

DATE: September 13, 2021

TO: Wendy Wintersteen, President

CC: Toyia Younger, Senior Vice President for Student Affairs
Pam Cain, Senior Vice President for Operations & Finance
Jonathan Wickert, Senior Vice President and Provost
Michael Norton, University Counsel

FROM: Committee to Review Student Organization Sport Clubs Policies and Procedures¹

RE: Internal Review of Sport Clubs Policies and Procedures and Application to March 28, 2021 Crew Club Accident at Little Wall Lake

I. INTRODUCTION

In response to a Crew Club accident on March 28, 2021 at Little Wall Lake that resulted in the deaths of two Iowa State University students, Derek Nanni and Yaakov Ben-David, the University commissioned two independent review processes. The first review is an external review conducted by the U.S. Council for Athletes' Health (USCAH) examining the operations of the Crew Club and all health and safety measures relevant to the March 28 accident, including recommendations for enhanced health and safety measures at both the University and Crew Club levels.

The second review is an internal review conducted by University personnel with specific knowledge and experience in areas relating to the operation of student organizations, including sport clubs. The second review includes an examination of all University and Crew Club policies, procedures and bylaws that relate to the functioning of sport clubs at the University and the Crew Club specifically, including an assessment of whether current sport clubs related policies and procedures were applied and adhered to on March 28, 2021. The second review also assesses the need for any amendments and additions to current policies and procedures, including assessing the appropriate level of University oversight and support in relation to the operation of

¹ Committee members include, Brett Lohofener, Associate University Counsel, Office of University Counsel (chair); Kurt Beyer, Senior Risk and Systems Analyst, Office of Risk Management; Kevin Merrill, Assistant Director for Student Organizations, Student Activities Center; and Kathleen Wellik, Director of Transportation, Department of Public Safety Transportation Services.

student sport clubs, the sufficiency of sport clubs health, safety and risk management measures, and any other policy recommendations identified during the course of the review.

II. BACKGROUND INFORMATION - STUDENT ORGANIZATIONS

The Sport Clubs program at Iowa State University offers students the opportunity to connect and organize with likeminded students while competing in various sports and recreational activities. The clubs that make up the Sport Clubs program vary from clubs competing locally primarily for recreational purposes to clubs that compete at national tournaments. Each sport club is organized, operated and led by its student participants with assistance and support from various University offices, including most directly Recreation Services. Involvement in sport clubs is entirely voluntary, and participants are made aware that there are inherent risks involved in all recreational/competitive sport programs. Most sport clubs receive funding from Student Government, membership dues, and/or club led fund raising efforts. The program currently consists of over 50 sport clubs. At Iowa State, sport clubs are a subset of University recognized student organizations, of which there are over 900.²

Active sport clubs receive support and benefits from Recreation Services and other University offices, including access to funding administered by ISU Student Government,³ assistance with administrative duties such as promotion and scheduling, priority use of ISU Recreation Services facilities, help with organizing competitions, and others. While recognized student organizations receive assistance and guidance from the University, current policy makes clear that they are responsible for their own organizational structure, leadership, fundraising, financing, and operations. Student organizations are expected to abide by University policies and by the required documentation for their recognition, including their Constitution, Operations Manual, and other aspects of the University recognition process. The ISU Student Code of Conduct and the Recreation Services Sport Clubs Manual provide for sanctioning of organizations that violate policies.

² Any group of students wishing to become a sport club affiliated with ISU Recreation Services must first register as a new student organization. After a student organization has been registered for a minimum of one semester, they may apply to the Sport Club Council for status as a sport club.

³ Students attending ISU pay an established Student Activity Fee per semester. This fee generates ~\$2.5 million in fee revenue, which is distributed to student organizations and services across campus by ISU Student Government. Student organizations may apply for funding through a funding application process and/or participate in the bill process for special funding. The Student Government's allocation of funding is directed by an annual Student Government Priorities and Criteria document. (Fiscal Year 2022 available here: <https://www.stugov.iastate.edu/cms/wp-content/uploads/2021/01/PC-FY22-FINAL.pdf>).

III. REVIEW METHODOLOGY

The Committee reviewed the following policies, procedures, bylaws and other related documents and materials in the course of its review:

- Student Organization Recognition Policy, available at <https://www.policy.iastate.edu/policy/sorp>
- Travel - Student Organizations Policy, available at <https://www.policy.iastate.edu/policy/student/organization/travel>
- Procedures for Student Organization Use of University Vehicles, available at <https://apps-riskmanagement.sws.iastate.edu/travelauth/policy/vehicle.html>
- Recreation Services Sport Clubs Manual (2020-21)
- Event Authorization process (note: not applicable because only applicable if event is on campus / if org is planning an event open to the public), available at <https://www.sac.iastate.edu/student-organizations/resources-for-organizations/event-authorization-and-planning/>; <https://request.event.iastate.edu/>
- Student Code of Conduct, available at <https://www.policy.iastate.edu/policy/SDR>
- ISU Student Activities Center website, including student organization information and resources pages, available at <https://www.sac.iastate.edu/student-organizations/>
<https://www.sac.iastate.edu/student-organizations/resources-for-organizations/>
- ISU Recreation Services website, including club sport information and resource pages, available at <https://www.recservices.iastate.edu/sportclubs/>
<https://www.recservices.iastate.edu/sportclubs/sports-club-resources/>
- ISU Office of Risk Management website, including student organization travel and student organization events pages, available at <https://www.riskmanagement.iastate.edu/events>
<https://www.riskmanagement.iastate.edu/travel/student-travel-authorization>
<https://www.riskmanagement.iastate.edu/travel/student-travel-authorization/procedures>
- ISU Student Government website, including student organization funding page, available at <https://www.stugov.iastate.edu/funding/>
- Crew Club Constitution (current constitution and previous version)
- Crew Club Operations Manual
- Sport Club Council Constitution
- Crew Club completed and approved Travel Authorization application form for March 28, 2021 travel to Little Wall Lake
- Crew Club End of Semester Report Forms
- Crew Club group discussion messages surrounding the accident
- USRowing, “Safety Expectations Policy”, available at https://usrowing.org/sports/2016/5/27/1135_132107060688980085.aspx

