

# EQUITY CLIMATE REVIEW OF YORK UNIVERSITY'S ATHLETICS & RECREATION DEPARTMENT

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## REPORT ON THE VARSITY STUDENT-ATHLETE PROGRAM

### **REVIEW PANEL:**

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## INTRODUCTION AND MANDATE

### WHAT IS AN EQUITY CLIMATE REVIEW?

An Equity Climate Review is an opportunity for the leadership of a department to hear from individuals within that department about any barriers to equity and inclusion they may be encountering in the work or learning environment. It involves the collection and analysis of information about the climate in order to identify strengths and weakness, and to plan a way forward for achieving objectives around equity and inclusion.

An Equity Climate Review is not an investigation. This is an important distinction. In this type of review, a review panel reports what they heard from participants within a department and does not make “findings” related to the facts or the credibility of participants. This means that a review panel takes at face value what they heard from participants.

### THE CONTEXT FOR THIS EQUITY CLIMATE REVIEW

This Equity Climate Review (the “Review”) was conducted in relation to the student-athlete experience at York University’s Athletics & Recreation Department (the “Department”). The Review was conducted by a Review Panel of independent human rights practitioners (the “Panel”) through Ethical Associates Inc. and was established by York’s senior leadership for the purpose of exploring several key objectives, as outlined below.

It is important to note that in this Review, the Review Panel did not assess or conclude whether the information shared by participants was credible and accurate, that experiences shared by participants occurred as part of York Athletics, or that any laws or policies were violated.

This Review Panel invited student-athletes, coaches, and administration staff from 2012-2020 to participate in this Review. It is noted that during this time at York, and in the Department, there have been several developments in policy, protocols, and training to address some of the issues that have been identified. For example, *York’s Policy on Sexual Violence* and The Centre for Sexual Violence, Support & Education at York were introduced in 2017.

The Department is divided into three separate branches: Varsity Athletics, Business Development and Recreation. Recreation essentially encompasses the oversight of the myriad programs, clubs and intramural leagues. Business Development on the other hand focuses on the logistical aspects of facility access and usage of the spaces where these events take place, membership services and fundraising. Finally, Varsity Athletics is responsible for the management of 19 different sports teams that represent York University both provincially and nationally, inclusive of its coaches and student-athlete participants, of which there are hundreds of new student-athletes every academic year. These teams and their student-athletes are known as the York Lions. Varsity Athletics is the branch of the Department that is the subject of this Review.

## UNDERSTANDING VARSITY ATHLETICS

Varsity teams are the principal teams of student-athletes that represent their academic institutions in competitions with other colleges and universities. They consist of the best among student-athletes and are typically funded by their institutions (as opposed to non-varsity sports).

The varsity program provides certain services intended to help student-athletes excel, such as a Sport Injury Clinic and a Strength and Conditioning Program. Over the years, the Department has also provided training in leadership for student-athletes, including the Women and Girls Leadership and Sport Conference (WGLSC).

There are a few programs and groups that specifically support varsity student-athletes and their teams, including York University Sport Council, Lions for Lions (“L4L”) and the Black and Indigenous Varsity Student-Athlete Alliance (“BIVSAA”).

The York University Sport Council is a student-athlete council that was created to promote and support student-athletes through leadership opportunities and skill development while enhancing York Lions’ visibility across campus and in the community.

L4L is a program that aims to create support for all of York University’s varsity teams and to generate an increased sense of school pride. Teams are awarded points based on their participation in different L4L activities, and for their in-season achievements.

BIVSAA is a group founded in the 2020/2021 academic year whose mission, in part, is described as a space created and maintained by student-athletes, for student-athletes, that is catered to the experiences and lives of Black and Indigenous varsity students. It is a space maintained so students can address their concerns and questions so that meaningful change can come about. It will be used to educate and enhance the varsity community so that they are better equipped to challenge themselves and the people around them in critically thinking about the world.

Also inherent in the experience of the varsity student-athlete is the vulnerability vis-à-vis the coaching staff. In the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport*,<sup>1</sup> a power imbalance is presumed to exist throughout the coach-athlete relationship, which carries certain responsibilities. Student-athletes have typically trained most of their lives to get to the point of being able to play on a varsity team. The student-athlete’s sport and team are often intrinsically linked to their identity. In this context, the coaching staff has incredible power and influence over student-athletes. As such, it is often very difficult for a student-athlete to speak out against the coaching staff or other athletes when issues arise.

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<sup>1</sup> Sport Information Resource Centre, Universal Code Of Conduct To Prevent And Address Maltreatment In Sport (UCCMS), SIRC, 2019, Section 1, Definitions < <https://sirc.ca/wp-content/uploads/2020/01/UCCMS-v5.1-FINAL-Eng.pdf>>.

For instance, student-athletes generally believe that speaking out against a coach in any respect could lead to being “benched” and speaking out against another athlete could lead to being alienated from the athletic community. Generally speaking, there have also been allegations of racism, homophobia and sexual violence in sports generally, and in varsity sports specifically. Most often, the allegations are brought forward when the athlete has left the sport.

## OBJECTIVES OF THE REVIEW

At the outset of this Equity Climate Review, the Review Panel was mandated to explore five primary objectives in order to assess the climate in the Athletics & Recreation Department and to make recommendations to achieve a broader sense of equity and inclusion among its constituent groups. The five objectives that formed the mandate of the Review Panel are as follows:

1. To listen to varsity student-athletes' experiences of anti-Black racism, discrimination, harassment, sexual violence and hazing at individual and systemic levels, and to identify broader themes.
2. To examine whether York's athletics' culture contributes to anti-Black racism, discrimination, harassment, sexual violence and hazing within the varsity student-athlete teams and programs.
3. To identify whether there are any additional safety, equity and inclusion issues that exist within the varsity student-athlete community that impact the experience of students within the broader York community.
4. To identify any gaps that exist in programs, processes, supports and organizational structures that contribute to anti-Black racism, discrimination, harassment, sexual violence and hazing, within the varsity student-athlete teams and programs.
5. To recommend areas for improvement in programs, processes, supports and organizational structures to foster a culture of safety, equity and inclusion for varsity student-athletes, including where students can thrive as students and as athletes.

In exploring the foregoing objectives, the Review Panel was directed to include the reported experiences of varsity student-athletes at York between the years of 2012 to 2020.

## METHODOLOGY

The information contained in this Report was gathered from what was shared with the Review Panel through a series of interviews with student leadership at York, on-line surveys with student-athletes, coaches and other Department staff and administration, and group and individual interviews with student athletes, current coaches and key administrative staff. The surveys and

interviews provided extensive quantitative and qualitative data. The themes identified in this Report were aggregated from among those who said they experienced discrimination, harassment, sexual violence and hazing, and those who said they witnessed it.

The Review Panel’s recommendations at the end of the report are derived from an assessment of what participants shared during the Review, the gaps we identified, and our expertise.

## QUANTITATIVE SURVEY DATA

### RESPONSE RATE

The response rate to the surveys were as follows: 14.8% for student-athletes (305 participants), 60.9% for coaches (28 participants), and 78% for administration (39 participants).

The response rate is vastly divergent among the constituencies that were asked to participate. There can be many reasons why someone may choose not to participate in a survey, including overall disinterest, a lack of trust, unfamiliarity with objectives, survey fatigue from other surveys, time of year, personal reasons, or feeling as if there is nothing to add. It should also be noted that the Review canvassed students who attended York from 2012-2020, and it may be that those who attended many years ago may have felt less inclined to participate.

As noted above, the survey was only one mechanism through which the Review Panel was able to obtain the necessary information for this Review.

Several open-ended questions were asked in each survey to generate qualitative data. The student-athletes that participated in the survey took this opportunity to share their thoughts on the identified issues and provided over 180 pages of rich data. Responses from the Coach Survey and Administration Survey collectively yielded over 40 pages of qualitative data.

	Gross Distribution	Undeliverable	Net Distribution	Total Participants	Response Rate
<b>Student-Athlete</b>	2159	102	2067	305	14.80%
<b>Coach</b>	50	4	46	28	60.90%
<b>Administration</b>	53	3	50	39	78.00%
<b>Total Distribution</b>	2262	109	2163	372	17.20%

## WHO DID WE HEAR FROM?

### *STUDENT-ATHLETES*

#### Team Representation

Among the 305 student-athletes who responded to the survey, there was representation from among 15 teams, including participants from each year between 2012 and 2020.

