

Ready...Set...Score! A World Without Rape

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Abstract

An acclaimed documentary referred to a college campus as a “hunting ground”—a place where sexual predators come to “hunt” for their next victims. Why would this be? Oftentimes, perpetrators on college campuses are not held accountable for their actions, allowing the crime of rape to continue. In this op-ed, I explore how college athletes can be held more accountable for their actions through improved regulations. By holding athletes more accountable with the Tracy Rule—which will require them to self-report any acts of sexual misconduct—athletic departments will be able to demonstrate their commitment to ending rape. Regardless of if this change will lead to anyone truthfully self-reporting, it will clearly state college campuses’ solid stance on supporting survivors. Because college institutions exist to instill values of education, ensuring the safety of each student should take priority over assuming the eligibility of each athlete. Thus, campuses taking action is a step toward a world without rape.

Keywords: NCAA, Sexual Assault, Rape, Tracy Rule

Opinion

Don’t worry, friends, if a college athlete accepts bribes or takes performance-enhancing drugs, this will be a National Collegiate Athletic Association (NCAA) violation (Vcortez, 2019). Justice will be served!

And if a student-athlete rapes someone? Well, that’s not an NCAA violation. Justice? Not so much. Athletic teams should bring pride to the school not only by being star athletes, but also by being star humans who respect the consent of another human being.

To emphasize the value of morality in athleticism, athletic teams could adopt the Tracy Rule. The Tracy Rule prevents a current or prospective athlete from receiving athletically related financial aid, practicing, or competing at the relevant university if they have been “convicted of, pleaded guilty or no contest to a felony or misdemeanor involving Serious Misconduct,” as well

as if they have previously “been disciplined by the university or athletic department at any time during enrollment at any collegiate institution” (Tracy, 2019). As a part of the Tracy Rule, the student-athletes must complete the serious-misconduct questionnaire every year to self-report both pending and closed cases against them. Examples of serious misconduct are sexual violence, domestic violence, stalking, and hate crimes (Tracy, 2019).

Responding to this questionnaire would enable institutions to keep their athletes accountable. This is substantial because today, it is ironically survivors of sexual misconduct who are often held accountable for being harassed. Referred to as “victim-blaming,” this includes comments such as the following directed toward survivors: “Were you drinking?” “What were you wearing?” “Did you flirt with them?” Questions like these unfortunately imply a person should not *get* raped, rather than a person should not *rape*.

According to an investigation by a USA TODAY Network, since 2014, at least 33 student-athletes have gone on to play at NCAA schools, regardless of alleged sexual offenses at a previous institution (Jacoby, 2019). Why do academic institutions downplay any sexual assault allegations against their athletes? Maybe because someone’s privilege to play sports is more important than someone’s right to say no. Maybe because bringing money into the university through sports is more important than the reason the university even exists: to provide a safe educational experience.

Somewhere along the lines, profit overthrew purpose. Many student-athletes accused of sexual assault either continue playing at their school, or they simply transfer schools to continue playing. While they walk the path of stardom and victory for the rest of their lives, they leave a trail of shame and fear in the survivors’ lives. We live in a society that rewards the perpetrator

and blames the victim. This much change, and the best way to enforce accountability is through the Tracy Rule.

The University of Texas at San Antonio (UTSA) is the only university to show its support for a safe campus by wholeheartedly accepting the Tracy Rule (“UTSA,” 2019). What does that mean for the other 1,199+ schools that are part of the NCAA? By not requiring their student-athletes to report any pending and current investigations, the schools are violating Title IX of the Civil Rights Act of 1964. Title IX is a civil rights law that “prohibits discrimination on the basis of sex in any federally funded education program” (“Overview of Title IX,” 2015). Sexual harassment is listed as a violation of Title IX, and letting rapists walk freely around campus is a hindrance to those who attend college for a quality education (“Ventura College,” n.d.).

Additionally, requiring student-athletes to report any prior disciplinary actions against them allows them to respect the Clery Act. The Clery Act respects a consumer’s right to be informed; thus, the Clery Act requires universities to report campus crime statistics (“Clery Center,” n.d.). Overlooking college athletes’ crimes as a factor in these statistics demonstrates not only the disregard for humanity—that rape is not important enough to be reported—but also a disregard for the Clery Act.

Thus, it is vital to gather reports regarding sexual misconduct among college athletes. Admittedly, doing so is not infallible. Because the aforementioned Tracy Rule’s serious-misconduct questionnaire requires student-athletes to self-report, one may argue dishonesty is still an option. While it is true athletes who have been accused of sexual assault will be disincentivized to tell the truth, out of fear that it will jeopardize their athletic career, it still sends the message that athletes should not commit rape. Thus, student-athletes who do have an

unflattering background will think twice about their actions, even if they choose to lie on the questionnaire (Jacoby, 2019). Although it is not foolproof, it is a strong move for athletic departments to show they stand with rape survivors and not rapists. It's a step in the right direction. It is—paraphrasing Neil Armstrong—one small step for human, one giant leap for humankind. Thus, if a university truly wants to bring in money to their institution through sports, they should ensure they are doing it through glorifying only student-athletes who will bring honor to their university.

By valuing student-athletes' freedom more than their responsibility, we are saying we value sports and freedom over the law, humanity, and rights. For each student-athlete who commits rape and walks free, another human carries the burden and walks chained. Is this what we mean by "America—the land of the free and the home of the brave?" So sorry, I did not realize that "free" and "brave" equated to rapists, but those are the people who our academic institutions tend to give priority to. The NCAA has the power to redefine what "freedom" means to America by requiring the Tracy Rule in all their schools and conferences.

We can win this together. The goal is a world without rape. Now, it's time to score.

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