- Written transcripts of interviews conducted by the U.S. Council for Athletes' Health of: [REDACTED]; [REDACTED], Landon Wolfe, Assistant Director Recreation Services; Dustin Gentry, Crew Club Volunteer Coach; Jeffrey Iles, Crew Club Faculty Advisor; and Garry Greenlee, Associate Director Recreation Services
- Interviewed Landon Wolfe, Assistant Director Recreation Services; and Michael Giles, Director Recreation Services
- Conducted and reviewed results of Sport Clubs leadership health and safety procedures questionnaire

IV. APPLICABLE POLICIES, PROCEDURES, AND BYLAWS

After reviewing and assessing the policies, procedures, bylaws and other related materials described in Section III above, the Committee identified four specific policies/procedures/bylaws that apply to varying degrees to the Crew Club's March 28, 2021 practice. The four identified policies include: (A) the Crew Club's constitution; (B) the University's Student Organization Recognition Policy; (C) ISU Recreation Service's Sport Clubs Manual; and (D) the University's Travel Policy and associated Student Organization Travel Authorization Process. This section summarizes the relevant requirements of these policies and assesses whether the March 28 practice applied and adhered to these policies.

A. Crew Club Constitution

All student organizations, including sport clubs are required to draft and maintain a constitution. All new organizations must submit a constitution at the time of making their initial request for recognition and all existing organizations must maintain an approved constitution that is available on the student organization database.⁴ The constitution serves as the founding document of the organization and contains the required and core provisions, rules, and procedures of the organization. As detailed more fully in the Student Organization Recognition Policy discussion section, an organization's constitution must include: 1) a purpose statement; 2) a law and policy compliance statement; 3) membership eligibility requirements; 4) identification of organization leadership, including specific duties; 5) identification of organization risk management officer, including specific duties; and 6) identification of organization adviser, including specific duties.

⁴ Available at, <https://www.stuorg.iastate.edu/>.

The Crew Club’s current constitution was amended and ratified by the club’s members on March 25, 2021, three days before the March 28 accident at Little Wall Lake.⁵ The March 25, 2021 constitution modified the previous constitution dated February 19, 2013. The current constitution made several additions and changes to the previous constitution, including the addition of a new “Safety Standards” section, and the addition of a new leadership and safety officer position, identified as the “Head Coxswain.” The March 25, 2021 constitution includes all the elements and provisions required by the University’s Student Organization Recognition Policy.⁶

Adherence to Constitution in Relation to March 28, 2021 Activities

The Crew Club’s constitution contains provisions and requirements that are relevant and applicable to the club’s activities on March 28, 2021. The relevant constitutional provisions are identified and assessed below:

1. Novices –

The constitution defines “novices” as club members who are first-season active members of the club. (Article III, Membership). All novices must complete “a minimum of three land practices” on an ergometer (“erg”) before participating in any water activities, regardless of previous experience. *Id.*

Two novices participated in the March 28 club practice, freshman Derek Nanni and sophomore Yaakov Ben-David. Nanni and Ben-David were both first-year club members and the March 28 practice was their first time practicing on the water. According to interviews conducted by USCAH, Nanni participated in seven (7) land practices on an ergometer before the March 28 water practice and Ben-David participated in 19 land practices on an ergometer before the March 28 practice. Accordingly, the March 28 club practice was in compliance with this provision of the constitution.

2. Coaching –

The constitution requires that the club’s coach must be registered with Iowa State University, complete the Coach Volunteer Agreement, and fulfill all required trainings and background checks. The coach must hold a current boater safety certificate and “it is highly recommended that the coach be Red Cross CPR and First Aid certified.” The coach is also “required to work

⁵ The constitution can be ratified only when all of the Executive Board members and 2/3 of the general membership are present, and the ratification requires at least 2/3 majority vote of this established quorum. (Article XII).

⁶ See Section B, Student Organization Recognition Policy, below.

with the Head Coxswain and Vice President regarding practice workouts.” (Article IV, Coaching).

The crew club’s volunteer coach is Dustin Gentry. Gentry is registered with the University, and completed the Coach Volunteer Agreement as well as required trainings and background checks. Gentry has completed a Level 1 Certification Program with USRowing and is familiar with CPR and first aid certification recommendations.

With respect to “work[ing] with the [REDACTED] and [REDACTED] regarding practice workouts”, based on conducted interviews, Gentry regularly works with club leadership during club practices. Club members indicated that Gentry normally “make[s] it to practices at least one time per week.” According to Gentry, at club practices, normally he and the [REDACTED] assess the weather and conditions together and make the decision about proceeding with practice. According to club leadership interviews, the decision-making process pertaining to weather and conditions does not require coach or adviser approval and instead that decision belongs to the [REDACTED] and [REDACTED].⁷

For the March 28 scheduled practice, the club had planned to conduct two practice sessions that day, the first session commencing around 7 am and a second session commencing later in the day. At the time of planning the March 28 practice, it was known that Gentry would not be able to attend the first session but would attend the second practice session. Gentry reported in his interview that in the early morning hours of March 28, he received a text message from club leadership indicating that “the water is beautiful and flat.” Later in the morning, around 9:30-9:45 am, as Gentry prepared to leave for the second session, he checked the forecast, noted the high winds and then sent a group message to the club cancelling the second practice session given the weather conditions.

3. Executive Board Position and Duties –

Consistent with University Student Organization policy requirements, the club’s constitution identifies club executive board leadership positions and identifies those positions’ critical responsibilities. The constitution provides that the president is responsible for organizing travel itineraries and reserving vehicles for club travel. The president is also responsible for ensuring each member is registered and has a signed waiver with USRowing.⁸ The president is also

⁷ As detailed below, Article VIII (ii), “Weather”, of the constitution states that the decision to engage in activity considering weather and water conditions is at the coxswain’s discretion.