#### Diversity of Student-Athlete Voices

The survey results indicate that there was robust demographic diversity among the student-athletes who participated in the Athlete Survey with respect to race, disability, sexual orientation, religion or spirituality, and gender identity.

#### Indigenous Peoples

Seven student-athletes (or 2%) who participated in the survey identified as Indigenous, including First Nations, Inuit, and Métis.

#### Persons with a Disability

Forty-five student-athletes (or 15%) who participated in the survey identified as persons with a disability.

#### Sexual Orientation

Forty-seven student-athletes (or 15%) who participated in the survey identified as having a sexual orientation that was other than heterosexual.

#### Gender Identity

A total of 154 student-athletes (or 51%) who participated in the survey identified as women, 139 (or 46%) student-athlete participants identified as men, and eight (or 2%) student-athlete participants identified across a spectrum of genders.

#### Religion or Spirituality

Student-athletes who participated also reflected a diversity of religious affiliations or spiritual beliefs. The vast majority of participants had an affiliation among the world's major religions, and identified as Christian (including Catholic), Hindu, Muslim, Jewish and Sikh, or as having "no religious affiliation". There were also some student-athletes who specifically identified as Agnostic, Buddhist, Mennonite, Neo-Pagan, and as having Traditional Indigenous Spirituality.

#### Race

Student-athletes who participated in the survey also self-identified as coming from a diversity of racial backgrounds. The Review Panel compared the number of "racialized" versus "White"

student-athletes who participated in the survey. Racialized participants were identified by the Review Panel as student-athletes who indicated they identified with a racial identity that was not “White.” When considering the participant demographics from this lens, there were a total of 128 racialized student-athletes and 168 non-racialized student-athletes. Consequently, 42% of the student-athletes who responded to the survey identified as being racialized.

### Note About Data Collection

The Department itself does not collect self-identification or demographic data. As such, the Review Panel is unaware of the overall demographics of York student-athletes and whether the student-athletes that participated in the survey are reflective of the entire student-athlete population.

It is becoming increasingly common for organizations to collect race-based data. In September 2020, York University commenced a student self-identification survey, and at the time of writing this Report, the University was on track to releasing that data in the fall of 2021.

### COACHES

As indicated above, the Coach Survey was delivered to 43 coaches, and a total of 28 responses were received, which amounts to a 60.9% response rate. Of the 28 coaches who responded to the Coach Survey, there was representation from individuals who were coaches between 2014 and 2020, representing 15 different teams.

### ADMINISTRATION

As indicated above, the Administration Survey was delivered to 50 administration staff members, and a total of 39 responses was received. This amounts to a 78.0% response rate and there was representation from administration staff who worked at York Athletics between 2012 and 2020.

## ANALYSIS OF DATA IN RELATION TO OBJECTIVES

Further to the Review Panel’s methodology described above, the next portion of the report turns to a detailed analysis of the data in relation to the stated objectives of the Review Panel’s mandate.

## OBJECTIVE #1

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*To listen to student Varsity athletes' experiences of anti-Black racism, discrimination, harassment, sexual violence, and hazing, at the individual and systemic levels, to identify broader themes.*

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The first objective of the Review Panel's mandate was to listen to the experiences reported by varsity student-athletes in relation to discrimination, harassment, sexual violence and hazing, both at individual and systemic levels. The scope of individual complaints was beyond the scope of this Review. Participants were made aware of the complaint mechanisms available at the University level to address issues of discrimination and harassment.

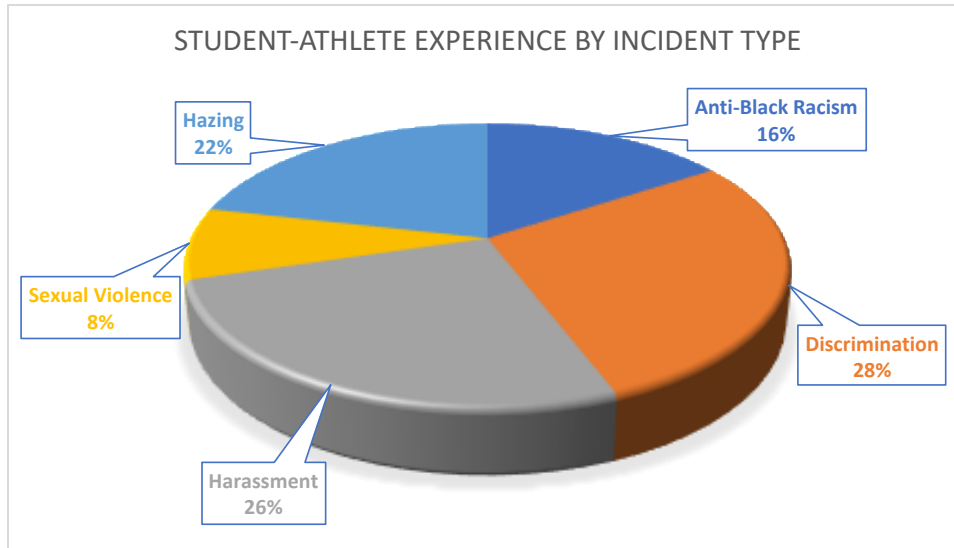
The survey conducted among student-athletes explored these issues and the responses of participants are reflected below by heading.

Among the topics that merit specific attention are participant responses in relation to:

- Anti-Black racism: racist comments, microaggressions, differential treatment and stereotyping.
- Discrimination: disabilities, injuries, mental health issues and discrimination based on religion/creed.
- Harassment: homophobia, transphobia, sexism and discriminatory comments.
- Sexual violence: sexualized requests and sexual assaults.
- Hazing

The overall assessment of participant responses is that 16% of the student-athletes who participated in the survey said they experienced anti-Black racism; 28% said they experienced discrimination; 26% said they experienced harassment; 8% said they experienced sexual violence; and 22% said they experienced hazing. The responses of coaches and administrative staff on these issues are also noted throughout the sections below.





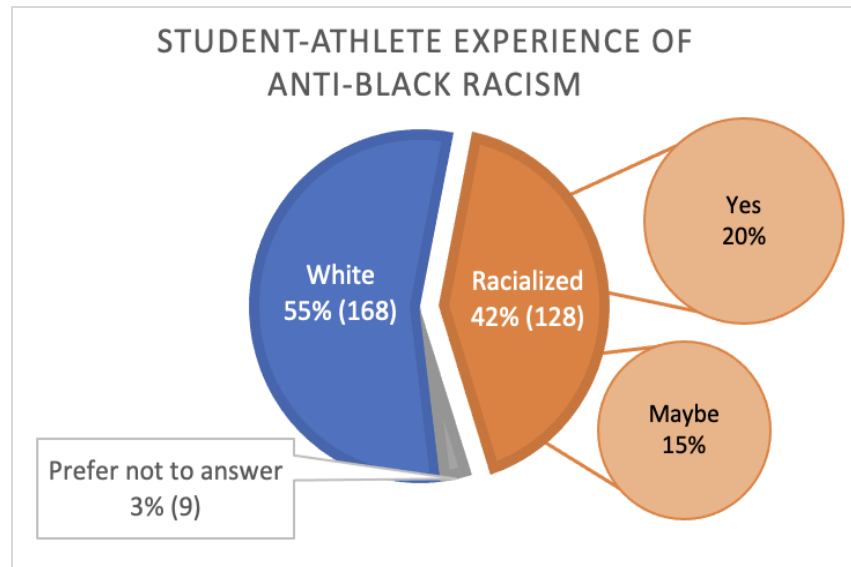
## ANTI-BLACK RACISM

To understand anti-Black racism, it is necessary to understand the social construction of race. Through dominant discourses of social organization, conceptions of race are said to be “socially constructed”, rather than biologically determined. In this way, people are said to have been “racialized” through these “socially constructed” ways of judging, categorizing and creating difference among people.

