



**University of Kentucky
Office of Student Conduct**

513 Patterson Office Tower
Lexington, KY 40506
P: 859-257-3755
www.uky.edu

May 13, 2020

From: Dominick Williams, Director, Office of Student Conduct
RE: UK Cheerleading

Incident Report

The initial incident report was received from the complaining party reported to a college administrator on February 3, 2020. The report stated the following:

“I received a call from a parent regarding the cheerleading team. She informed me that the squad was on a boat, drinking was involved and the cheerleaders were encouraged to go topless. She also said during the retreat in TN, the cheerleaders were required to stand up on a table and sing a song that had major sexual content. After they sang it once, they were encouraged to sing it again with their clothes off. She said both T. Lynn and the head coach, Joe (did not catch last name) were there. She said that a previous assistant coach, Debbie (did not catch her last name) videotaped this as one point but was forced to remove the video from her phone. As a mandatory reporter, I am letting you know about this phone call.”

Investigation Process

Based on the initial timeline provided by the reporter, individuals were asked to participate in an investigative interview.

Interviews where conducted by the following team:

• Mike Brown	• Martha Alexander
• Ellen Kilgore	• Brandon Williams
• Magnolia Justice	• Julia Philips
• Libby Hogan	• Laura Braise
• Emily Britt	

The following 54 individuals were interviewed on March 12 2020, March 26 2020, March 31 2020. Several individuals who missed their interviews were interviewed later or received a Dean of Students Hold and have not been in contact:

	Witness		Witness		Witness		Witness
[REDACTED]	1	[REDACTED]	15	[REDACTED]	29	[REDACTED]	43
[REDACTED]	2	[REDACTED]	16	[REDACTED]	30	[REDACTED]	44
[REDACTED]	3	[REDACTED]	17	[REDACTED]	31	[REDACTED]	45
[REDACTED]	4	[REDACTED]	18	[REDACTED]	32	[REDACTED]	46
[REDACTED]	5	[REDACTED]	19	[REDACTED]	33	[REDACTED]	47
[REDACTED]	6	[REDACTED]	20	[REDACTED]	34	[REDACTED]	48
[REDACTED]	7	[REDACTED]	21	[REDACTED]	35	[REDACTED]	49
[REDACTED]	8	[REDACTED]	22	[REDACTED]	36	[REDACTED]	50
[REDACTED]	9	[REDACTED]	23	[REDACTED]	37	[REDACTED]	51
[REDACTED]	10	[REDACTED]	24	[REDACTED]	38	[REDACTED]	52
[REDACTED]	11	[REDACTED]	25	[REDACTED]	39	[REDACTED]	53
[REDACTED]	12	[REDACTED]	26	[REDACTED]	40	[REDACTED]	54
[REDACTED]	13	[REDACTED]	27	[REDACTED]	41		
[REDACTED]	14	[REDACTED]	28	[REDACTED]	42		

Interview Outcomes

The individuals who were interviewed were asked about their experience with several cheerleading events and they provided the following details describing these events:

Retreat

Prior to the beginning of Fall semester, tradition is for the Coaches, an Advisor, UK Cheerleading team, Mascots and Trainers to go to Jabez, KY at a 4H Camp owned by the University of Kentucky. The team members described this retreat as an opportunity for team bonding. They were told rules, expectations, and stories by the coaches and advisors. The following are statements provided relative to potential code violations at the retreat:

- People were talking about drinking and planning to drink at the retreat, they hid alcohol in their bags (WIT 49)
- BYOB – drink it in cabins – pour it in the Gatorade bottles that are provided – people bring

liquor not beer – will drink to pregame in the cabins – a lot of things happen without coaches knowledge – some will go swimming at night – half mile walk – will be intoxicated and go down – I went my first year because of seniors telling me – normally the first night – skinny dip – post in group message “who wants to go skinny dipping” Don’t know if it occurred this year – was pushed back to second night because of weather – tired from running – first three years it did okay. (WIT 5)

Commented [PN1]: These bulleted points are the statements from witnesses, such as the cheerleaders interviewed. The points are either quotes or summaries of conversations investigators had with cheerleaders. This is true for the entire document until the heading “Policy Discussions and Findings” on page seven.