⁸ USRowing is a nonprofit membership organization recognized by the United States Olympic Committee as the national governing body for the sport of rowing in the United States. USRowing represents more than 83,000 individuals and 1,350 organizations and promotes the sport at all levels, juniors, collegians, masters and those who row for recreation, competition or fitness.

responsible, in coordination with the club's treasurer, for planning the annual budget. (Article V, Executive Board positions and duties).

The constitution states that the vice president is responsible for organizing the club's practice and carpool schedule, and states that the vice president will work with the coxswains,⁹ the coach, and Executive Board members of the club regarding guidance on practice boats. The constitution also provides that the vice president is "[r]esponsible for the maintenance and upkeep of the club equipment, including the trailer, launch, motor, oars, and shells etc." and for ensuring "that all equipment is safe to operate." The vice president is to keep "an updated log of equipment and equipment conditions, and present proposals for new equipment to the executive board, and work with the treasurer to purchase."

In addition, the constitution provides that the vice president is "responsible for anything related to risk management," including "minimizing potential risks for the club, recommend risk management procedures, submit[ing] proper documentation to ISU Risk Management Office, and ensur[ing] proper waivers and background checks are on file with Risk Management if applicable. The constitution provides that the vice president is "responsible for the safety of all members of the [club] at all activities pertaining to the club," including, in collaboration with the other Executive Board members of the club, "develop[ing] and enforce[ing] safety guidelines including but not limited to the rules dictated in Article VIII" of the constitution. (Article V, Executive Board positions and duties).

The constitution also provides for the identification of a head coxswain, who may or may not be a member of the Executive Board. The head coxswain is tasked with working with the Executive Board to develop the weekly training plans of the club and is responsible for the training of and ability of all coxswains.

The constitution states that the club's advisor is to be identified and appointed by the team, serves at the will of the team, and functions as a "non-voting member of the Executive Board, except in the instance of a tie." (Article V). The constitution provides that the advisor is to "give advice on club direction, provide oversight for the financial operation of the club and [act as] the liaison with the University." The advisor is to be "informed of all safety concerns and work with the Club's Executive Board for immediate corrective action."

4. Safety Standards –

Consistent with University requirements, the club's constitution includes information and responsibilities regarding minimizing potential risks for club activities and risk management

⁹ The coxswain is the member of a boat team who directs the other rowers and is responsible for steering the boat. It is generally understood that the coxswain is also the team member responsible for the safety of all the rowers in the boat, as well as all of the equipment.

policies and procedures. Specifically, the constitution requires that members “not put themselves, other members of the club, or club equipment in harm’s way” and “must maintain safety standards including but not limited to those listed in Article VIII” of the constitution. (Article III, Member Requirements).

Article VIII of the constitution details the club’s safety standards. The stated safety standards include:

- “Do not permit rowers to row in conditions outside of their ability levels.”
- “Weather safety: Do not row in wind greater than 14mph, heavy rain, snow, or lightning; use a lightning detector. Do not row in temperatures below freezing 32F. A boat’s ability to launch will be at the coxswain’s discretion.”
- “If rowing between sundown and sunup, a 360°/all-around white light is required on the opposite side of the boat of the coxswain. If wet docking while rowing in air temperatures less than 36F, a launch is required. The coxswain must carry an emergency communication device.”
- “The launch driver¹⁰ must have a current boater safety certificate. The launch is to be equipped with emergency supplies such as a cox kit, emergency communication device, floatation devices, and space blankets.”
- “Coxswains are in charge of the safety of their boats and are responsible for not launching if deemed unsafe. If weather conditions are predicted to be unfavorable, coxswains are responsible for canceling their boats at least 90 minutes before the scheduled meeting time. They are encouraged to discuss this decision with the Head Coxswain if possible.”

Adherence to Safety Standards in Relation to March 28, 2021 Activities

The constitution includes specific weather safety provisions, including prohibiting rowing “in wind greater than 14mph.” According to observational history weather reports for March 28, the wind speed was forecasted and registered to be above 14mph during the scheduled time period of the practice. According to club member interviews, the practice was planned to commence “around 7:00 am” that morning but because of delays they did not actually get on the water until “8:45-9ish.” Observational weather reports for the relevant area indicate wind speeds greater than 14mph throughout this time period, including average wind speeds between 14-20 mph, and

¹⁰ A “launch” is a trailing motorized boat used by instructors, coaches or umpires to observe rowing activities.

wind gusts between 18-29 mph, during the time period of 7:00-9:30 am.¹¹ The weather forecasts and reports indicate that wind speeds would increase throughout the morning and into the afternoon. On the morning of March 28, at 6:33 a.m., the club [REDACTED] informed the club [REDACTED], “it looks like we have about 15 mph winds this morning. That could be ok or it might not be. It’s hard to say without checking. Any ideas or thoughts? I know that would be a for sure no if we were docking by the rocks.” According to the club member interviews and group messages, club leadership decided to visualize the water at Little Wall Lake in order to assess wind conditions.

Upon arrival at the lake, according to club member interviews, some members of club leadership reported the water being calm with only “tiny ripples”, while another reported smooth water where it was shallow but waves beyond what they had rowed in before in other areas of the lake. Ultimately, relevant club leadership decided to proceed with water practice. According to club interviews and group chat messages, initially the water proved to be calm but as they rowed out to deeper areas away from the shoreline the wind picked up and white cap waves formed. The club members discussed returning to shore at this time but it was decided they would attempt to complete additional practice runs. Shortly after, the boat overturned. The constitution does not provide for any exceptions to the wind speed provisions. Therefore, the March 28 practice did not comply with the constitutional provision prohibiting rowing “in wind greater than 14mph.”

In addition, the constitution prohibits rowing “in temperatures below freezing 32F.” According to observational history weather reports for March 28, the forecasted and recorded air temperature was ~34°F at 7:00 am; ~36°F at 8:00 am; and ~37°F at 9:00 am.¹² According to club member interviews, the temperature was “like 36 degrees” and all club members reported being cold. The club members reported that because of the cold weather, after they had unloaded and prepared their equipment for launch, they needed to warm up in the van before getting on the water. The cold weather also caused the club to run through “the basics” of their safety overview “very quickly” before launching. While the air temperature on the morning of March 28 was cold (approximately 34F-37F), it was above the constitutional threshold of 32°F.¹³

¹¹ See Weather reports for the Ames vicinity, [28 March 2021 Observation History, \[AMW\] Ames, timezone: America/Chicago](#) ; [28 March 2021 Observation History, \[RAMI4\] Ames \(I-35\), timezone: America/Chicago](#). A weather station is not directly present at Little Wall Lake.