Anti-Black racism includes policies and practices that are rooted in existing social structures and institutions, such as education, health care, and justice that mirror and reinforce beliefs, attitudes, prejudice, stereotyping and/or discrimination towards people of Black-African descent. Critiques of anti-Black racism shed light on the unique impact of systemic racism on Black-Canadians, as well as the historical impact and experience of slavery and colonization among persons of Black-African descent in Canada.<sup>2</sup>

The experiences of racial discrimination can be impacted by and compounded through other intersecting identities, such as gender, disability, sexual orientation, gender identity and age. The stereotypes associated with being a young Black man or woman, for example, are quite different than the experiences of individuals with other identities.

<sup>2</sup> Black Health Alliance, “Anti-Black Racism”: <<https://blackhealthalliance.ca/home/antiblack-racism/>>.



- 29 student-athletes (or 9%) who participated in the survey said they experienced anti-Black racism. Of those, 25 identified as racialized, while 4 identified as White.
- Of the 128 student-athletes (or 42%) who identified as racialized in the survey, 25 (or 20%) reported that they experienced anti-Black racism, and 19 (or 15%) said that they may have experienced anti-Black racism.
- 59 student-athletes (or 19%) who participated in the survey said they witnessed anti-Black racism. Of those, 37 (or 63%) identified as racialized, while 20 (or 33%) identified as White.
- 15 student-athletes who participated in the survey said they may have witnessed anti-Black racism. Of those, 4 (or 27%) identified as racialized, while 11 (or 73%) identified as White.
- 3 coaches who participated in the survey said they witnessed anti-Black racism, while one coach said they may have witnessed anti-Black racism.
- 3 staff members who participated in the survey said they witnessed anti-Black racism. While two staff members said they may have witnessed anti-Black racism.

Of the racialized student-athletes who said they experienced or believe they may have experienced anti-Black racism, there was a notable intersectionality among their identities. The data captures each demographic group's count and percentage in relation to the "Yes" and "Maybe" responses. For example, one individual may have self-identified as Black, male and a person with a disability.

It is notable that of the racialized participants who reported in the survey that they experienced or may have experienced anti-Black racism:

- 46% identified as female, 48% identified as male, and 6% identified as a lived gender that was neither female nor male.
- 10% identified a sexual orientation that was other than heterosexual.
- 11% identified as living with a disability.

Experienced Anti-Black Racism	Yes	Maybe	Yes + Maybe Count	Yes + Maybe %
Total Counts	29	21	50	
Gender Diverse	2	1	3	6%
Female	11	12	23	46%
Male	16	8	24	48%
Non-heterosexual	1	4	5	10%
Disability	8	3	11	22%

Black student-athletes reported experiences of anti-Black racism as being made to feel out of place, insufficiently represented among athletes, coaches and administrative staff, in addition to facing stereotypes, microaggressions, racist language, hostility, and the diminishing of their academic abilities, thereby reducing them only to their athletic ability.

### **LACK OF REPRESENTATION**

The Review Panel heard from Black student-athletes who described coaching and administration as “White spaces” and that they did not reflect the community of sport. This lack of representation made student-athletes uncomfortable going to the leadership to discuss their experiences of racism. Black student-athletes said they felt safer talking to Black coaches about their experiences of racism. They also felt that the administration and most coaches did not understand issues of systemic racism and that there was a general lack of support for Black student-athletes.

#### **The Use of the N-Word and Racist Comments**

The Review Panel heard from participants that racist comments and insults were often made in the Department, including the use of the N-word.

#### **Blackface**

The Review Panel heard from a student-athlete that in 2012, a senior member of a varsity team required a rookie to wear Blackface as part of an initiation and that no one on the team intervened to put a stop to it.

## Microaggressions

The Review Panel heard of a range of comments which could be understood to be microaggressions, including stereotypes of Black people as being inherently physically stronger than other groups and jokes about Black culture. Microaggressions are subtle racial putdowns that discredit and exclude Black, Indigenous, and racialized people. Racial microaggressions are usually considered small, common, and sometimes ambiguous, yet they are particularly stressful for those on the receiving end given their ubiquity and deniability. Each occurrence can be difficult to substantiate, but over time they have the cumulative impact of undermining racialized people's sense of dignity and belonging. Microaggressions often look like a compliment or a joke, but in fact, reveal underlying stereotypes that are harmful and perpetuate racism or other forms of discrimination.

## ALLEGATIONS OF DISCRIMINATION

The Review Panel heard claims from student-athletes that they had been subjected to various forms of discrimination. The alleged discrimination was often cited as being related to an identity-based characteristic and that equal opportunities were denied on the basis of these characteristics. Although the scope of individual complaints was beyond the scope of this Review, participants were made aware of the complaint mechanisms available at the University and Department level to address issues of discrimination and harassment.

- 68 student-athletes (or 22%) who participated in the survey said they had experienced discrimination.
- 22 student-athletes (or 7%) who participated in the survey said they may have experienced discrimination.
- 68 student-athletes (or 22%) who participated in the survey said that they had witnessed discrimination.
- 10 student-athletes (or 3%) who participated in the survey said they may have witnessed discrimination.
- 5 coaches who participated in the survey said they witnessed discrimination, while 1 coach said they may have witnessed discrimination.
- 4 administration who participated in the survey said they witnessed discrimination, and none said they may have witnessed discrimination.

The following table provides the level of responses from survey participants who said they experienced/may have experienced discrimination. The data captures each of the demographic

group’s count and percentage in relation to the “Yes” and “Maybe” responses. For example, an individual may have identified as living with a disability, Black, and male.

The Review Panel notes that of the student-athletes who responded that they experienced or may have experienced discrimination:

- 53 student-athletes (or 59%) identified as being racialized.
- 19 student-athletes (or 21%) identified with a sexual orientation other than heterosexual.
- 8 student-athletes (or 9%) identified a gender identity that was neither male or female. As noted above, 8 student-athletes who completed the survey identified as a gender which was not male or female, which means that 100% of these student-athletes reported that they experienced or may have experienced discrimination.
- 22 student-athletes (or 24%) identified as living with a disability. We note here that 47 participants identified as living with a disability, which means 48% of student-athletes who identified as living with a disability reported that they experienced or may have experienced discrimination.

Experienced Discrimination	Yes	Maybe	Yes + Maybe Count	Yes + Maybe %
Total Counts	68	22	90	
Racialized	36	17	53	59%
Gender Diverse	6	2	8	9%
Female	39	8	47	52%
Non-heterosexual	11	8	19	21%
Disability	18	4	22	24%

### **DISABILITIES AND INJURIES**

Many student-athletes voiced concerns regarding the treatment they said they received when they experienced concussions, mental health issues and physical injuries. They shared that they believed this came from a culture of toughness associated with sport that normalizes toxic behaviours and could lead to athletes not seeking treatment or support. For women student-athletes, there was often an intersection of gender-based discrimination. Some student-athletes also raised concerns of a culture of mocking intellectual disabilities. We also heard comments from student-athletes that could amount to creed-based discrimination.

## ALLEGATIONS OF HARASSMENT

The Review Panel heard claims from student-athletes that they had been subjected to various forms of harassment. The alleged harassment was often cited as being related to an identity-based characteristic, although examples of general or personal harassment also emerged.

- 69 student-athletes (or 23%) who participated in the survey said that they experienced harassment.
- 14 student-athletes (or 5%) who participated in the survey said that they may have experienced harassment.
- 76 student-athletes (or 25%) who participated in the survey said they witnessed harassment.
- 10 student-athletes (or 3%) who participated in the survey said they may have witnessed harassment.
- 7 coaches who participated in the survey said they witnessed harassment, while 2 coaches said they may have witnessed harassment.
- 5 administration members who participated in the survey said they witnessed harassment, while 4 said they may have witnessed harassment.

The following table provides the self-identification data of those who said they experienced or may have experienced harassment. The data captures each of the demographic group's count and percentage in relation to the "Yes" and "Maybe" responses, so there may be some overrepresentation in the numbers below. For example, one individual identified as a queer, Black woman.

The Review Panel notes that of the student-athletes who responded that they experienced or may have experienced harassment:

- 34 student-athletes (or 41%) identified as racialized.
- 5 student-athletes (or 6%) identified as a gender which was neither female nor male.
- 52 student-athletes (or 63%) identified as female.
- 19 student-athletes (or 23%) identified with a sexual orientation other than heterosexual.
- 24 student-athletes (or 29%) identified as living with a disability.

