POLICY TITLE	Abusive Coaching Practices	**Policy Number**	166
Section	Governance, Organization, and General Information	**Approval Date**	October 9, 2025
Subsection	Individual Rights	**Effective Date**	October 9, 2025
Responsible Office	Office of the Vice President of People and Culture	**Last Review**	October 9, 2025

1.0 PURPOSE

1.1 Utah Valley University is committed to maintaining a safe and respectful environment for its student athletes. This policy defines and prohibits abusive coaching practices, including harmful or offensive physical contact, sexual misconduct or harassment, inappropriate sexual language, and psychologically abusive conduct. It outlines how to report concerns, submit complaints, and access supportive measures; establishes mandatory reporting and training requirements for coaches and athletics staff; and describes the University's procedures for investigating and responding to complaints.

2.0 REFERENCES

2.1 *Americans with Disabilities Act of 1990*, 42 U.S.C. § 12101 (1990) (as amended by Pub. L. No. 101-336, 104 stat. 327)

2.2 *Family Educational Rights and Privacy Act (FERPA)*, 20 U.S.C. § 1232g (1974)

2.3 *Health Insurance Portability and Accountability Act (HIPAA),* Pub. L. No. 104–191, 110 stat. 1936 (1996)

2.4 *Jeanne Clery Campus Safety Act (Clery Act)*, 20 U.S.C. § 1092 (1990)

2.5 *Title IX of the Higher Education Amendments Act of 1972 (Title IX)*, 20 U.S.C. § 1681 to 1688 (1972)

2.6 *Non-Discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*, 34 C.F.R. § 106.1 (1972)

2.7 *Abusive Coaching Practices*, Utah Code § 53B-16-701 (2025)

2.8 *Child Welfare Services*, Utah Code Ann. § 80-2-602 (2022)

2.9 *Confidential Communications for Institutional Advocacy Services Act*, Utah Code Ann. § 53B-28-201 (2017)

2.10 *Government Records Access and Management Act (GRAMA)*, Utah Code § 63G-2-101 (2008)

2.11 UVU Policy 161 *Freedom of Speech*

2.12 UVU Policy 162 *Title IX Sexual Harassment*

2.13 UVU Policy 165 *Discrimination and Harassment*

2.14 UVU Policy 371 *Performance Management and Development for Full-Time Staff Employees*

3.0 DEFINITIONS

3.1 Abusive coaching practice: Conduct by a coach or member of the coaching staff that creates a harmful environment for a student athlete. This includes conduct with a student athlete that results in (1) harmful or offensive physical contact; (2) sexual misconduct or harassment; (3) inappropriate sexual language; or (4) conduct that a reasonable person would find to be psychologically abusive.

3.2 Coach or coaching staff: Any individual who serves in a coaching role or is a member of the coaching staff within a UVU intercollegiate athletic program. This includes head coaches, assistant coaches, strength and conditioning coaches, athletic trainers acting in a coaching capacity, and any other individual with duties or responsibilities with a team or athletic department.

3.3 Complainant: For the purposes of this policy, a student athlete who alleges they were subjected to conduct that, if true, would violate this policy.

3.4 Complaint: A report that requests an investigation into alleged conduct that, if true, would violate this policy.

3.5 Director: The director of the office assigned to handle a report or complaint under this policy, based on the nature of the allegations. This may be the Director of the Equity and Title IX Office/Title IX Coordinator or the Director of Employee Relations.

3.6 Harmful or offensive physical contact: Physical contact that a reasonable person would consider punitive, intimidating, or unsafe and that exceeds the bounds of appropriate athletic instruction, motivation, or celebration. Conduct may be considered harmful or offensive physical contact when it (1) involves physical contact with a student athlete that causes harm or creates a

foreseeable risk of harm, such as striking, shoving, grabbing, or intentionally throwing an object at the student athlete; or (2) involves the use of physical force to intimidate, punish, or control a student athlete outside the context of legitimate coaching. This definition does not include reasonable sport-related contact, instructional physical guidance, or celebratory gestures that are consistent with accepted coaching practices and reasonably perceived as welcomed by the student athlete.