¹² See footnote 11 above.

¹³ The club constitution does not contain any safety provisions with respect to water temperature. Based on interviews conducted, it does not appear that anyone assessed the water temperature although club members noted that the water only recently thawed from the winter. USRowing and the World Rowing Federation (FISA) caution against rowing if the sum of the air temperature and water temperature is below 90 °F; or the water temperature alone is below 50 °F. According to the Iowa Department of Natural Resources weekly fishing report, surface water temperatures for lakes in the area were in the low to mid-40s. See, <https://kiwaradio.com/sports/weekly-iowa-dnr-fishing-report-43/>.

The constitution's safety section also provides, "If wet docking while rowing in air temperatures less than 36F, a launch is required."¹⁴ Wet docking was necessary on March 28 as Little Wall Lake does not have a dock or boat launch. The Crew Club was in the process of completing fundraising for a dock to be installed at Hickory Gove Lake, as Hickory Grove has been the primary location for club practices. However, Hickory Grove was drained and closed for rehabilitation and renovation. As a result, the club identified Little Wall Lake as a temporary practice location. As described above, the air temperature was likely below or right at 36°F on the morning of March 28. Accordingly, the constitution required the use of a launch, and the launch was "to be equipped with emergency supplies such as a cox kit, emergency communication device, floatation devices, and space blankets." According to interviews, the club did not use a launch on March 28. Interviewees indicated that the club has a launch but it required repairs and it utilized a gas powered motor which is not allowed on Hickory Grove Lake where the club normally practices. According to club member interviews, the club has never utilized a launch at any practice in recent memory. Because the air temperature was at or less than 36°F, the constitution required the use of a launch on March 28.

Finally, the constitution prohibits permitting "rowers to row in conditions outside of their ability levels." The weather and water conditions on March 28 are detailed above. Based on these measurements, including high wind speeds and low air and water temperatures, the conditions can reasonably be described as not safe for water rowing. If water rowing were undertaken in such conditions it would only be appropriate for advanced experienced rowers in combination with the use of a properly equipped coach/safety launch. According to club member interviews, freshman club member Derek Nanni and sophomore club member Yaakov Ben-David were brand new club members who did not have any prior rowing or boating experience. The March 28 practice was their very first on-water rowing experience. Considering the weather and water conditions on March 28, and the experience level of the club members taking part in the practice that day, particularly first-time rowers Nanni and Ben-David, the March 28 practice did not comply with the constitutional provision prohibiting allowing "rowers to row in conditions outside of their ability levels."

B. Student Organization Recognition Policy

All student organizations, including sport clubs, must engage in a process in order to gain official recognition by Iowa State University. This process is largely administered by the Student Activities Center within the Division of Student Affairs and is guided by the Student Organization Recognition Policy (SORP).¹⁵ As stated in the SORP, a "student organization is a voluntary special interest group organized for educational, social, and service purposes and

¹⁴ Wet docking is a form of docking where the rowers enter the water usually up to a depth of the knee area in order to launch the boat. Wet docking was necessary at Little Wall Lake as no dock is available.

¹⁵ See <https://www.policy.iastate.edu/policy/sorp>.

comprised of its members . . . [o]rganizations are separate legal entities from ISU and legally are not treated the same as university departments or units.”

In order to gain recognition, the SORP, among other requirements, requires that organizations: (1) have a purpose and mission that is consistent with the broad educational mission of the University; (2) be nonprofit in nature; (3) have at least five members; (4) be composed primarily of ISU students (minimum 80%); (5) be student-controlled and student-directed; (6) draft and adopt a constitution and bylaws that satisfy University standards; (7) agree to adhere to all applicable University policy and procedures; (8) identify specific leadership positions, including president, treasurer, and a club member responsible for risk management; and (9) identify a club advisor.¹⁶

There are three tiers of student organizations: sponsored, affiliated, and registered. The recognition tier is determined by assessing the student organization’s relationship to the University, the purpose and scope of its activities, the university population served, and the perceived potential risk to participants and the university. All sport clubs, including Crew Club, are considered affiliated given their affiliation with ISU Recreation Services and the Sport Clubs Council.

Recognized organizations are eligible for specified services and benefits.¹⁷ Some of these services and benefits include, “access to university trademarks . . . , establishment of an account with the campus organizations accounting office, appropriate purchasing privileges . . . , publication of activities through the university calendar, utilization of the student organizations website . . . , eligibility to use ISU vehicles . . . , eligibility to utilize university staff and programming resources, eligibility for use of campus meeting facilities, [and] eligibility to be considered for Student Government’s student fee allocations.”¹⁸

With respect to financial accounts and purchasing, the SORP requires organizations to maintain an account with the Campus Organizations Accounting Office and requires that all organization purchases adhere to University procurement policy. The SORP explains that certain purchases, including those made using Student Government funding, that involve equipment with a cost of \$5,000 or more, and/or involve equipment that is normally used in higher risk activities, become University property upon purchase. The SORP explains that for these types of purchases, a University department must be willing to assume ownership and take responsibility for

¹⁶ See <https://www.policy.iastate.edu/policy/sorp#recognitionrequirements>.

¹⁷ Not all services and benefits are available to all recognized organizations because some services and benefits depend on the recognition tier in which the organization is classified.

¹⁸ See <https://www.policy.iastate.edu/policy/sorp#benefits>.

maintenance, storage, insurance costs (if any) and appropriate use before Student Government funding can be accepted and used.