Experienced Harassment	Yes	Maybe	Yes + Maybe Count	Yes + Maybe %
Total Counts	69	14	83	
Racialized	26	8	34	41%
Gender Diverse	2	3	5	6%
Female	43	9	52	63%
Non-heterosexual	13	6	19	23%
Disability	18	6	24	29%

### ***HOMOPHOBIA, TRANSPHOBIA AND HETEROSEXISM***

Many student-athletes said that they experienced harassment and exclusion arising from their sexual orientation. The Review Panel heard claims that coaches and other student-athletes used homophobic and heterosexist comments.

### ***SEXISM AND SYSTEMIC GENDER DISCRIMINATION***

The Review Panel heard from some student-athletes who said they experienced gender stereotyping from their coaches.

### ***UNEQUAL ALLOCATION OF RESOURCES***

The Review Panel heard claims of what could be systemic gender discrimination in favour of men's sports. For example, women student-athletes said that they were given the least favourable times in the training room and field space, resulting in them having to travel home late at night, thereby raising safety concerns for them.

### **SEXUAL VIOLENCE**

The Review Panel heard claims from student-athletes that they had experienced or witnessed sexual violence. Although the scope of individual complaints was beyond the scope of this Review, participants were made aware of the complaint mechanisms available at the University and Department level to address issues of sexual violence.

- Of the 154 women who responded to the survey, 20 (or 13%) said they experienced sexual violence, and 4 (or 3%) said they may have experienced sexual violence.
- Of the 139 men who participated in the survey, one said he experienced sexual violence.
- 26 student-athletes (or 9%) who participated in the survey said they witnessed sexual violence, and 3 student-athletes (or 1%) said they may have witnessed sexual violence.

- No coaches or administration who participated in the survey said they witnessed or may have witnessed sexual violence.

The following table provides various demographics of those who said they experienced or may have experienced sexual violence. The data captures each of the demographic group’s count and percentage in relation to the “Yes” and “Maybe” responses and may contain some overrepresentation. For example, one individual identified as a woman with a disability.

Ninety-two percent of the student-athletes who said that they experienced or may have experienced sexual violence identified as female.

Experienced Sexual Violence	Yes	Maybe	Yes + Maybe Count	Yes + Maybe %
Total Counts	21	5	26	
Racialized	7	1	8	31%
Gender Diverse	0	0	0	0%
Women	20	4	24	92%
Non-Heterosexual	6	2	8	31%
Persons with a Disability	3	3	6	23%

York's Policy on Sexual Violence defines sexual violence as:

Any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

The Policy defines rape culture as:

A culture which normalizes, trivializes, and excuses sexual violence or blames survivors for having experienced sexual violence; it can be expressed through dominant societal ideas, prevalent attitudes, social practices, media content, or through institutions which condone sexual violence either implicitly or explicitly.

The Review Panel heard from many women student-athletes who reported that they experienced comments and actions which could be sexual violence, including catcalling, unwelcome comments about their physical appearance, sexualized requests, and sexual assault.



## HAZING

### Quantitative Data

- 56 student-athletes (or 18%) who participated in the survey said they experienced hazing.
- 12 student-athletes (or 4%) who participated in the survey said they may have experienced hazing.
- 98 student-athletes (or 32%) who participated in the survey said they witnessed hazing.
- 8 student-athletes (or 3%) who participated in the survey said they may have witnessed hazing.
- None of the coaches who participated in the survey said they witnessed or may have witnessed hazing.
- 7 administration staff who participated in the survey said they witnessed hazing, and no administration staff said they may have witnessed hazing.

The following table provides various demographics of those who said they experienced or may have experienced hazing. The data captures each of the demographic group's count and percentage in relation to the "Yes" and "Maybe" responses and there may be some overrepresentation. For example, one individual identified as White, male and living with a disability.

Experienced Hazing	Yes	Maybe	Yes + Maybe Count	Yes + Maybe %
Total Counts	56	12	68	22%
Racialized	15	5	20	29%
Gender Diverse	3	1	4	6%
Female	32	7	39	57%
Non-heterosexual	12	3	15	22%
Disability	9	1	10	15%

York's Code of Conduct for Athletes defines hazing as:

...any action taken, or situation created as part of initiation to or continued membership on a team, which produces or could be expected to produce mental or physical discomfort, harm, stress, embarrassment, harassment, or ridicule; or which violates York University policy, the Code of Student Rights & Responsibilities, the Student Athlete Code of Conduct or law. This applies to behaviour on or off York University premises. Participation will be deemed to

include passive participation or failure to act to end such behaviour by others where one reasonably knew or ought to have known it was taking place.

Many student-athletes shared that hazing has been dramatically reduced, and that the administration spends a lot of time discouraging hazing at the beginning of each season. Student-athletes described that hazing was a difficult situation to navigate, as many felt compelled to participate in hazing activities when they were taking place.

Some student-athletes described being pressured by other student-athletes to consume things such as garlic shots, dog food, live goldfish, or watermelon from the floor. Others said that they were pressured to have their heads shaved or dress up in degrading attire (such as diapers or Blackface). We also heard that student-athletes were required to perform demeaning tasks, such as carrying the equipment of veteran players, performing rookie duties, or going out into the cold. On some occasions, the tasks had a sexual component to them, such as being required to streak naked or perform lap dances, being zip tied or handcuffed to teammates and told to kiss or “get laid” and retrieving sex toys for senior athletes.

Several student-athletes said that there was pressure to drink alcohol, and that it was also difficult to withdraw from the many games centered around drinking alcohol. Furthermore, a number of student-athletes shared that there was hazardous and excessive drinking.

## OBJECTIVE #2

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*To examine how culture contributes to anti-Black racism, discrimination, harassment, sexual violence, and hazing within the student Varsity athlete teams and programs.*

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The Review Panel considered whether the departmental culture of Athletics and Recreation contributes to individual experiences of anti-Black racism, discrimination, harassment, sexual violence and hazing. This section will reflect the points of view of student-athletes, coaches and Department administration across various themes drawn from the qualitative data. Of note, there appears to be an overriding sense of helplessness or apathy that some student-athletes have expressed about the culture of the teams they rely on to address various concerns about unfair, unequal or differential treatment. This is perhaps most conspicuous in student-athletes' accounts involving the reporting of complaints (or the lack thereof).

The vast majority of coaches and administrative staff said they did not witness any incidents of anti-Black racism, discrimination, harassment, sexual violence or hazing, on the other hand, student-athletes reported both experiencing and witnessing it. A lack of awareness and/or understanding by coaches and administrative staff can create conditions that allow systemic racism and discrimination to exist.

Among the topics that will be discussed are:

- Varsity culture: problematic leadership, toxic masculinity, inequity across sport and athletics above everything else.
- Declining to report: Lack of awareness of formal process to complain, fear of reprisal, lack of trust in the system and victim-blaming.

## VARSIY CULTURE

### *LEADERSHIP CONCERNS*

We heard claims from several student-athletes, as well as a few coaches and administrative staff, that certain coaches and members of the administration protected some players and teams from accountability, thereby allowing the problematic culture to remain unchecked.

### *DEALING WITH COMPLAINTS*

Several student-athletes shared that they had made complaints to their coaches about issues that were highlighted in the Athlete Survey, but they felt that nothing was done to address them.

On the other hand, coaches and members of administration alike stated in the surveys and through interviews that they dealt with complaints intently and followed the appropriate channels when incidents were reported to them

### *TOXIC MASCULINITY*

Toxic masculinity refers to exaggerated masculine traits that tend to be overly glorified in certain cultures. It can be harmful since it places importance on perceptions of “manliness” based on strength, lack of emotion, self-sufficiency, dominance, and sexual virility. It can manifest in harmful behaviours including aggression, emotional suppression, hyper-competitiveness, self-entitlement, and sexism/heterosexism.

Many student-athletes described incidents which could be reasonably understood as the manifestations of toxic masculinity in the culture of the varsity program. Some felt that it was not surprising, given the emphasis on competition and sport. It was also referred to as “dominant masculinity” and “bro culture”.

### *INEQUITY ACROSS SPORT*

Many student-athletes shared that there is a lack of equity across sports. Many felt that there was special treatment for certain teams, based on both the type of sport and gender. Overwhelmingly, the Review Panel heard that there was a hierarchy of teams. Student-athletes felt that the administration put football, men's hockey and men's basketball "above" other teams, with women's teams at the bottom.

