, may be sufficient to meet many requirements of the Policy.

Client Tip: Institutions should review and, as necessary, revise their current sexual violence prevention and awareness programs to ensure compliance with existing obligations under the Clery Act as well the requirements of the new NCAA Policy.

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