- Secretive drinking – hide it from coaches, but also other members. Coaches wouldn’t know that alcohol was present. Not sure what alcohol was there. I’m assuming they brought mixed drinks – Gatorade with clear. (WIT 9)
- T.Lynn and Jomo do a long presentation about rules and expectations, including no drinking or alcohol use for the entire year, Jomo tells them that there’s a no drinking and no drugs policy (WIT 49)
- Jomo told them to meet at the field to play kickball; when they got there Jomo yelled and made run because alcohol, basket tosses, and someone was harassing someone. (WIT 38)
- Two boats
 - Reese White owned one of the boats. He also used to be the white team coach, doesn’t know other guy’s name. There were Jello shots, white claws. Doesn’t know who brought the alcohol, but it was on Reese’s boat. (WIT 27)
 - Ben was drinking and drinking in front of them. Student was on boat with Ben and saw him drink. There were Jello shots, white claws. (WIT 15)
 - Beer, wine cooler type drink and liquor- tequila. It was available for them to drink. The older cheerleaders were getting in the cooler. Available for anybody. Did drink on the boat- no idea if all people drank. His boat most people did drink. Big cooler on the floor. Coaches on the docks while they were on the boats. (WIT 50)
 - Cooler of alcohol on the boat, student was only on a boat with T. Lynn and people were drinking in front of T. Lynn. Beer, seltzer (previous year) (WIT 7)
 - Believes these people were 21 or older
 - Alcohol on the boats – recalls beer, white claws, similar things., beer has been there all three years (WIT 11)
 - Jomo is very adamant about not seeing alcohol at retreat – doesn’t want to see it, doesn’t want there to be any. Alcohol is provided by the boat owners – they will offer it and say this drink is in this container. On the boats, each boat has separate containers with jello shots, tequila mixers, etc. Make sure you throw this out before you (WIT 5)
 - To my knowledge Jomo has been on the boats – Jomo isn’t ignorant about anything, which is why they try to hide it. (WIT 5)
 - Think people were talking about drinking/planning to drink. People were hiding the alcohol in their bags and they were talking about hiding it so they wouldn’t get caught (WIT 49)

UCA Camp/ ETSU

The UCA Camp is a cheerleading camp, which is required for the team to attend to later qualify for national tournaments. The camp takes place at Eastern Tennessee State University. The Coaches, UK Cheerleading team, and Mascots attend the camp. The team members describe this as a standard cheer camp, where they learn and practice cheerleading skills and eventually have a small competition with other schools. The students stay in residence halls on campus. The following are statements provided relative to potential code violations at the camp:

- Camp highlights general UCA rules and safety measures; game day aspect of college cheer are reviewed; stunting class based on school and the skill level of the athletes; basket class

and pyramid class as well; typically 3 times the whole camp meets up over the 3ish days; near the end the males will do an Olympics competition while the women learn a dance; throughout the camp learning skills for the showcase on the last day where points are awarded and camp awards are given out. (WIT 4)

- The team is required to go so they are eligible to compete at the UCA level; many other schools in this region attend this same UCA camp (between 10 and 30 other schools attend) (WIT 4)

- People drank on the trip. Just the night of the chant for the majority of us. It was pretty loud that night so the coaches caught on. The next night they had to be quieter to avoid trouble with the coaches. Captain Morgan and Vodka as both shots and mixed drinks. (WIT 38)

- Toast

- One day they got together as a team. Unprompted shared information about Cheer team song: It's called the toast. Someone will send the lyrics to you to learn. Shared it's pretty inappropriate—curse words, messages overall more sexual. About Girls and guys hooking up. At camp perform it in front of the girls. Only the new girls had to preform it. They would be one person's room and then go over to the older girls to sing it. Didn't think it was that weird or inappropriate. (WIT 15)

- All the freshmen learn it because it's something we've done for a long time; It's our like initiation; Doesn't know why we do it. It's something we do as a team. (WIT 6)

- Knows about the toast- never learned it. Knows it's a UK tradition. Girls have a part, guys have a part. He has heard it, never cared enough to learn it. Not a "pure toast" by any means- something college kids would toast to. Knows that it is lewd in nature. UK themed and guys and girls have a part. (WIT 50)