Finally, the SORP provides that organization recognition may be terminated for the following reasons: (1) failure to re-register annually; (2) submitting false recognition material; (3) failure to adhere to University policy or applicable law; (4) failure to adhere to the organization's policy or regulations; and (5) failure to follow the organization's parent entity's policy.¹⁹

Adherence to Student Organization Recognition Policy in Relation to March 28 Club Activity

As of March 28, 2021, Crew Club had submitted and were current with all requirements for organization recognition. This includes stated organization purpose(s) and the non-profit nature of the organization. Crew Club submitted an updated constitution to the Student Activities Office that was approved on March 23, 2021. The constitution met SORP guidelines. Crew Club met the minimum number of members with acceptable membership. Both president and treasurer positions were filled with students that met GPA requirements, had completed requisite training, and had completed required compliance agreements. Consistent with policy, the Crew Club also identified an officer responsible for risk management duties. However, the Club identified two different officers in separate documents. In the March 23, 2021 constitution, the club's vice president is identified as the officer responsible for risk management, whereas in the Student Organization Database, the president is identified as the risk management officer.

Consistent with the SORP, Crew Club maintained an active advisor as of March 28. Jeffrey Iles, professor and chair of the Horticulture Department served in this capacity. According to interviews conducted by USCAH, Dr. Iles "had experience rowing at Michigan State and rowed for 4 years, went to Olympic trials in 1996 and also rowed at Iowa State."²⁰ Accordingly, Dr. Iles meets University-employment and content knowledge expertise as required by the SORP.²¹

C. Sport Clubs Manual

The Recreation Services department at Iowa State maintains a Sport Clubs Manual that contains information and policies specific to student organizations that are affiliated with Recreation Services as sport clubs. The manual includes information regarding the purpose of the Sport Clubs program, club eligibility, club membership and conduct, budgeting and financial management, facility and equipment usage, and publicity and promotions.²² The manual

¹⁹ See <https://www.policy.iastate.edu/policy/sorp#termination>.

²⁰ See U.S. Council for Athletes' Health Transcript – Jeffery Iles.

²¹ The SORP recommends, but does not require, that advisors be employed within the department/unit that is affiliated with the organization. Mr. Iles is not employed by Recreation Services. See <https://www.policy.iastate.edu/policy/sorp#affiliated>.

²² The Sports Club Manual also reiterates the ISU travel policy and procedures, See Section (D) below.

specifies that “Sport Club organizations are student-run, student-driven organizations and the student leadership and membership of each organization is ultimately responsible for the management and direction of the club.”

The manual establishes a Sport Clubs Council (SCC) that serves as the governing body of the Sport Clubs program. The SCC is comprised of the officers of each active sport club. As the governing body of the program, the SCC is involved with the addition and removal of clubs, hearing funding requests, and designating annual club funding allocations. The SCC is led by the SCC Executive Board which is made up of four elected sport club members.

The manual also identifies “sport club administrators,” including the Assistant Director of Recreation Services and the Sport Clubs Athletic Trainer. The Assistant Director “sees that all rules and regulations are followed and takes disciplinary action when they are not . . . serves as a liaison between the Sport Clubs participants and Iowa State University administration . . . oversees club member discipline, budgeting allocations, purchases, safety, risk management, and serves as the primary consultant for trips, tournaments, special events, and facility reservations.” Recreation Services also provides a professional Sport Clubs Athletic Trainer and Graduate Student Athletic Trainer who provide treatment to sport club members for club-related injuries.

The Sport Clubs Manual contains detailed club and club member conduct requirements. It specifies that all participating members are “responsible to their club and to Iowa State University in terms of their conduct.” It states that irresponsible or inappropriate conduct can carry penalties, including suspension of travel privileges, denial of facility usage, and/or loss of all club privileges for “a year or more.”

The manual, consistent with the Student Organization Recognition Policy, requires clubs to identify an advisor. The advisor must be a “full-time member of the ISU faculty or staff.” Consistent with the current underlying structure of the student organization program that provides that student organizations are “student-driven” and “student-run,” the advisor is “encouraged to work closely with the officers and offer input into the club’s decision-making process; [but] they should not assume an overwhelming leadership position within the organization.” The advisor is encouraged to lend their “experience, judgment, and knowledge to assist the club members in the development of the club . . . to help maintain continuity in club programming and [to] provide knowledge of university policies and procedures.”

The manual allows, but does not require, clubs to utilize the services of a coach. “The selection of a coach is the responsibility of the club,” but Recreation Services must approve the selection and coaches must complete a Coach Volunteer Agreement. All selected club coaches are required to complete a background check and participate in a coach orientation program administered by Recreation Services. The manual provides that “all coaches must be familiar with [the] specific requirements” of the sport they are coaching, but reiterates that club coaches “must restrict his/her involvement with the club to teaching and coaching in practices and games,

providing guidance in scheduling future opponents, and providing expertise to the club members which will help them improve at their particular activity.” According to the manual, the coach “should not participate in other areas of club management, such as officer elections, budget development or the editing of club constitutions.”

The Sport Clubs Manual also describes the available funding sources for sport clubs. The manual makes clear that clubs are not provided direct financial support from the University. Instead, funding is available through Student Government funding, club fundraising, and other club donation solicitations. The manual specifies tiers by which the sport clubs are separated, and the privileges and requirements of each tier. At the highest tier, tier 1, sport clubs are able to request “up to 35% of projected expenses” for an upcoming year of from Student Government funding.

Adherence to Sport Clubs Manual in Relation to March 28 Club Activity

The Sport Clubs Manual does not contain specific requirements that are directly relevant to the March 28, 2021 Crew Club practice. However, the manual does outline important process and administration guidelines that inform the governance and operation of all clubs, including Crew Club. Consistent with the manual, representatives of the Crew Club served on the Sport Clubs Council. In addition, as detailed above in Section A, the Crew Club utilized the services of an advisor and a coach consistent with the manual. The manual also identifies club financing and budgeting procedures, which are relevant to the purchase and repair of Crew Club equipment.