Some student-athletes claimed that this hierarchy influences the distribution of resources, as well as the teams that are supported by the Department generally. They felt disrespected since they had worked just as hard as other athletes on other teams but did not receive the same level of praise as certain other sports teams.

As set out above, many student-athletes said that there was gender discrimination and bias in the allocation of resources. The Review Panel heard, for instance, that access to the training room and field space was only given to women's teams late in the evening. Women student-athletes stressed that they should be made to feel valued rather than be made to feel inferior and asked for equal funding for all teams.

On the other hand, administrative staff explained that finite resources mean that the funding and resources provided for teams are essentially based on what is required to make them competitive. Given the broad level of support provided to teams and student-athletes, there is a tiered system in place that sets the level of “service” for each team from the Department. The top tier consists of varsity sports that compete nationally and are governed under the sports body USPORTS, while the lower tier is more likely to consist of teams that compete provincially and are presided over by Ontario University Athletics. Teams are expected to meet a minimum level

of investment when competing in a particular conference for each governing body. The decision by the Department on which sport will be placed in their higher tier could depend on a myriad of factors, not the least of which is if the sport can be a revenue generator – through sponsorship, attendance at the gate, and/or the community that you're in. In addition, periodically, an assessment of each team's program is done to ascertain what may be required to make them successful, irrespective of the tier that they fall under, while movement may be possible between the two tiers. The decision on whether to invest in a particular program "could be past successes, or we know with the right coach and support that they could be better, or they are on a path towards transforming team culture". With limited resources, the Department decides what is adequate funding for all programs with the prevailing standard that "we fund our teams to the level within their competition that does not place them at a disadvantage."

### ***HIERARCHY WITHIN TEAMS***

Some student-athletes identified hierarchies within teams where coaches only respected veteran players and recruits. We heard a sense that if a player was a rookie or injured, they were often considered less worthy than other players.

### ***"NARP" CULTURE***

Not unique to York, NARP culture refers to the positioning of varsity student-athletes as different from, or superior to, a "Non-Athletic Regular Person" or "NARP." In other words, a NARP is a derisive term that is applied to someone who does not participate in varsity athletics.

Some student-athletes shared that their first experiences as varsity student-athletes came with the all-athletes Department orientation. They said they were given their York Lions jacket and told how special they were. The Review Panel was told that student-athletes were "put on a pedestal and are protected by the athletics department." Although some administrators said that student-athletes were "entitled" and not accountable for their actions, many student-athletes shared that the administration imparted this sense of superiority among them.

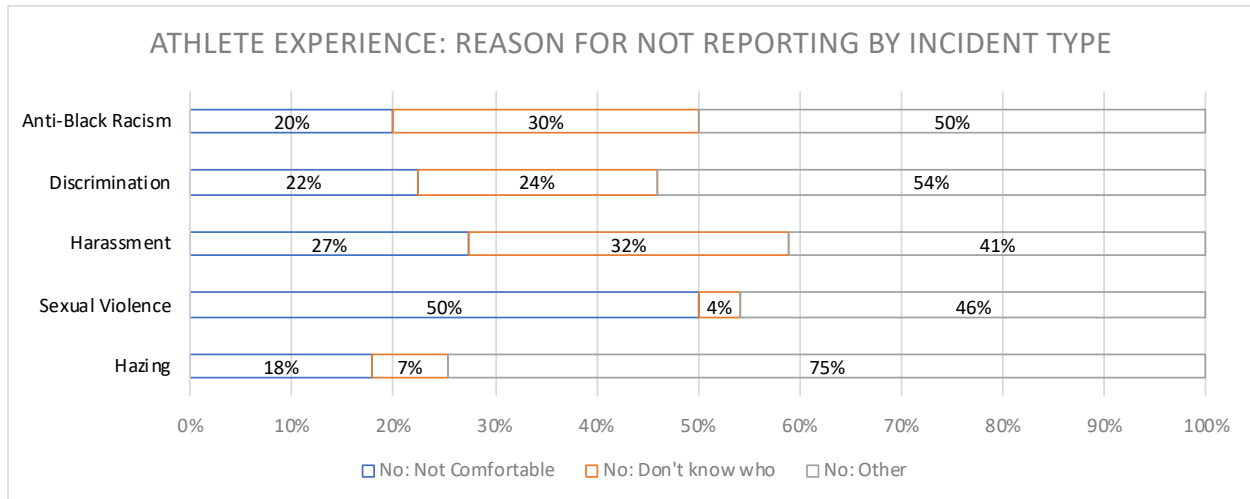
Many student-athletes said that they felt that the sense of difference also came from a lack of connection to the rest of York, be it by the necessity of training and competition demands or choice, as other student-athletes shared common goals and interests.

### ***ATHLETICS OVER ALL ELSE***

Several student-athletes said that they were viewed by coaches and administration as "an athlete first, student second." Some student-athletes said they felt that their academic success was only important to a coach insofar as they remained eligible to play.

## DECLINING TO REPORT

Overwhelmingly, student-athletes who responded “Yes” or “Maybe” to having experiences of discrimination and/or harassment said that they did not file a formal report of that experience, as shown below:



Student-athletes told us that they generally do not report experiences of anti-Black racism, discrimination, harassment, sexual violence and hazing. In reviewing the qualitative data, the reluctance of student-athletes to report stemmed from a number of factors, including the following:

- Lack of awareness of formal processes to complain.
- Fear of reprisal, Imbalance of power.
- Normalized culture.
- Lack of trust in the system.
- Victim-Blaming.
- “Not my story to tell.”

### ***LACK OF AWARENESS OF FORMAL PROCESSES TO COMPLAIN***

Many student-athletes were unaware of York's Centre for Sexual Violence Response, Support & Education and of York's Centre for Human Rights, Equity and Inclusion, and they also lacked awareness of York's policies. They consistently told us that there was no person to whom they could make a complaint to about their coach, except perhaps to go to the administration.

This lack of awareness expressed by student-athletes somewhat conflicts with what we heard from the few administrators who reported to us. These administrators said that once a complaint was made, they dealt with it swiftly and explained the process to the student-athlete. Depending on the severity of the complaint, the student-athlete may have been referred to the Office of Student Community Relations (OSCR), at which point it is their responsibility to follow through with that office. Furthermore, some administrators noted that York's policies are communicated to student-athletes annually during orientations at the start of the school year, including during mandatory team orientations that delved into the *Athletes Code of Conduct*, among other things.

### ***FEAR OF REPRISAL, IMBALANCE OF POWER***

Many student-athletes said that they feared retaliation from coaches if they made a complaint. We heard of the power imbalances between coaching staff and student-athletes, which left the latter in fear of "being benched" if they made a complaint. Put differently, all the years of hard work and effort the student-athlete invested to excel at their sport could feel like a waste. There was also a general sense that a complaint of any kind would have disruptive repercussions within the respective team culture.

### ***NORMALIZED CULTURE***

The Review Panel heard from many student-athletes who said that they had resigned themselves to their situation because it appeared to be widely accepted. For instance, student-athletes shared that problematic "jokes" would be frequently made, and often in front of staff who, at times, joined in. Student-athletes said that they did not complain as they believed that no one cared or that it would be easy to deny culpability and rely on "misunderstandings."

A strategy shared by several racialized student-athletes was to speak to other racialized student-athletes about their experiences. This strategy speaks to the need of people who are racialized to find others who share that experience to validate what they are experiencing.

Moreover, many student-athletes said that they simply did not believe that anything would be done about the discriminatory or unfair experiences they endured.

### ***LACK OF TRUST IN THE SYSTEM***

Many student-athletes described a culture of a lack of accountability with respect to varsity athletes on certain teams. Put differently, these student-athletes felt that they had peers who were protected from facing consequences because of the team they played on. As a result, they felt that making a complaint against these "shielded" student-athletes was useless, since no disciplinary action would be taken against them. Furthermore, they were concerned that coaching and administrative staff would "cover up" any wrongdoing by these protected student-athletes. In fact, many student-athletes felt that too many coaches, members of the administration and other student-athletes did not promote an environment of safety and respect

that was conducive to raising concerns. As such, they overwhelmingly did not have faith in the administration to attend to their experiences of anti-Black racism, discrimination, harassment, sexual violence and hazing.