- Nationals last year when we won. After awards we ordered pizza for team. Everyone came to get food. Coaches congratulated us on the win. Then we sung it. Coaches heard us signing some joined in. (WIT 29)

- Told to wear shorts and wife-beater for the guys; unsure of what the girls are told to wear. If you mess up you have to take off an article of clothing "but they didn't mean it" They bring in one person at a time to perform for the squad who holds flashlights. If you get something wrong you have to take off an article of clothing. No one went farther than a shoe "they wouldn't let you—no one wants to see that" (WIT 38)

- For a few they [the lights] were off, they jokingly make it a little more intense by turning the lights off, but only if they knew the guy could handle it. Sang it in one of the rooms. Didn't do with females. He was present for them singing it. Most were there for it. They would ask if they wanted lights on. If they were off; they knew they wouldn't say yes. A way to make it little more intimidating. The intimidation was a little side joke. Not something done every year. Toast song is a private thing, not allowed to record it. It's a tradition. (WIT 31)

- The idea was to intimidate -- people would have this chip on their shoulder -- "we gotta make sure they don't do that stuff" -- would pick and choose who we could intimidate -- would occur night before final day -- would be around 10:30 or 11 -- at midnight you do the toast, then you leave to go to bars or something. (WIT 5)

- Mess up one time -- take off the shoes -- an "intimidation thing" turned off lights, one or two lights off -- here to intimate them. A couple of the guys -- we knew the guys fairly well -- we told them we would change it on someone if they could "take a joke." If they couldn't take a joke (if they were scared) we would turn lights on

and spread out more, (WIT 9)

o Lights were off for 3 times out of the 10. One light would be on for most of the people- Not sure what the girls did – only with the guys (WIT 9)

o Toast song – first two years was separate completely. This past year, mascots were more so included in what happened at camp. Separate guys and girls – no clue what girls did. Bring them in one at a time to a residence hall room. Back of room -> just see if they could recite it without messing up. Would make them start over. From the best I remember, socks and shoes – reaction of crowd. They would yell “socks and shoes” “socks socks” this was the actual outcome. Not sure of the purpose – was not involved in those decisions. Lights off for the reciting. (WIT 46)

o Toast was learned at camp. Told them what it was. New people went and rehearsed it in another room. New guys did sing one at a time. Lights were off when they started, but on after. Told they needed to wear pjs- for him that was wife-beater and sweatpants. Returners were wearing the same thing. Everyone had wife-beaters as it is what they wear under uniform. If didn't get it right would just say start over. When asked if everyone knew to bring a wife-beater shared they did get a list from coaches of what to bring to camp. Clarified that there were not required to wear it just happened to be wearing it. (WIT 24)

o Only thing I kind of remember is the line “but you're a cat, true blue, no doubt” this was the big takeaway. (WIT 32)

o One lyric is “Two hours of pushing fast that is going to make you last” which is talking about practice. (WIT 2)

o Googled and taken from old irish toasts – someone pieced these together – “they still have the box their cherries came in; we'll fuck em standing, dig them up and fuck them rotten” (WIT 5)

o It's a long song, a lot of “here's to the girls in the little blue skirts” – about the boys and girls in program coming together – no more profane than any other athletic – football players have their friends – things you could take “two hours of push and pass, are you gonna last” This is our thing that we do when we are together. (WIT 33)

o At camp perform it in front of the girls. had to preform it. They would be one person's room and then go over to [REDACTED] to sing it.

o Used to be a roast – [REDACTED] would choose to learn about individual returners and past mistakes – meant as a joke, funny reminder of past mistakes (WIT 5)

- Roast – I had heard about this, before I could see what it was, our coach told us anyone would did so would be dismissed from team – JoMo. This was not last year – was either my freshman or sophomore year. This convo happened at camp – may have been on the bus, may have been when we arrived. (WIT 52)
- Happened in previous years younger people insult the older people. A couple years ago someone said a joke that didn't go well. Feeling hurt- told coaches and coaches shut it down. Participate in her first 3 camps. Coaches said this is ridiculous, shouldn't be done. Not a tradition. Didn't want anyone feeling like they were being bullied. Happened at end of camp. (WIT 30)
- This year, JoMo – one girl complained about the roast last year – JoMo said no more roasts – this year, we're going to change it up and just learn the song – student never actually learned because you just learn the lyrics as you hear it (WIT 5)