Relevant to the Sport Clubs Manual and Recreation Services’ general oversight of the Sport Clubs program, is a February 10, 2020 email from Crew Club leadership to Recreation Services with the subject line, “Crew Club Safety.” In the February email, leadership explains that it is their “goal [] to bring about safety protocols to our team. There is a lot of safety protocols that USRowing expects for every team to comply by, but we have not complied for several years. There is three things I would like to see our club have: A.) A dock (to prevent hypothermia or slipping on rocks as these can occur and has occurred when wet docking); B.) A launch/coach boat equipped with life jackets (to allow us to be properly coached on the water and have a safety net if a boat would capsize or other emergency would happen on the water); C. A mandatory swim test (to prevent weak swimmers from putting themselves in danger if boat capsizes). For A and B, these items are included in our budget for this next year . . .”

Subsequently, the Crew Club instituted mandatory swim tests, and all members at the March 28, 2021 practice had completed their swim tests. But, by March 28, the other identified items had not been implemented. The Club was in the process of completing a fund raising campaign (~\$25,000) to purchase and install a dock at Hickory Gove Lake (the Club’s usual practice location), but Hickory Grove was drained and closed for rehabilitation and renovation, and arrangements with Story County regarding the dock had not been completed by March 28.

Regarding the launch/coach boat, the Club applied for repair related funding through the Student Government and Sport Club Council funding request process. For fiscal year 2020, the Club received \$4,912.50 from Student Government Annual Allocations and an additional \$1000.00 from a Student Government Senate bill. Of the annual allocation, \$3,000.00 was allocated specifically for equipment repair as was the entirety of the \$1000.00 Senate bill. The Club used these funds to repair a rowing shell and not the launch/coach boat. In fiscal year 2021, the Club received \$2,545.57 from Student Government Annual Allocations and an additional \$430.44 from Student Government Senate bill(s). None of these funds were used to repair the launch. As explained above, Recreation Services' policy does not provide for direct financial support to clubs, and Recreation Services did not fund or repair the launch directly. The launch was recently repaired at a cost of ~\$700.

According to Recreation Services' personnel interviews and correspondence, Recreation Services did not believe that it had authority under current policy to suspend the Crew Club's operations and activities in response to the February 10, 2020 "Crew Club Safety" email. Additionally, Recreation Services did not have policy or practice in place requiring safety concerns such as those expressed in the February 10 email to be elevated to the Office of Risk Management or other appropriate University administrator. As a result, Recreation Services did not require the Crew Club to cease its activities until the identified safety issues were all remediated, nor were the issues raised in the email escalated to appropriate senior administrators. This Committee agrees that current policy does not clearly articulate the ability for Recreation Services to suspend sport club activities in response to identified safety issues or provide a specific path to elevate safety concerns to higher administrative levels. As a result, as detailed more fully in Section V below, the Committee recommends amending current policy to clearly articulate such authority and to develop a clear communication plan from Recreation Services to the newly created Student Organization Safety Coordinator and other appropriate senior administrators for the elevation of such concerns.

D. University Travel Policy and Student Organization Travel Authorization Process

As explained in the Travel - Student Organizations Policy,²³ the University believes that student organization activities are an integral part of the collegiate experience, and has created policy, procedures, and a process to facilitate student organization travel.

The policy states, "The purpose of student organization travel, and transportation to and from the event, is reviewed and authorized by the group's advisor, group's treasurer and the Office of Risk Management or Recreation Services (for Sports Clubs) prior to travel."

²³ See <https://www.policy.iastate.edu/policy/student/organization/travel/>;
<https://www.riskmanagement.iastate.edu/travel/student-travel-authorization>.

To facilitate the review and approval/denial of student organization travel, the University has established an online system to enable student organizations to use university vehicles for travel that is considered “eligible use.” If an organization requires the use of a University vehicle, and their use case is from one of the seven eligible categories, they can request the use of a University vehicle for organizational travel through the online Student Organization Travel Authorization (SOTA) system. The policy requires organization’s to designate a member of the travel party to serve as trip coordinator and identifies specific responsibilities of the trip coordinator. All official student organization travel must be booked through the SOTA online system. The system requires organizations to submit their travel, purpose, location, passengers, and drivers, and requires the separate approval by the organization’s treasurer, adviser, and (in the case of sport clubs) the approval of Recreation Services. Student organizations cannot utilize a University vehicle until their travel is approved through the SOTA process.

As detailed in the Procedures for Student Organization Use of University Vehicles,²⁴ the purpose of organization travel, method of transportation to and from the activity, trip itinerary and lodging is to be reviewed by the adviser. In this review the adviser is to consider the eligible vehicle use categories. “By approving travel, the adviser affirms he/she will provide university oversight and control of the travel or activity and is knowledgeable concerning the activity or /event to which the organization would be traveling. This includes the adviser’s confirmation of appropriate training, oversight, risk management and safety protocols related to the activity and the venue at which the activity occurs.” Following adviser approval of an organization’s SOTA application, either the Office of Risk Management or Recreation Services (for Sports Clubs) reviews the application documentation to verify: “Treasurer approval, adviser approval, appropriate number of approved drivers and travel participation agreements . . . and vehicles are not being approved for activities that are solely personal in nature.”

As detailed in the policy, all student organization members who wish to drive for their student organization travel must take the Student Organization Driver Training before they travel. The driver training is available via Learn@ISU. If organizations are utilizing 15+ passenger vans and/or towing a trailer, an additional Van and Trailer Training is required.²⁵

The Travel - Student Organizations Policy, and associated procedures, is primarily focused on the actual transportation and travel to/from the organizational activity, and not on the activity itself. The policy and procedure establishes a process that helps ensure organizations/clubs have sufficiently planned and prepared for travel.

Adherence to Travel Policy in Relation to March 28 Club Activity

²⁴ See <https://www.riskmanagement.iastate.edu/travel/student-travel-authorization/procedures>.

²⁵ See <https://www.transportation.iastate.edu/policies-and-training/training>.