3.7 Inappropriate sexual language: Language of a sexual nature that a reasonable person would consider inappropriate within a coach-athlete relationship and that is directed to, shared with, or made in the presence of a student athlete. Inappropriate sexual language includes but is not limited to (1) sexual jokes, innuendo, suggestive comments, or gestures; (2) remarks about a student athlete's body, clothing, or physical appearance in a sexualized manner; or (3) comments about sexual experiences or preferences. The appropriateness of the communication is evaluated based on context and from the perspective of a reasonable person in the student athlete's position, regardless of intent or tone. This definition does not include language used in good faith for legitimate educational, medical, or therapeutic purposes when directly related to the student athlete's health, training, or psychological wellbeing.

3.8 Intimidation: Implied or actual threats of acts that cause a reasonable fear of harm in another.

3.9 Preponderance of the evidence: The evidentiary standard used in this policy to determine whether it is more likely than not (i.e., more than 50 percent in favor) that an abusive coaching practice or retaliation in violation of this policy occurred.

3.10 Psychologically abusive conduct: Behavior that is intended to cause or that a reasonable person would determine results in significant mental or emotional harm, intimidation, humiliation, or unwarranted distress to a student athlete. This may involve a single severe act or a pattern of conduct over time. It includes, but is not limited to (1) verbal attacks, name-calling, or demeaning shouting; (2) public humiliation or ridicule; (3) throwing, slamming, or destroying objects in a way that would reasonably be seen as threatening or emotionally abusive; (4) threats to reduce playing time, scholarships, or team participation for reasons unrelated to performance, conduct, or expectations; (5) excessive or demeaning physical activity used as punishment rather than for skill, conditioning, or reasonable accountability; (6) fear-based control or manipulation of a student athlete's emotional state; or (7) exploiting a student athlete's known physical or mental health condition. This definition does not include firm or intense coaching aimed at improving performance, enforcing team standards, or passionate communication common in competitive sports, so long as the conduct remains professional and is not demeaning.

3.11 Report: Any disclosure about possible abusive coaching practices. Reports are reviewed by the University and may result in safety and Clery triage, supportive measures, or a university-initiated investigation. A report does not, by itself, require an investigation.

3.12 Respondent: A coach or member of the coaching staff against whom a complaint of conduct prohibited by this policy has been made.

3.13 Retaliation: Intimidation, threats of reprisal, or other materially adverse actions or threats against anyone who in good faith reports a violation of this policy, honestly participates or assists in a university investigation, or engages in any proceeding relating to this policy.

3.14 Sexual misconduct or harassment: Conduct that is sexual in nature and that a reasonable person would determine creates a harmful, intimidating, coercive, or offensive environment in the coach–student athlete relationship. Such conduct may include, but is not limited to (1) sexual advances or propositions; (2) requests for sexual favors; (3) verbal, nonverbal, or physical conduct of a sexual nature; (4) conditioning athletic benefits, support, or participation on sexual attention or romantic interest; or (5) repeated sexual comments, jokes, gestures, or remarks directed to or made in the presence of student athletes.

3.15 Student athlete: A UVU student who participates in an intercollegiate athletic program administered by UVU Athletics.

3.16 Supportive measures: Nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to either the complainant or the respondent, before or after the filing of a complaint or where no complaint has been filed. Supportive measures are designed to restore or preserve equal access to the University's programs or activities without unreasonably burdening the other party. These measures may also serve to protect the safety of individuals or the university community, or to deter further misconduct.

3.17 Title IX Coordinator: The UVU employee designated and authorized by the President of the University to coordinate the University's compliance with 34 C.F.R. § 106.

3.18 UVU Athletics: The university entity responsible for oversight of intercollegiate athletic programs, including coaches, athletic trainers, and other athletic staff and administrators.

4.0 POLICY

4.1 Scope of Policy

4.1.1 This policy applies to all UVU employees, volunteers, and individuals who serve in a coaching or supervisory role over student athletes, as well as UVU Athletics personnel responsible for the oversight, training, and reporting or response processes under this policy.

4.1.2 This policy applies to conduct by a coach or member of the coaching staff occurring in any setting, on or off campus, including online environments such as email, text message, messaging platforms, and social media, where the interaction relates to the student athlete's participation in

the University's athletic program or reasonably implicates the coach's position of authority or influence over the student athlete.