Off-campus parties

Off campus parties take place once or twice a month. One event that normally has a party is the end of Spring semester after tryouts have been completed. Most parties appear to be set up via text messaging and group me. Most have been reported to be “BYOB”, however, several students explained that alcohol was present when they arrived, or they provided money for someone else to purchase alcohol. The following are statements provided relative to potential code violations related to off campus parties:

- Off-campus parties were common, one specifically always took place after tryouts. the first program bonding event. (WIT 49)
- House parties more common for the people who aren't 21 (WIT 8)
- People on the team. Sometimes the grad asst coaches will come – usually they don't – I think the asst coaches is a little too close – one of them is really close in age, that's not right – this isn't the head coaches – have seen others get away with something (WIT 11)
- Everyone brings their own alcohol. Kind of depends on what they want to drink. Not providing common alcohol like hooch or a bottle. (WIT 8)
- Few of the messages have stated things about collecting money for alcohol being provided message is something along the lines “If you plan to drink like the message. Whoever is purchasing it then gives Venmo to pay.” (WIT 29)
- Just players mainly- sometimes people bring a friend or two, but usually people they know from home. Parties haven't really been happening this semester, used to be one or two a month (WIT 8)
- Parties- freshman year lots of upper classmen had parties at each other's houses. Usually only the cheerleaders, sometimes others were allowed. (WIT 7)
- Group me for team members- would send out information about party. Alcohol was at parties- upperclassman already paid for the alcohol. Only time asked to pay if drinking. Typically had beer, vodka, some times make pitcher/jug (hooch). Whoever is most responsible would collect the money.- Handled by upperclassmen. House are different every time. (WIT 7)
- Only once they ask- mixed a special drink- venmo. Happened twice; person's house (WIT 15)
- Rotate houses no coaches, alcohol is there. The older people or the ones that are hosting. Underage people are drinking. Mostly vodka. Thinks people who are hosting are the ones getting the alcohol. If people are drinking typically ask them to Venmo the host some money. Attendance depends on party 70-80 % of team. When blue and white party together probably 60 % there. Typically only cheerleaders there, other can come. Info about party sent in the group me. Most of the time it is probably communicated that day. (WIT 19)
- Vodka pretty much. Not sure who provides the alcohol-it was just like a frat house thing and there were random people there; Spenser was there; Ben was not there; unsure about Kelsey. (WIT 38)

Concerns Outside of the Scope of the Code of Student Conduct

- Coach's Gym
 - Off Campus gym is used by the cheerleaders can because they can practice on a spring floor (WIT 26)
 - Coach Head explained the students do odd jobs in the gym to pay
- Topless/Pants-less Basket Tosses at the Retreat

- Topless baskets did happen this year. This year- 3/4 of the girls went topless. 3/4 - 1/2 went topless the year prior. If they start baskets- start with those on dock. Then others go when they get back from boat they filter in. Some will go pants-less- a handful 2-3 maybe. Guys usually asked the same two questions. Do you want to do it? Do you want to go pants-less? (WIT 29)
- Stated that coaches try to keep lost in conversation. Further asked what she meant by that, stated that they try not to observe the them. Knows it's going on but not address it. Just tell them to make sure people are launching far enough way from dock so they don't get hurt. (WIT 29)
- Well technically it wasn't supposed to happen around the coaches but they saw it and the group got in trouble; weren't supposed to do it around coaches because some people take their clothes off; some people are just a little crazy; all of the coaches saw—they were on a boat close by, watching; the team was supposed to wait until later but didn't so they did it in front of them (Jomo, Ben, Kelsey, and Spenser. T-Lynn was there on the boat and saw as well). TLynn is the main one you don't want to make mad. maybe 2-3 women did it topless; 1-2 guys went bottomless. (WIT 38)

- Cheer Experts

- A company that Spenser and another alum started; they do clinics and teach kids/high school students to stunt; they also do camps for those groups; they do some stunt design (WIT 4)
- Students are paid to work for cheer experts.
- One student mentioned poor behavior happens while students are on these trips.
- Express interest to Spenser; the schedule varies and he picks the number of coaches and the types of coaches based on the needs of the camp (ex: stunting camps need more males); if you're not a good teacher Spenser won't hire you—if you don't benefit his company he won't hire you. (WIT 4)