### ***NOT THEIR STORY***

While it is understandable that student-athletes would not want to breach the trust of their teammates, failing to address incidents will inevitably lead to a failure of accountability. Harm caused by anti-Black racism, discrimination, harassment, sexual violence, and hazing are violations to the community itself and must be addressed by the community. Nonetheless, some student-athletes said that it was not their place to report, or that the person who experienced harm had asked them not to talk about the issue with others.

Meanwhile, with respect to hazing, half of the student athletes said that the hazing they experienced was not serious enough to file a complaint. They said they thought it was "innocent", "not harmful" and "not worth reporting".

### **POSITIVE FEEDBACK**

In their survey responses, some student-athletes reflected on their positive experiences as York varsity athletes – including some athletes who were on the same teams on which other athletes expressed concerns. A few student-athletes commented that a few “bad” characters did not reflect the community.

In the survey responses, one coach said that “incidents were extremely isolated”, and another coach said that “outstanding work was being done on a daily basis by 95% of student athletes, coaches, support staff and administration”.



## OBJECTIVE #3

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*To identify whether there are any additional safety, equity and inclusion issues that exist within the student Varsity athlete community that impact the experience of students within the broader York community.*

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As part of the Review, student-athletes, coaches and administration staff were asked about any other issues of safety, equity and inclusion that may not have been captured by questions pertaining to Objectives #1 and 2.

The Review Panel identified the following themes, explored further below:

- Many student-athletes felt alienated from the greater York Community.
- Some student-athletes reported that there was a lack of a community at York.
- Many student-athletes felt that they were valued only insofar as it related to their eligibility to continue to participate in their respective sport.
- Several student-athletes reported that their socio-economic status was a source of exclusion.
- A few student-athletes reported that COVID-19 restrictions left them feeling disconnected.
- A few student-athletes and witnesses identified bullying as an issue.
- A few alumni student-athletes felt a lack of engagement from York after they graduated.
- Some student-athletes reported long term negative mental health impacts from their time as varsity student-athletes.

## SAFETY, EQUITY, INCLUSION ISSUES

### *ALIENATION FROM THE YORK COMMUNITY*

When student-athletes were asked if they felt part of the greater York community, they overwhelmingly said they did not. Many student-athletes talked about the experience of being “siloeed” from the rest of York University.

Student-athletes also explained that the lack of engagement with the broader York community stemmed from their unique status at the University. Many student-athletes described their identity as being closely aligned to their status as a student-athlete and said that they lacked interest in being part of the greater York community. We heard from student-athletes who shared how much they enjoyed their opportunity to play varsity sports and make connections with teammates, and that they did not feel the need to engage in school or any other extracurricular activities.

For those who wanted to connect with the broader York community they said that to do so was "tough". They said that they had to make their own connections and that it took motivation on their part. For those who did, they were grateful. However, to do so was at the expense of their time with other student-athletes and that was discouraged.

The Review Panel heard from several student-athletes who said the Department could do more to break down those silos to remind and reinforce that they were part of the greater York community. A few student-athletes spoke about their future after sport and how they had little to look forward to. They felt that building a greater bridge to the rest of the York community could have alleviated some of those feelings.

### ***VALUED PRIMARILY AS ATHLETES***

Many student-athletes said that their value to coaches and the administration was only as athletes, and not as students, which resulted in a lack of support and an undervaluing of academics. As is to be expected, many student-athletes shared how challenging it was to find a balance between their sport and studies.

We heard from a few student-athletes who felt that coaches and administration cared about academics in so far as it related to eligibility and that there was no expectation for students to excel, and the expectation to prioritise sport over academics.

The above view was not universally held as the Review Panel also heard from several student-athletes who felt that the varsity program does actively support student-athletes in academics.

We heard positive feedback about the Providing Athletes with Winning Strategies (PAWS) Program and more recently the PAWS Pathway Program. Several student-athletes also spoke positively about the recent access that they had to an online tool that provided useful academic resources, such as online editing, for all students.

There was a sense from a few student-athletes that the impetus behind the PAWS Program was to "get your C+ so you can play". One student-athlete who participated in the program reported that coaches were on board with PAWS because it helped athletes maintain their eligibility, rather than them being concerned with their academics or life outside of sports.

Several student-athletes referred to Study Hall that was available to the Football Team and wondered if this could be expanded for all student athletes.

### **SOCIO-ECONOMIC STATUS**

Not all student-athletes will come from families who have the resources to pay for child-care for siblings, or tuition and housing while they are in school. It is a matter of equity to understand the multiplicity of ways that a student-athlete's socio-economic status may impact their experience as a varsity athlete. Furthermore, racialized people in Canada are significantly more likely to live in poverty. Analysis of the 2016 Canadian Census completed by Colour of Poverty showed that 20.8% of “peoples of colour” are low-income compared to 12.2% of non-racialized people.<sup>3</sup> This reality arises from structural and systemic discrimination that perpetuates disadvantage.

The Review Panel heard from several primarily racialized student-athletes who had obligations outside the varsity program, including responsibilities to take care of siblings or to work part-time. These student-athletes described feeling excluded from the varsity program, or felt punished, guilty or ashamed of their obligations. The Review Panel heard from a few student-athletes that the coaching staff did not understand or appreciate those obligations.

### **COVID-19**

The impacts of COVID-19 have been experienced by all students. The Review Panel heard from a few student-athletes about their feelings of alienation and a sense of exclusion, especially new athletes coming to a new team during the pandemic and having to deal with the reality of all the facilities being closed.

### **BULLYING**

Some student-athletes stated that they experienced and/or witnessed other student-athletes being yelled at and bullied by certain coaches for making mistakes. Student-athletes described specific coaches yelling and throwing things and having temper tantrums when their team had not won a game or weren't playing well. Some student-athletes said that they did not get the kind of constructive feedback that would help them improve, with one reporting that they critically lost any sense of self-confidence.

Several student-athletes shared that when they tried to speak to their coaches or administration about what they had experienced, they were targeted, told they could not be trusted and not given playing time. Some student-athletes said that they left their sport because of the bullying they experienced.

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<sup>3</sup> Colour of Poverty, *An Introduction to Racialized Poverty* (Toronto, Ontario: Colour of Poverty, 2019), online: <<https://colourofpoverty.ca/wp-content/uploads/2019/03/cop-coc-fact-sheet-2-an-introduction-to-racialized-poverty-3.pdf>>.

### ***MENTAL HEALTH IMPACTS***

Several student-athletes described having experienced mental health issues arising from their time playing varsity sports with York. The Review Panel heard from several student-athletes who said that given their negative or “toxic” experience at York athletics, they have chosen to stay away and not associate with York.

As described above, the Review Panel heard about the overall stress of student athletes balancing their education, their sport and other commitments. Some student-athletes pointed to a lack of mental health and other supports.

## OBJECTIVE #4

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*To identify any gaps that exist in programs, processes, supports and organizational structures that contribute to anti-Black racism, discrimination, harassment, sexual violence, and hazing, within the student Varsity athlete teams and programs.*

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The Review Panel considered the data from the survey and interview responses from student-athletes, coaches and administrators, as well as a review of some key documents and programs, which identified the following gaps:

- Student-athletes overwhelmingly said that they were unaware of York’s policies and how to make a complaint when they experienced one or more of the phenomena addressed in the Review.
- Training in issues of equity, diversity and inclusion appeared to be reactionary and *ad hoc*.
- Lack of racial diversity in the leadership.
- No sustainable mechanism to hear concerns from student-athletes.
- No link with the broader York community.

## EXISTING GAPS

### ***LACK OF POLICY AWARENESS AND COMPLAINT MECHANISMS***

There appears to be a significant gap in student-athlete awareness of York’s policies and complaint processes. Student-athletes consistently told us that they were unaware of where to make a formal complaint.

The *Code of Conduct, Guidelines for Conduct of Athletes* (“Guidelines”), outlines some of the responsibilities of student-athletes but contains significant gaps which may explain student-athletes’ lack of policy awareness.

While the Guidelines identify that student-athletes are to follow York’s Policy on Sexual Violence (“SVP”) and the aforementioned Code, they do not discuss anti-Black racism, sexual violence, discrimination or harassment, presumably because these are issues that are addressed in the SVP and the Code. Moreover, the Guidelines do not provide any direction for a student-athlete who may want to make a complaint under either the SVP, the Code, or the Guidelines.