4.2 Policy Statement

4.2.1 Utah Valley University is committed to ensuring the physical and psychological safety of student athletes and maintaining a professional and respectful athletic environment.

4.2.2 UVU prohibits abusive coaching practices with a student that results in

4.2.2.1 harmful or offensive physical contact;

4.2.2.2 sexual misconduct or harassment;

4.2.2.3 inappropriate sexual language; or

4.2.2.4 conduct that a reasonable person would find to be psychologically abusive.

4.3 Relationship to Other Policies

4.3.1 Nothing in this policy shall be construed to restrict rights protected by the United States Constitution, including those recognized under UVU Policy 161 *Freedom of Speech*.

4.3.2 If, in the judgment of the Title IX Coordinator, any conduct alleged in a complaint may constitute sexual harassment as defined in Policy 162 *Title IX Sexual Harassment*, those allegations will be addressed under the procedures set forth in Policy 162. Allegations in the same complaint that do not fall within the scope of Policy 162 will be addressed under this policy, unless consolidation is permitted by law and approved by the Title IX Coordinator.

4.3.3 The University may consolidate allegations of conduct prohibited by other university policies with a complaint under this policy, provided the allegations arise from the same facts or circumstances and consolidation is not prohibited by law or policy.

4.3.4 Unless otherwise specified, all standards and procedures for resolving alleged policy violations of this policy, including supportive measures, notices, dismissals, investigations, hearings, and appeals, shall follow UVU Policy 165 *Discrimination and Harassment* to the extent feasible and consistent with this policy.

4.4 Prohibition on Encouraging Tolerance of Abuse or Retaliation

4.4.1 Coaches and members of the coaching staff must not encourage or advise student athletes to tolerate abusive conduct or discourage or retaliate against any individual for reporting concerns, participating in an investigation, or otherwise engaging in the resolution process under this policy or Policy 162.

4.5 Mandatory Reporting of Abusive Coaching Practices

4.5.1 Coaches, coaching staff, volunteers, and UVU Athletics employees who know or reasonably suspect that an abusive coaching practice has occurred must report the concern within 24 hours to one of the following (1) Athletics Compliance; (2) Employee Relations; or (3) Equity and Title IX, using any of the methods listed in section 5.1.1.

4.5.2 If a report involves allegations of sexual misconduct, sexual harassment, inappropriate sexual language, or other conduct that may constitute discrimination or harassment based on a protected class, the report must be submitted to the Equity and Title IX Office.

4.5.3 Failure to report constitutes a violation of this policy and may be subject to performance management under Policy 371 *Performance Management and Development for Full-Time Staff Employees* and other related processes.

4.6 Annual Training Requirements

4.6.1 All individuals subject to this policy are required to complete annual training, coordinated by the Athletic Department, on recognizing and preventing abusive coaching practices and understanding their responsibilities in reporting and responding to such conduct. The training shall also cover mandatory reporting requirements and the prohibitions on discouraging reports, engaging in retaliation, or encouraging or advising student athletes to tolerate abusive conduct.

4.7 Interim Safety and Protective Measures

4.7.1 The University may take immediate, temporary measures to protect the safety and wellbeing of student athletes. These measures may include, but are not limited to, placing an employee on nondisciplinary leave, adjusting supervision or coaching assignments, modifying team activities, or temporarily altering or suspending a program until a safe environment is restored.

4.8 Employment At-Will Status

4.8.1 Nothing in this policy shall be construed to alter the status of employees who are otherwise at-will.

4.9 Fair and Impartial Process

4.9.1 The University shall provide a prompt, fair, and impartial resolution process for resolving allegations of violations of this policy, consistent with Policy 165 or, where applicable, Policy 162, affording both the complainant and respondent equitable rights, opportunities, and support.

4.10 Confidentiality

4.10.1 University employees involved in any capacity under this policy, other than as a respondent, must keep any supportive or interim measures provided to the parties confidential, unless disclosure is necessary to implement or provide the measures.