- Per Diem Cards

- Limited guidelines, provided equally based on trips
- Guidelines for spending- They tell us it needs to be for food, I don't really eat all that much so Christmas money too (WIT 10)
- Don't spend it all in one place and be responsible; no other real guideline but Jomo would remind the group what it's for—"it's your money but don't waste it"; no rules about what they couldn't spend it on, just reminders about what it's supposed to be used for (WIT 4)

- Coaches Who are Recent Alumni

- Have very close relationships with team (WIT 4)
- [REDACTED]

Policy Discussions and Findings

In accordance with the University of Kentucky Administrative Regulation 4:10: Code of Student Conduct (Code), the events with alcohol at the retreat and off-campus parties are considered unregistered university events with alcohol. The manner in which team members were made to sing the toast at the UCA Camp is considered an unregistered Registered Student Organization (RSO) participation in hazing behavior.

Commented [PN1]: This sentence is essentially the main conclusion of this report – the cheer team behavior regarding the lewd chant constitutes hazing.

The UK Cheerleading team acts in a policy grey area. The team functions as a sponsored organization under UK Athletics, with the added difference from other department sponsored organization that UK Athletics pays for professional coaches to lead the team and other team expenses. It is the Office of Student Conduct's opinion that given the UK Cheerleading team is not an NCAA team, then they must fall under Administrative Regulation 4.1 and should have been registered as such with the University. Under the Code of Student Conduct Administrative Regulation 4:10: Section IV. "Registered Student Organization (RSO)" means a group of persons who have complied with registration requirements as determined by the Office of Student Involvement in accordance with Administrative Regulation 4:1, Registration of Student Organizations. Groups that seek, but have not yet been granted registered status, are also included". This organization has used UK's campus facilities, represented UK in official events, and has received financial resources from the University. Therefore, the team received resources akin to the designated privileges afforded to RSO's under Administrative Regulation 4.1, without being registered. This means they did not appropriately register through the RSO process while using UK resources.

The Code Section 6. P. states, "Misuse of Alcohol is using, possessing, or providing alcoholic beverages in violation of Administrative Regulation 6:4, University Alcohol Policy. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or given to any person under twenty-one (21) years of age". University of Kentucky Administrative Regulation 6:4 then goes on to specify, "Serving, selling, or using alcoholic beverages at any official University event that is held at a personal residence or other off-campus private facility, shall comply with all aspects of this regulation." Included in Administrative Regulation 6:4 is "It is unlawful for anyone to aid or assist any person under 21 years of age in purchasing, or hazing delivered or served to him or her, any alcoholic beverages. (See KRS 244.085)".

The Code explains, "UK Activity" means any activity on or off UK Premises that is aided, approved, sponsored, or supervised by UK or a Registered Student Organization". Administrative Regulation 6:4 explains, "University Events" are defined as events which are "promoted, advertised or recognized as a University activity;". Under these policies the retreat and off-campus parties related to tryouts would be consider RSO events. The pertinent facts of the case, as provided by the individuals who were interviewed include:

- Alcohol was supplied on the boats. The individuals driving the boats were invited to the retreat by the coaches. The individuals who brought the boats had former relationships with the team.
- Students brought alcohol to cheerleading events in Gatorade bottles. This was known by the team. Two team members were intoxicated to the point of showing obvious behavioral signs.
- Off-campus parties happened one to two times a month at UK cheerleaders houses. These parties consisted of mostly cheerleaders. People under 21 years of age would drink at these parties and there was occasional purchasing of alcohol for the parties by the group.