The Guidelines list additional responsibilities of student-athletes that flow from their status as student-athletes. For instance, there are instructions for student-athletes on obeying team rules and policies, to refrain from the consumption/use of alcohol or illegal/banned substances while on route to or from or at the site of athletic events/contests, hotels, team housing, competitions or practices, and to refrain from participating in hazing activities. The Guidelines also set out that as representatives of the York Lions and York, student-athletes are expected to always portray themselves, their team and York in a positive light. In addition, they ask student-athletes to remember that they are responsible for items that are posted on social media outlets, and they should comply with the standards outlined in their orientation session. The student-athletes to whom we spoke during interviews about the Guidelines were left with the impression that this is what the varsity program is most concerned about.

The Guidelines further state that alleged misconduct that is not covered under the Code will be addressed “by the Head Coach and/or the Manager; Varsity Athletics/ Associate Director; Athletics and/or the Executive Director of Athletics & Recreation” but does not explain the complaint resolution process or how to make a complaint.

Where there may be training on issues of anti-Black racism, sexual violence, discrimination or harassment and the available complaint mechanisms, that training had not resonated with students who spoke with us.

### ***LACK OF INTENTIONAL EDUCATION AND CONVERSATIONS ABOUT EQUITY, DIVERSITY, AND INCLUSION WITH STUDENT-ATHLETES***

There is a gap in student-athlete education and discussions about equity, diversity and inclusion issues.

The Review Panel heard overwhelmingly from student-athletes, coaches and administrators that any training in relation to matters of equity, diversity and inclusion was non-existent, sparse, *ad hoc* or reactionary. For example, we heard that there were no events to celebrate Pride or opportunities to examine LGBTQ2S+ issues. We also heard that discussions around mental health seemed to be held exclusively during the annual Bell Let's Talk campaign. Likewise, the Department's support of the “Black excellence” series, or events like it, only emerged after the international protests against racist policing erupted at the end of May 2020.

Several Black student-athletes told us that BIVSAA, noted above, was created by Black student-athletes in the wake of the uprisings related to George Floyd's killing. Although BIVSAA has been supported by the Department since its inception in the summer of 2020, it is noteworthy that Black student-athletes believed it was necessary to establish this group.

### ***LACK OF RACIAL DIVERSITY IN LEADERSHIP***

Some student-athletes told the Review Panel that the Department is predominantly a White space. Black student-athletes shared that they gravitated to Black coaches as mentors and as

someone safe to speak to about the racism and other barriers they endured. To be sure, it must be stated that representation matters. It is important to feel like one can relate, be inspired and have role models that look like them and/or can understand their experiences.

The Review Panel also heard from some Black student-athletes who felt that the lack of representation in the coaching and administrative staff represented a failure of the Department to build an inclusive program.

### ***SUSTAINED MECHANISM TO HEAR FROM STUDENT ATHLETES***

In general, there is a structural gap in student-athletes' ability to share their experiences of anti-Black racism, sexual violence, harassment, discrimination and hazing with York administration in a way that feels safe to them.

Given the unique power imbalances and relationships in varsity student-athletics, both between coaches and student-athletes, and between student-athletes within a team, it is reasonable to expect that a student-athlete would fear retaliation in bringing forward allegations against their coaches or teammates. Student-athletes told us they need a process where they can bring forward their concerns without fear of retribution from their coaches and ostracization from other team members. In the same vein, it was said that the Department needs a way to know the concerns of student-athletes.

Student-athletes were asked in interviews what mechanism would best support their bringing concerns forward. The overwhelming response was that they needed an anonymous way to make a complaint to someone who understands the unique varsity context.

### ***LACK OF RELATIONSHIP WITH BROADER YORK COMMUNITY***

As identified above, student-athletes overwhelmingly said that they did not feel a sense of connection with York outside the varsity program. Of those who made connections, they were glad they did. One student-athlete raised that York athletics could encourage or advertise events happening on campus to break down those silos.

### ***ALLOCATION OF RESOURCES***

The Review Panel heard that student-athletes lack information regarding resource allocations and are unable to contribute their input. This was said to create distrust between student-athletes and the administration and promoted the appearance of preferential treatment and a hierarchy of sports.

## OBJECTIVE #5

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*To recommend areas for improvement in programs, processes, supports and organizational structures to foster a culture of safety, equity, and inclusion for student Varsity athletes, including where students can thrive as students and as athletes.*

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In surveys and interviews, student-athletes shared their ideas to disrupt and dismantle a culture of anti-Black racism, discrimination, harassment, sexual violence and hazing that is said to exist in the Department. Below is an exploration of what was brought forward by the student-athletes, coaches and administrative staff, after which the Review Panel's recommendations are provided.

### STUDENT-ATHLETE, COACH AND ADMINISTRATION RECOMMENDATIONS

#### *TRAINING AND EDUCATION*

Some student-athletes discussed the need for early, proactive, on-going interactive training and content testing on issues of anti-Black racism, discrimination, harassment, sexual violence and hazing. They shared that the training should be conducted during the first week of orientation so that expectations are clear and "setting the tone that you care". We heard that training to date has been reactive, too little, and too late. For example, a few student-athletes felt that the recent consent training was reactionary, as it pertained to issues involving the men's football and hockey teams. Further, they added that having only one training session was not enough. In addition, women student-athletes also questioned why they received this training as it was suggested that it was the men who caused the harm.

Many student-athletes felt the Department should annually train student-athletes on the Guidelines and the policies around discrimination and harassment. The training could be in person or on-line, and should have a testing component at the end and not simply a sign-off.

Many student-athletes spoke to the need for mandatory equity, diversity and inclusion training, including topics such as consent and racism, at the beginning of season for all student-athletes and coaches. There was also a call to have "an actual human disseminating information". Both coaches and administrators said that it would be best if the individuals conducting workshops or presentations on these matters came from outside the Department.

Training is often the response to discrimination and harassment. However, training in isolation from other initiatives is unlikely to succeed in fostering a non-discriminatory environment.



## *ACCOUNTABILITY AND TRANSPARENCY*

Several student-athletes said the administration must first recognize that there is discrimination within the athletics department and in sports generally.

Many student-athletes consistently told us that other athletes – even the best athletes – and teams need to be held accountable for their actions. Similarly, many student-athletes said that the administration had to stop ranking sports along a hierarchy, where football is always at the top.

Many student-athletes also spoke of the need for transparency. They said they wanted student-athletes who make complaints to be "updated regularly" through the complaint process. Other student-athletes said that York administrators and other athletes should apologise when they harm others.

## *ADDITIONAL SERVICES*

Student-athletes spoke highly of the Registered Social Service Worker but felt that more services like this were needed. One administrator reported that in addition to support from a social worker, the Department also offers student-athletes a referral to a sports psychologist. Some Black student-athletes specifically asked for a BIPOC Registered Social Service Worker.

## *COMPLAINT PROCESSES*

Some student-athletes asked for an external, anonymous mechanism to report incidents of discrimination and harassment. When asked if they wanted the complaint mechanism to be inside or outside of the Department, most student-athletes spoke to a very particular culture of sport. They believed it was best to have someone operating from within varsity, and yet somehow detached, to whom they could confidentiality speak when an incident arose. Student-athletes unanimously spoke about the need for anonymity arising from their fear of reprisal and "being benched".

Two administrators also suggested that someone dedicated to receiving complaints of this nature would be most beneficial for student-athletes.

Overwhelmingly, student-athletes wanted consequences for behaviour that is discriminatory or harassing. They asked for clear and transparent processes. The Review Panel also heard from student-athletes who asked for additional supports for survivors of sexual violence, and for a safe space that does not silence survivors.

Student-athletes asked to be heard. Recommendations from athletes included:

- A yearly anonymous survey of teams and coaching staff.
- Administration to reach out to the women's teams to hear their concerns.
- More open discussions with student-athletes without the coaching and administrative staff being defensive.
- Transparency around decision making from coaches.

## REVIEW PANEL RECOMMENDATIONS

Having considered the experiences heard by the Review Panel from student-athletes, administrators and staff, and the gaps identified, we make the following recommendations:

### *EQUITY, DIVERSITY AND INCLUSION (EDI) PLAN*

1. Create an EDI plan to support and enhance the experience of all student-athletes coming to York University. The EDI plan should include specific objectives tied to actions, measurable objectives and a reasonable timeline to meet those objectives. The EDI plan should also include measures identified in these recommendations.