4.10.2 University employees involved in the administration of this policy must maintain the confidentiality of the identities of any (1) individual who has made a report or complaint under this policy; (2) complainant; (3) individual alleged to have engaged in prohibited conduct; (4) respondent; and (5) witness. Disclosure is permitted only as authorized by FERPA, GRAMA, or other applicable law, or on a need-to-know basis to fulfill the purposes of civil rights laws or university operations.

4.10.3 Records created or maintained under this policy are classified as protected under GRAMA and may also constitute education records under FERPA. Such records may not be disclosed to third parties unless permitted by law.

4.10.4 In cases involving multiple student complainants, the University may consolidate the resolution process as permitted by this policy. However, each student may access only those portions of the record, findings, and outcome directly related to their own allegations. The University will not disclose identifying information, statements, or remedies involving other student complainants without their written consent, unless disclosure is permitted or required by law.

4.10.5 Evidence presented in a proceeding under this policy is confidential and may not be used in any subsequent proceeding or disclosed to third parties except as necessary for the resolution process.

4.10.6 Nothing in this policy restricts either party's ability to discuss the allegations under investigation or to gather and present relevant evidence. However, the following limitations apply:

4.10.6.1 Retaliation is strictly prohibited. Attempts to alter or prevent testimony constitute prohibited retaliation and may also constitute criminal conduct under Utah Code § 76-8-508.

4.10.6.2 Parties may be directed to cease communication with one another through a no-contact directive.

4.10.6.3 Parties' communications remain subject to applicable state laws governing defamation and privacy.

5.0 PROCEDURES

5.1 Reporting

5.1.1 Reports may be submitted

5.1.1.1 to UVU Athletics by emailing athleticscompliance@uvu.edu.

5.1.1.2 to Employee Relations in any of the following ways:

1) In person at Hall of Flags, Suite 105, 800 W. University Parkway, Orem UT 84058 (M-F, 8 a.m. to 5 p.m.)

2) By mail to Utah Valley University, MS 272, 800 W. University Parkway, Orem, UT 84058 (anytime);

3) By telephone at 801-863-8207 (M-F, 8 a.m. to 5 p.m.); or

4) By email at HREmployeeRelations@uvu.edu (anytime).

5.1.1.3 to Equity and Title IX in any of the following ways:

1) In person at Browning Administration Building, Suite 203, 800 W. University Parkway, Orem, UT 84058 (M–F, 8 a.m. to 5 p.m.);

2) By mail to Utah Valley University, MS 272, 800 W. University Parkway, Orem, UT 84058 (anytime);

3) By telephone at 801-863-7999 (anytime);

4) Online at uvu.edu/equityandtitleix (anytime); or

5) By email at TitleIX@uvu.edu (anytime).

5.1.1.4 Reports may also be submitted anonymously or with identifying information through the Report Concerns webpage at uvu.edu/audit/concerns/ at any time. Submissions will be routed to UVU Athletics, Employee Relations, and the Equity and Title IX Office.

5.1.2 Mandatory Reporting

5.1.2.1 Coaches, coaching staff, volunteers, and UVU Athletics employees must report known or suspected abusive coaching practices within 24 hours of witnessing the conduct or learning of it.

Reports may be submitted to (1) Athletics Compliance; (2) Employee Relations; or (3) the Equity and Title IX Office, using any of the methods provided in section 5.1.1.

5.1.2.2 Mandatory reports must include all information known to the reporter, including, when available, the names of the individuals involved, a description of the alleged conduct, and the date and location of the incident(s).

5.1.2.3 Reports Involving Protected Class Harassment or Discrimination

5.1.2.3.1 If a report involves allegations of sexual misconduct, sexual harassment, inappropriate sexual language, or other conduct that may constitute discrimination or harassment based on a protected class, it must be submitted to the Equity and Title IX Office.

5.1.2.4 Minors

5.1.2.4.1 Consistent with Utah Code Ann. § 80-2-602, any person who reasonably suspects that a minor has been subjected to abuse or neglect must immediately report the concern to local law enforcement or the Division of Child and Family Services. This obligation is in addition to the University's internal reporting requirements described in this section.

5.1.2.5 Exceptions

5.1.2.5.1 Licensed mental health professionals and medical providers acting within the scope of their professional license may not disclose confidential communications without the client or patient's written consent, except in cases involving imminent harm, suspected abuse of a minor or vulnerable adult, or where disclosure is otherwise required by law.