The Code Section 6. M. states, "Hazing is any activity that violates Administrative Regulation 6:10, UK Hazing Policy." Administrative Regulation 6:10 University of Kentucky Hazing Prevention Policy specifically defines hazing as: "any action or situation created by a member of the University Community against another member of the University Community for the purpose of affiliation with a group or organization that: 1. Is negligent or reckless in nature; 2. Is

Commented [PN1]: The next two pages detail where cheerleading falls in the university structure and how that determines what rules the incidents were in violation of. The report concludes that the cheer program is equivalent to a student organization, even though it receives funds from athletics. As a student organization, the cheer team is subject to alcohol use policies and the section of the honor code that applies to any activity aided or sponsored by that UK organization. Those two clauses combine to say that the cheerleaders can be held accountable for drinking at the lake retreat because it was a university-sponsored trip on university property, and alcohol consumption on such a trip is in violation of the alcohol policy.

Commented [PN2]: This section explains how the activities of the cheer team meet the qualifications for being considered hazing. The allegations against the team falls under the second clause, of humiliation to an individual, because of the circumstances around the lewd chant.

humiliating or endangers an individual; or 3. Unreasonably interferes with scholastic or employment activities.” The singing of the toast as an intentionally intimidating environment would be considered an attempt to humiliate team members. The pertinent facts of the case related to Administrative Regulation 6:10 University of Kentucky Hazing Prevention Policy, as provided by the individuals who were interviewed include:

- Individual team members were made to learn a song with lyrics that were discomfoting enough that members were uncomfortable sharing details with investigators.
- The men were made to recite the song at the UCA Camp in an individual room.
- The lights were turned on an off in an attempt to “intimidate” the team members, while [REDACTED] watched.

The Code states behavior is associated with an RSO when:

1. The conduct is endorsed by the RSO or any of its officers (“endorsed by” includes, but is not limited to, the following: active or passive consent or support, having prior knowledge that the conduct was likely to occur, or helping to plan, advertise, or promote the conduct);
2. The conduct is committed during the course of an activity paid for by the RSO, or paid for as a result of one or more members of the RSO contributing personal funds in lieu of organizational funds to support the activity or conduct in question;
3. The conduct occurred on property owned, controlled, rented, leased, or used by the RSO or any of its members for an organizational event;
4. The purpose of the activity was related to initiation, admission into, affiliation with, or as a condition for continued membership in the RSO;
5. Non-members of the RSO learned of the activity through members, advertisements, or communications associated with the RSO, or otherwise formed a reasonable belief that the conduct or activity was affiliated with or endorsed by the RSO;
6. Members of the RSO attempted to conceal the activity or protect other members who were involved; or
7. One or more officer(s) of the RSO had prior knowledge or reasonably should have known that the conduct would take place.

Based on guidelines #1, #2, #3 #4, #6 and #7 to evaluate organizational behavior within the Code, the behavior of the UK Cheerleading team should be considered RSO behavior. The students as an organization planned to bring alcohol to team events, creating conditions for hazing behavior, and perpetuated this organizational culture without the direction or organization of their coaches. This does not absolve the coaches or advisor of a failure to recognize the behavior, attempt to stop the behavior, or to report the behavior appropriately. However, the students maintained these traditions throughout these different events on their own and have acted as an RSO.

The traditions on the UK Cheerleading team, while the individual members did not control who was on the team or their roster, were clearly creating a culture which fostered intimidation related to the social dynamic on the team. Having to learn a song that is lewd in nature as [REDACTED] of the team, lewd enough that most students felt uncomfortable sharing the complete lyrics with the investigators, as a way of creating comradery should be consider hazing on its own merits. However, bringing in the experience of having new members come into a room at the UCA camp, [REDACTED] being present and to turn on and off lights with the direct intent to intimidate, even for fun, is inappropriate and creates boundaries for inclusion with the UK Cheerleading team that

Commented [PN3]: This section ties together the previous two statements, that the cheer team is equivalent to a student organization and that the activities constituted hazing, by concluding that because the behavior happened with a student organization it is subject to the student honor code. This particular case met six of the seven guidelines for that association to be made. The highlighted phrases in this section indicate what clause the cheer team (the RSO in question) met for the lewd chanting incident.

Commented [PN4]: In other words, the investigation concluded that the lewd chant was hazing because of the way students had to perform it, but that the idea of performing the song as a means of bonding should be enough to warrant that conclusion.

should not be present. Even in considering some of the facts that were not fully substantiated, such as students being asked to wear different articles of clothing or feeling pressure to not wear clothing, continues to push on the boundaries to inclusion to the team. From the coach's statements, it appears they are aware of the toast song the student's used and for all of the coaches, this toast song existed when they were cheerleaders at UK. When they became coaches, they failed to address this behavior.