The Crew Club submitted their Travel Authorization Application document on March 22, 2021 for their travel to Little Wall Lake. The club [REDACTED] is listed as trip coordinator and emergency contact. The stated purpose for the travel is a “water practice.” The travel and activity itinerary describes leaving for Little Wall Lake at 7am and returning to campus by 3pm with two practice sessions planned, the first in the morning starting after 7:00 am and ending at 10:30 am, and the second starting after 10:30 and ending at 2:00 pm. The early morning practice identifies five participants. The [REDACTED] is identified as the coxswain. The club’s coach, Dustin Gentry, is not identified as a participant at the first practice. The second late morning practice identifies nine participants. The [REDACTED] is identified as the [REDACTED] and the club’s coach is identified as a participant at this session.

The club’s adviser approved the application on March 22 and the club’s [REDACTED] approved the application that same day. Recreation Services approved the travel application on March 26.

V. RECOMMENDED POLICY AND PROCEDURE AMENDMENTS AND ADDITIONS

Based on its assessment of applicable policies and procedures; student organization, club and University implementation of these policies and procedures; and peer institution policies and procedures on the subject, the Committee identifies an initial observation that is relevant to all of its recommendations. That is, the expected and implementable level of University oversight of student organizations, including sport clubs, is directly related to the number of student organizations and sport clubs that the University recognizes. Currently, the University recognizes over 900 student organizations, including 50 sport clubs. This large number does not feasibly allow for direct oversight of the day-to-day operations of all student organizations or even all student sport club organizations. For at least the past two decades, the University has adhered to a student-led student organizations approach where each organization/club is formed, developed, governed, and administered by the organization’s student membership. The University, through relevant offices and personnel, provide organizations with a level of administrative oversight as well as access to special services and benefits, including but not limited to utilization of the University’s tax exempt status; procurement, contract, and financial account services; information technology services; access to limited financial support through Student Government allocated funds; access to the University’s facilities; and access to the University’s transportation pool.

The University’s current model of student organization/club oversight is primarily standards and expectations based. This means that the University establishes specific policies, rules, and procedures that student organizations are required to adopt and follow. For the most part, with notable exceptions, enforcement of applicable policies, rules and procedures is administered retroactively, i.e., after the University learns of a violation, and not proactively through direct

University personnel involvement in the day-to-day operations of all organizations.²⁶ This approach recognizes that University students are legal adults with varying and expansive interests who have the ability to participate in similar activities as private citizens entirely independent of the University. The current model therefore represents a considered balance of adult-student autonomy and responsibility with appropriate and feasible University oversight and support. As the University considers shifting that balance, the number of organizations/clubs that the University recognizes and the number of University personnel available for oversight and support duties represent two critical variables.

With this initial observation in mind, the Committee recommends the following policy, procedure, and process amendments and/or additions:

1. Cessation of Crew Club Activities: The Committee recommends the cessation of all Crew Club activities for at least the 2021-2022 academic year to allow for the implementation of all health and safety measures ultimately adopted by the University based on the recommendations of the external review conducted by USCAH and this Committee. As detailed above, the March 28, 2021 Crew Club practice did not adhere to applicable University and Crew Club policies. As a result, the Committee recommends the adoption of additional policies and procedures applicable to the Crew Club and all sport clubs, as well as enhanced oversight measures applicable to relevant University offices and personnel. These recommendations are summarized below. The Committee recommends a cessation of Crew Club activities until all adopted recommendations are implemented.
2. High Risk Club Assessment and Designation: The Committee recommends the establishment of a University review committee²⁷ to assess all student sport clubs during the initial and renewal recognition process to determine health, safety, and risk exposure of participants. Clubs will be required to adhere to certain policies based on the risk level in which it has been placed. Sport clubs that meet high-risk criteria may not be appropriate as a student led sport club, and therefore recognition may be denied.²⁸ Sport

²⁶ For example, in a different context, the University does not send a University official to every organization meeting or event to assure the University's restrictions relating to alcohol consumption are obeyed. Instead, the University establishes applicable policies and rules, disseminates these rules to organizations/clubs, and enforces them as appropriate upon learning of potential violations.

²⁷ It is recommended that the committee include representatives from the Office of Risk Management, including the newly created Student Organization Safety Coordinator, the Student Activities Office, Recreation Services, and possibly a student-leader representative from Student Sport Council.

²⁸ If formed, the committee should consult applicable best practices and subject matter experts in forming a list of criteria to use to assess the health, safety and risk level of clubs. This Committee identifies the following criteria as potentially relevant: participation requires physical contact, especially repeated contact or contact that reasonably could inflict serious bodily harm; participation requires extreme

clubs that meet moderate to high-risk criteria may be required to modify their focus, practice and compete only with an established and experienced external club, and/or meet additional guidelines before being recognized and engaging in any high/moderate risk activity.

- As recognized above, the level of practicable University oversight is directly related to the number of sport clubs that are recognized by the University, or alternatively directly related to the number of sport clubs that are deemed necessary to receive enhanced oversight. As the University considers the adoption of the recommendations of USCAH and this Committee, the University may find it useful to adopt a tiered approach where sport clubs that meet high-risk criteria receive a higher-level of oversight and policy application. The policy and process recommendations detailed below and within USCAH's report may be determined to only be necessary for high-risk or moderate-risk clubs.
3. Additional University Personnel to Provide Enhanced Oversight and Support: The University is already in the process of hiring for a new position (Student Organization Safety Coordinator within the Office of Risk Management) that includes duties and responsibilities directly relating to the safe operation of sport clubs. As discussed above, if the number of recognized sport clubs remains at its current level (~50), and additional oversight and governance policy recommendations are adopted and/or the reach of such policies are extended (i.e., beyond high-risk clubs to all clubs), additional staffing is likely needed.
- The Committee recommends that the Student Organization Safety Coordinator or other relevant staff member establish and oversee a student organization/club reporting hotline that accepts complaints/concerns regarding student organization/club conduct, including health and safety related concerns.
4. Club Level Health and Safety Committee Requirement: The Committee recommends all sport clubs be required to establish a club level health and safety committee. The health and safety committee should consist of at least five members, including the president, vice president, designated risk (safety) official, and at least two general club members.

physical exertion; participation requires the use of personal protective gear, especially complex or specialized protective equipment; participation requires the use of / exposure to mechanical, electrical, or other special equipment; participation requires the use of / exposure to hazardous substances, e.g., flammable, combustible, toxic substances; participation requires contact with animals; participation requires exposure to hazardous environments, including to potentially hazardous natural elements, e.g., weather, water, heights, enclosed spaces; participation requires use of / exposure to weapons or firearms; regional, national, or international governing organization requires participant insurance and/or waivers; regional, national, or international governing organization identifies detailed health, safety, and risk requirements/recommendations that are not feasible at the student club level.