5.2 Complaints

5.2.1 Any individual, including someone other than the student athlete alleged to have been harmed, may submit a complaint under this policy.

5.2.2 Complaints may be submitted using any of the reporting methods provided in section 5.1.1, including submission to UVU Athletics at athleticscompliance@uvu.edu.

5.2.3 A complaint should, to the extent possible, provide enough detail to allow the University to evaluate and investigate the concern. This includes the names of individuals involved (if known), a description of the alleged conduct, and the date and location of the incident(s). Complaints that lack detail will still be reviewed. The University may follow up with the filer for more information or may initiate an investigation based on the information available.

5.3 Responses to Reports and Complaints

5.3.1 Acknowledgment

5.3.1.1 The University shall provide written acknowledgement within five (5) business days after the submission of a complaint.

5.3.1.2 The office that first receives the complaint is responsible for sending the acknowledgement.

5.3.1.3 Acknowledgement will be sent by email to the filer's provided address. If no email address is available, the University will use another contact method identified by the filer. No acknowledgement will be provided for complaints that do not include a reply mechanism.

5.3.2 Routing

5.3.2.1 Reports or complaints under this policy may be submitted to UVU Athletics, Employee Relations, or the Equity and Title IX Office, using the submission options provided in section 5.1.1.

5.3.2.2 If UVU Athletics receives a report or complaint, it shall forward the matter to Employee Relations and the Equity and Title IX Office for review and assignment within one (1) business day of receipt.

5.3.2.3 Employee Relations and the Equity and Title IX Office shall promptly review reports and complaints to determine appropriate case assignment based on the nature of the alleged conduct. Allegations that may constitute sexual harassment, sexual misconduct, or other forms of protected class discrimination prohibited under Policies 162 or 165 shall be assigned to Equity and Title IX. All other matters shall be assigned to Employee Relations.

5.3.2.4 The assigned director or designee shall assess the reported conduct for any Clery Act obligations, in coordination with appropriate personnel, including the issuance of timely warnings.

5.3.3 Coordination of Related Complaints

5.3.3.1 When the University receives a complaint submitted by someone other than the impacted student athlete or initiates an investigation based on a report or institutional concern, the University shall make reasonable efforts to notify each student athlete identified as potentially impacted by the alleged conduct. The notification shall inform the student athlete of their right to file a complaint, participate in the resolution process, and request supportive measures under this policy.

5.3.3.2 Student athletes who do not respond to outreach or decline to file a complaint shall not be treated as parties under this policy but may be contacted as witnesses, as appropriate.

5.3.3.3 If a student athlete later files a complaint regarding the same conduct that has already been fully investigated and resolved, and the complaint does not present new allegations, evidence, or harms, the University may issue a written response explaining that the matter has already been addressed. The University shall offer appropriate supportive measures and administratively dismiss the complaint without initiating a new investigation.

5.3.3.4 If a subsequent complaint includes new allegations, evidence, or harms that were not previously addressed, the University may reopen the matter or initiate a new investigation, as appropriate.

5.3.3.5 The University shall document all outreach made under this section, including the date, method, and content of each notification, as well as whether a response was received.

5.3.4 Supportive Measures

5.3.4.1 The assigned director or designee shall promptly contact any student athlete alleged to have been subjected to conduct in violation of this policy to discuss available supportive measures and consider the student athlete's preferences regarding those measures.

5.3.4.2 Examples of supportive measures may include counseling, extensions of deadlines or course-related adjustments, modifications to work or class schedules, campus escort services, mutual no-contact directives, changes in work or housing locations, leaves of absence, increased security or monitoring, or other similar actions.

5.3.5 Interim Measures

5.3.5.1 The University may implement interim measures to protect the wellbeing and safety of student athletes during the resolution process, which may include adjustments to supervision, coaching assignments, or team activities.

5.3.5.2 Where appropriate, the University may take immediate action, including placing an employee on nondisciplinary leave or temporarily altering or suspending a program until a safe environment is restored. The decision to suspend a program will be made by the Vice President of Administration and Strategic Relations in consultation with the Athletic Director, Office of People and Culture, and the Office of General Counsel.