Commented [PN1]: This sentence refers to one of the elements of the hazing clause in UK's policy, which is that the event is created with the purpose of affiliation with a group. This sentence says that the lewd chanting, even students were not pressured to change or remove clothes, falls under that category in that it was to be completed by new members as part of an initiation into the group.

Alcohol was prevalent at the retreat, with knowledge by the coaches of its presence. It has been confirmed there was alcohol supplied on the boats by the alumni, who was a former coach, which included hard liquor, Jell-O shots, and White Claw. It is likely the coaches would have been aware of this activity, as it is confirmed to happen at least the last four Fall semesters by older members of the team. While it appears true that two students became intoxicated on their own with alcohol in water bottles and the team was made to run by the head coach, it also appears the reaction to run has to do with the timing of the students' intoxication. The boats supplied alcohol to any team member who swam out to board the boat. Regardless, it appears common from the students' statements that alcohol is regularly brought into the retreat, the students planned who would bring it, and the two incidents were not isolated. This retreat is not necessary in the future, any setting of expectations can happen on campus, and any related opportunities to provide students a place to relax should not be related to a team event.

Commented [PN2]: All four coaches were UK cheerleaders during their time in college; this sentence is saying that they would have known about the chant because of that, but did not stop the lewd chants once they had the power to do so.

Finally, the students admitted there are regular off-campus parties with the team. By the statements, it appears there were one to two parties a month with the cheerleading team. There is some evidence that students provided money to other students to purchase alcohol for these parties. Most students said these parties were BYOB. At midnight of these parties they would sing the toast song as a part of a cheerleading tradition. Invitations were provided via text message and Group me and the parties took place at different off-campus houses of members.

Commented [PN3]: The pre-planning associated with alcohol use falls under one of the seven guidelines for behavior associated with a student organization, found on the previous page. Those guidelines were used to say that the lewd chant constituted hazing.

The alcohol at the retreat and the off-campus parties both are considered an unregistered event with alcohol. The behavior of observing new members singing a lewd song with lights on and off in order to intimidate them constitutes hazing. It is important to note, there was no concern regarding physical harm, no consequences regarding not knowing songs or chants, and it appears moderate alcohol use. The behavior in total constitutes low level violations of the Code which need to be addressed and prevented in the future.

Recommendations for Policy

Based on the investigation, the following charges of the Code of Student Conduct are recommended for the UK Cheerleading Team:

Code of Student Conduct 6.P. Misuse of Alcohol Code of Student Conduct 6.M. Hazing

Global Recommendations for Conditions Needed to Continue Operations

Working with the UK Cheerleading team in an educational manner will need to be balanced with accountability. It is recommended the UK cheerleading program be under the supervision of the Athletics department, which should, at a minimum, ensure the following oversight functions take place:

1. All coaches including graduate assistant coaches should comply with NCAA rules on outside income.
2. All outside income opportunities for cheerleading coaches including graduate assistant coaches should be reviewed in advance through established University and Athletics Department protocols for potential or actual conflicts of interest.
3. Per diem cards for cheerleaders on University authorized travel should be administered on the same terms and conditions as for other student athletes.
4. Cheerleaders should adhere to the same drug/alcohol testing processes, procedures, and rules as other student athletes.
5. All University sponsored team activities should be appropriately supervised to ensure University policies are followed at all times.
6. Access should be provided to ongoing programming from the Office of Institutional Equity and Equal Opportunity and hazing prevention resources from Student and Academic Life on campus for all cheerleaders. All members of the cheerleading team are required to attend such programming annually.
7. All potential violations of the Code of Student Conduct and other UK policies should be reported through the Executive Associate Athletics Director and Senior Woman Administrator to the Office of Student Conduct and/or directly to the Office of Institutional Equity and Equal Opportunity including, but not limited to, potential violations of Title IX and Title VII. Disciplinary action for infractions may be instituted by the appropriate institutional office.
8. Cheerleading coaches, other than the Head Coach, will be clearly designated as either assistant coaches or graduate assistants with defined job descriptions for each position.