The club's advisor and coach must also serve on the health and safety committee. The following recommendations also apply to the health and safety committees:

- The committee should meet at least twice a semester, with one meeting occurring at the beginning of each semester before any official club activity takes place.
- The committee will be responsible for developing and annually reviewing a health and safety requirements policy specific to the club. (See Recommendation #5 below).
- The committee will be responsible for developing and annually reviewing a health and safety training course specific to the club. (See Recommendation #6 below).

5. Club Level Health and Safety Policy Requirement: The Committee recommends all sport clubs be required to draft, adopt, and abide by a club level health and safety requirements policy. The policy must identify and conform to the established health and safety rules of a recognized regional, national, or international sport governing organization.²⁹ The policy must be reviewed and approved by the club's student leadership, advisor and coach on an annual basis. The University's Student Organization Safety Coordinator will audit the clubs' annually submitted policies for compliance and policies delineating consequences for failing to adhere to these requirements should be clearly articulated and enforced.

- The policy must provide for a mandatory health and safety training education course for all club members. (See Recommendation #6 below).
- The policy must include a pre-activity assessment checklist. This checklist must include all required health and safety assessment points for engagement in activity.³⁰ The team's president, risk and safety management officer, and coach/advisor must complete the checklist prior to engaging in any official activity of the club, including practices, and submit it as proof of assessment and compliance. The Student Organization Safety Coordinator will audit clubs for compliance and policies delineating consequences for failing to complete and/or violating health and safety rules will be clearly articulated and enforced.

²⁹ For example, the Crew Club health and safety policy should identify and conform to the published health and safety standards of USRowing and/or the World Rowing Federation (FISA). If no such governing organization exists for a particular club, the club should be reevaluated to determine if it qualifies for club sport designation.

³⁰ For example, if a sport club's health and safety policy prohibited activity in certain weather conditions, those conditions would be clearly delineated in the health and safety checklist. The club is then required to contemporaneously measure and record the relevant condition within the checklist. Activity is prohibited if any condition is outside the clearly identified safe operation level.

- The policy must include a description of an at least once a semester health and safety related equipment audit. The club president and risk and safety management officer must audit all required health and safety related equipment, noting the equipment's condition and any repair/replacement needs. The health and safety audit must be submitted to the club's advisor and coach for review/approval and subsequently to the Student Organization Safety Coordinator. If required health and safety related equipment is unavailable or unusable, club activities that require the equipment must cease until documented repair/replacement.
6. Club Level Health and Safety Training Requirement: The Committee recommends all sport clubs be required to implement a health and safety training course that is mandatory for all active members as well as advisors and coaches. The training must review the health and safety policy adopted by the club; the health and safety related policies, rules and recommendations of the club's identified regional, national, or international governing body; the general emergency action response plan applicable to all clubs (See Recommendation #7 below); and include information about the student organization/club reporting hotline (See Recommendation #3, above), where any member/individual may report a health or safety concern about a club. The Student Organization Safety Coordinator will audit clubs for compliance and policies delineating consequences for failing to complete mandatory trainings will be clearly articulated and enforced.
 7. University Level Mandatory Meetings/Trainings with Club Leadership, Coaches and Advisors: Recreation Services currently requires each club to send at least one representative to all Sport Club Council meetings. These Sport Club Council meetings include a three-week orientation/training program that reviews applicable policies and procedures, including safety and risk related policies. Recreation Services also offers a Sport Club coaches and advisors' training that includes information about risk and safety management, but attendance is not required. The Committee recommends additional mandatory meetings/trainings with Club Sport leadership, coaches and advisors to better assure understanding of policies, expectations, and responsibilities. In addition to other relevant policies and procedures, these mandatory meetings should include training regarding emergency response procedures relating to medical, weather, equipment, and other potentially threatening situations. Policies delineating consequences for missed mandatory meetings/trainings should be clearly articulated and enforced.
 8. Policy Clarifications: The Committee recommends that relevant University policy be clarified in specific circumstances. While current policy may be interpreted to allow or require some of the following, the University, the clubs, and their members, coaches and

advisors would benefit from clear statements on these subjects. The Committee recommends the following:

- Clear policy statement that Recreation Services, the Office of Risk Management, and other relevant University offices have the authority to suspend all of a club's activities on an interim basis pending a review after learning of a health, safety or risk concern; and the authority to sanction, suspend, and/or disband clubs, following a review, for violations of the club's and/or the University's health, safety and risk policies.
- Clear policy statement stating when a club's coach and/or advisor must be present at a club's activities, especially with respect to activities identified as higher-risk, either by the committee identified in recommendation #2 above, the club's health and safety policy, and/or the club's external international/national/regional guidelines.
- Clear policy statement that club coaches and advisors have the authority to unilaterally cancel any club activity for health, safety and risk reasons.
- Clear policy statement that Recreation Services, the Office of Risk Management, and other relevant University offices have the authority to unilaterally cancel any club activity for health, safety and risk reasons.
- Clear policy statement that club coaches and advisors must play an active role in the development of their clubs' constitutions, bylaws, and health and safety policies (See Recommendation #5 above); and have the authority to veto these documents if they are deemed insufficient or lacking in any regard.
- Clear policy statement clarifying that all equipment which is purchased with funds from a club's account becomes available for use only by the club for which it was purchased; upon receipt of the equipment, the club is responsible for its maintenance and care; the University remains the owner of the equipment for the benefit of the current and future members of the club; the club may be billed by the University for lost or damaged equipment; and club activity will be suspended as a result of unavailable or unusable required health or safety related equipment.