

## Section IX

# Student-Athlete Grievance Policy

Lindenwood University is committed to the fairness and well-being of all student athletes. If at any time a student-athlete or their parent/guardian feels that he/she is being treated unfairly or mistreated by his/her coach, the student athlete or parent must follow the process outlined below. This process is not intended to interfere in any issue of playing time, position, or any other matters regarding the coach's expertise in the sport.

The steps are as follows:

- The student must meet with the coach to address his/her concerns
  - a. *If the student feels uncomfortable addressing a concern(s) with the coach due to the nature of the concern, the student may fill out the grievance form in ARMS that goes directly to their Sport Supervisor. The coach will be notified a grievance form was submitted.*
  - b. *Any issues that fall under Title IX (i.e. sexual harassment and misconduct, stalking, retaliation, hazing, etc) should be taken directly to the Title IX Coordinator.*
- If the student meets with the coach but feels as if the issues are still not resolved, he/she would then submit a grievance form to the Sport Supervisor explaining the issue. After which, there would be a meeting with the Head Coach and Sport Supervisor together.

A student-athlete or parent/guardian who feels that a sanction against him or her is unreasonable must first take these informal steps to resolve the situation prior to entering the formal appeal process.

### Formal Appeal Process

To begin the formal appeal process, the student-athlete must submit a written request to the Faculty Athletics Representative.

- A written request to reduce or lift the sanctions must be addressed to the Faculty Athletics Representative (FAR) within seven calendar days from the date of the Vice President of Intercollegiate Athletics' written notification of disciplinary sanction. The request may be completed and sent via ARMs.
  - The request must explain why the student-athlete believes that the sanction or other disciplinary action was 1) not a reasonable decision (i.e., that the decision was arbitrary and capricious) or 2) that there are compelling and mitigating circumstances to support a lesser disciplinary sanction. These are the only two grounds for appealing the decision of the Vice President of Intercollegiate Athletics.
- The FAR will appoint an Appeal Committee consisting of three representatives to review the appeal.
- The burden shall be on the student-athlete to establish that the disciplinary sanction was unreasonable or to demonstrate compelling and mitigating circumstances to support a lesser disciplinary sanction.
- After receiving all the evidence and hearing from the parties, the Committee shall deliberate in private to make findings of fact. The findings and decision shall be based exclusively on information provided throughout the appeals process.
- Within 7-10 business days after the appeal letter is received, the committee shall report to the FAR its findings of fact and decision concerning whether the student-athlete has met the burden of proof described in paragraph 1(a) above. If the burden of proof is not met, the Vice President of

Intercollegiate Athletics' decision will be affirmed. If the student-athlete meets the burden of proof, the Committee's report shall indicate when the student-athlete may resume participation or have any sanctions lifted or reduced. The decision of the Committee shall be final and binding and cannot be appealed further.

## **Sport Supervisors**

- **Brad Wachler** *Vice President of Intercollegiate Athletics*: M. Basketball, Football, Gymnastics, M/W Lacrosse, M/W Swimming & Diving
- **Tom Wagganer** *Senior Associate Athletic Director*: Baseball, M/W Cross Country, Ice Hockey, M/W Track & Field, M. Volleyball, Wrestling
- **Betsy Feutz** *Associate Athletic Director for Student-Athlete Services*: W. Basketball, Field Hockey, M/W Golf, M/W Soccer, M/W Tennis, W. Volleyball.
- **Kathy Kinkeade** *Assistant Athletic Director for Business Affairs*: Softball