5.3.5.3 Safety Removal

5.3.5.3.1 The Associate Vice President of Athletics, in consultation with People and Culture and the Office of General Counsel, may place an employee on nondisciplinary leave or impose

restrictions on the employee's workplace duties or access to address identified risks. Such restrictions must be no broader than necessary to protect the safety and wellbeing of student athletes or to maintain the integrity of university operations.

5.3.5.3.2 Any decision to impose leave or restrictions must be based on an individualized assessment, supported by the best available evidence, that the employee (1) poses a credible, substantial risk of harm to an individual student athlete, a group of student athletes, or an athletic program or (2) poses a credible, substantial risk of impeding the lawful activities, educational processes, or operations of the University.

5.3.6 Complaint Dismissal

5.3.6.1 The director may, at any time, dismiss a complaint or otherwise decline to start or continue an investigation, if

1) the alleged conduct, even if proved, would not constitute a violation of this policy;

2) the complaint alleges conduct that has already been fully investigated and resolved and does not include new allegations, evidence, or harms;

3) the alleged conduct is implausible or so lacking in factual support that there is no reasonable basis to believe a violation occurred;

4) the alleged conduct did not occur in the University's education programs or activities, or does not have effects in the University's programs or activities;

5) the complainant notifies the director in writing that they wish to withdraw their complaint or any specific allegations, or otherwise declines to participate in the process; however, the University may, in its discretion, continue the investigation if it determines that the circumstances warrant doing so.

6) specific circumstances prevent the University from gathering evidence sufficient to reach a determination; or

7) the complaint is filed more than 365 calendar days after the last alleged policy violation, unless the University determines that proceeding is necessary to address an ongoing risk to student athletes.

5.3.6.2 The director or designee shall promptly notify the parties in writing of any dismissal under this section.

5.3.6.3 Such dismissals are final and not subject to further review, except where an appeal is permitted under Policy 162 or other applicable law.

5.3.7 Complaint Resolution Process

5.3.7.1 Informal resolution is not available under this policy.

5.3.7.2 Unless a complaint has been dismissed pursuant to this policy, the assigned director or designee shall initiate an investigation by issuing a Notice of Allegations no later than 30 calendar days after the University receives the complaint and shall ensure the investigation is conducted as thoroughly and expeditiously as possible.

5.3.7.3 The resolution timeline may be affected by breaks in the academic calendar, the availability of the parties and witnesses (including due to leaves of absence), the scope of the investigation, the need for supportive measures, or unforeseen or exigent circumstances.

5.3.7.4 All standards and procedures for resolving alleged policy violations, including supportive measures, notices, dismissal, investigation, hearing, and appeals, shall follow—to the extent feasible and consistent with this policy—UVU Policy 165.

5.3.8 Sanctions and Remedies

5.3.8.1 Possible sanctions for employees found responsible for conduct adjudicated under this policy include verbal counseling, written warning, probation, reassignment, transfer, demotion, reduction in pay, suspension without pay, and termination of employment.

5.3.8.2 Possible sanctions for non-employees, such as contractors, vendors, or volunteers, include banning the individuals from all or part(s) of the University or terminating business relationships.

5.3.8.3 In addition to the above sanctions, the University may issue an order of no trespassing on campus or in UVU programs, services, and activities.

5.3.8.4 Remedies may also be provided to impacted student athletes to restore or preserve equal access to the University's education programs or activities. These remedies may include adjustments to academic arrangements or assignments, access to counseling services, academic support, campus restrictions, climate assessments, educational training, or other appropriate measures.

5.3.9 Accommodations

5.3.9.1 Complainants, respondents, and other participants may at any time request accommodations under the *Americans with Disabilities Act (ADA)* through the director, who will

refer the request to the appropriate ADA Coordinator and then implement approved accommodations.

POLICY HISTORY		
Date of Last Formal Review: October 9, 2025		
Due Date of Next Review: October 9, 2030		
Date of Last Action	**Action Taken**	**Authorizing Entity**
October 9, 2025	New policy approved through compliance change process.	UVU President's Council
October 14, 2025	New policy ratified.	UVU Board of Trustees
September 22, 2026	Non-substantive change: Replace "EthicsPoint" with "Report Concerns webpage"	UVU Policy Office