### *EQUITY, DIVERSITY AND INCLUSION STAFF PERSON OR PORTFOLIO*

2. Allocate resources towards an Equity, Diversity and Inclusion staff position. At minimum, such a portfolio should be added to the responsibilities of an existing member of staff. The Department should seek a candidate who is racialized to occupy the position. Among this individual's primary tasks will be to oversee and implement the recommendations set out in this Review and serve as a resource and advocate for equity-seeking student-athletes.

### *PROCEDURES*

3. Develop a Student-Athlete Policy Handbook ("Handbook") that contains the most relevant information for the student-athlete. The Handbook would be the main resource for student-athletes to navigate their new world at university as a varsity athlete. It should reference and provide links to relevant policies, both internal (e.g., Student Athlete Code of Conduct, the Code of Students Rights and Responsibilities) and external (e.g., OUA and USport Policies). The Handbook's efficacy will be enhanced if the document is interactive, easy to understand, and requisite information is aptly spread across several webpages. It is important that student-athletes are able to find information relevant to them in on place.
  - a. The Handbook's development should be supported by a committee that includes student-athletes and the diversity they represent.
  - b. The Handbook itself should include, but is not limited to the following:
    - A clear description of sexual violence, discrimination, harassment and anti-Black racism, along with a statement expressing the Department's unequivocal expectation that students not engage in any of those behaviours.
    - A robust statement of inclusion, outlining the Department's commitment to diversity and the integration of all races, genders, gender identities, sexual orientations, and abilities. Guidance on trans\* inclusion.

- The Coaches Code of Conduct. Student-athletes should know their coaches' rights and responsibilities. To contextualize the importance of this, a student-athlete who is not aware that their coach is prohibited from a certain activity would not otherwise know how to report it when the coach engages in the activity.
- A statement addressing the inherent power imbalances that exist in the varsity context, including the coach and student-athlete relationship and the "veteran and rookie" relationship.
- The rights and responsibilities of student-athletes, as students, pursuant to York's Senate Policies (Racism), the Code of Students Rights and Responsibilities, and the Policy on Sexual Violence. This would be in addition to the Code of Conduct, Guidelines for Conduct of Athletes, and anything else that may exist specific to their status as student-athletes. Clear direction on how to obtain more information about their rights and responsibilities under these policies should also be provided.
- A clearly defined complaint reporting process that states which respective policy will govern student-athletes' allegations against another student-athlete, a coach, or administrative staff. In addition, the process should explain that when an administrator receives a complaint, they must forward that complaint to the appropriate office within a specified timeframe. Referrals can be made to the Centre for Human Rights, Equity and Inclusion, the Centre for Sexual Violence Response, Support & Education, the Office of Student Community Relations.

The Complaint process for alleged breaches of the Code of Conduct, Guidelines for Conduct of Athletes, should ensure confidentiality, be impartial, contain a conflict-of-interest clause, a good faith indemnity clause (that provides that a student-athlete who makes a disclosure of potential breaches is not subject to the University's policies related to drug and alcohol use at the time of the disclosure), and provide the authority to impose interim measures where appropriate. Given the inherently subordinate position of power that student-athletes experience vis-à-vis a coach or member of administrative staff, they should be permitted to file complainants anonymously.

- A non-reprisal section protecting student-athletes who make a complaint under the Code of Conduct, Guidelines for Conduct of Athletes against another student-athlete, coach or administrative staff person.
- Information on how to access support services for student-athletes, such as mental health contacts at York along with other key external resources.
- A section on concussions which refer to the Department's existing policies and protocols.

- Robust information and education to student-athletes about their rights and responsibilities and refers to the Department's policies and protocols in relation to hazing, anti-doping, social media, cyber-bullying, substance use, and an immunity clause for students who bring forward complaints while they may be in breach of the Code or Guidelines' use of drugs or alcohol.
- A timeframe for its review/renewal.

### ***HAZING POLICY DEVELOPMENT***

4. Review and enhance York Athletics' hazing policy to ensure identification of prohibited activities, such as any initiation that involves the consumption of alcohol, the use of social media to share pictures without one's consent, or the altering of an individual's appearance such as head-shaving. It should also be clear that active consent must be granted for any initiation activity to occur.

### ***RELATIONSHIP RESTORATION***

5. Consider a program, including mediation, facilitated discussions and agreements, centered around the experiences of student-athletes in the Department to enable the repair of ongoing relationships within the Department and among teams. Processes must be voluntary and protected from reprisal.

### ***TRAINING***

#### ***Student-Athletes***

6. Ongoing mandatory, comprehensive training at the beginning of the school year for all student-athletes, along with optional workshops throughout the academic year, that address issues of consent, sexual violence, victim-blaming, discrimination, harassment, unconscious-bias, racism, anti-Black racism, disability and the duty to accommodate. Mandatory peer intervention or active bystander training to student-athletes to equip them to intervene when inappropriate behaviour occurs.
7. Ongoing collaboration with the Centre for Human Rights, Equity and Inclusion and the Centre for Sexual Violence response, Support and Education to provide ongoing training on, and promote awareness of York's policies and resources pertaining to racism, discrimination, harassment and sexual violence. This will include elucidating the steps on how to make a formal complaint and what to expect from the process.

### **Coaching and Administrative Staff**

8. Mandatory annual training on issues of consent, sexual violence, victim-blaming, discrimination, harassment, unconscious-bias, racism, anti-Black racism, disability and the duty to accommodate.
9. Train coaching and administrative staff who provide direct services to student-athletes on how to appropriately respond to disclosures of anti-Black racism, discrimination, harassment, sexual violence and hazing.

### **INCREASED REPRESENTATION**

10. Work to increase the representation of racialized coaches and administrative staff through inclusive recruitment processes.

### **INFORMATION LOOP**

11. Establish a student-athlete advisory committee, representative of the diversity and intersectionality of student-athletes, with whom senior administration may consult on student-athlete related policies. (Perhaps the Sport Council or BIVSAA already fulfill this role.)
12. Create an annual end-of-year anonymous survey for student-athletes to complete that includes questions to track equity-related issues on individual teams and within the breadth of the varsity program. It would be best for the questions to be developed in consultation with entities such as the Centre for Human Rights, Equity and Inclusion and the Centre for Sexual Violence Response, Support and Education, with specific questions related to engagement and student-athlete satisfaction, disaggregated by race and gender, and team.
13. Establish exit interviews that include equity-based questions for all student-athletes who leave the varsity program or York before graduation.

### **DATA COLLECTION**

14. With the implementation of the York U Student Census, collaborate with the Vice Provost, Students in developing, assessing and maintaining evidence-based programs and initiatives that respond to the needs of student-athletes. The data should be used to strengthening student recruitment efforts, access, and success strategies to address and eliminate barriers within the Department's processes. The data should also track the identities of student-athletes when they join the varsity program, as well as for those who leave the varsity program or York prior to graduation.

## ***ACADEMICS***

15. Engage with a variety of academic advisors and support services to identify and provide academic support student-athletes academically, including a Study Hall for all student-athletes.
16. Develop guidelines for coaches delineating circumstances where a student-athlete may miss a practice or training to accommodate for academics.

## ***BUILDING A CONNECTION WITH YORK***

17. Promote events at York and among teams, especially those in relation to equity issues, on the Department's website and in its communications.

## ***L4L***

18. Consider ways to enhance the allocation of points for academic successes beyond what is currently allocated.
19. Consider expanding L4L to award points for attendance at non-Department York events.

## ***RESOURCE ALLOCATION BETWEEN SPORTS***

20. Increase transparency with student-athletes on the allocation of resources among teams. For instance, the information can be shared with the Sports Council, with an invitation for recommendations, feedback and/or consultation annually or every two years.
21. Consider strategies to allow York donors to contribute to a fund that would allow the Department to allocate funds at their discretion. .

## ***PERFORMANCE REVIEWS***

22. Develop, in consultation with human resources, a performance matrix related to equity diversity and inclusion for coaching and senior leadership in the Department. Staff to be supported by a learning plan to promote a culture of equity, diversity, and inclusion.