



# XAVIER UNIVERSITY

## Policy Prohibiting Any Participation in Sports Wagering

**Effective:** May 1, 2021

**Last Updated:** May 1, 2021

**Last Reviewed:** March 29, 2023

**Responsible University Offices:** Human Resources and Student Affairs

**Responsible Executive:** Vice President for Administration

**Scope:** includes all students, faculty, and staff, as well as contractors, employees of contractors, and volunteers who provide any services to the Xavier University Department of Athletics, Xavier University's intercollegiate athletic teams, and/or student athletes. ("Prohibited Persons").

### A. REASON FOR POLICY

Certain states where some of Xavier University's intercollegiate athletic teams compete have enacted legislation making lawful Sports Wagering on certain NCAA Division I sports. Xavier University establishes this policy prohibiting Sports Wagering even where allowed by law so as to promote and honor fair play in intercollegiate athletics; to avoid any inference of or actual profiteering from inside information, exercising undue influence, or other improper conduct; to protect our student athletes who are deemed especially vulnerable to manipulation because of their accessibility, age, and role at Xavier; and to hold ourselves to a standard of honesty, integrity and good sportsmanship beyond reproach for each other and as a model to our students.

### B. POLICY

Xavier University's Prohibited Persons are not permitted to make a Sports Wager (on their own behalf or on behalf of others) on any athletic event or contest (including practices) in which a Xavier University intercollegiate athletic team and/or student athlete participates. Similarly, Prohibited Persons may not knowingly disclose nonpublic information regarding Xavier University intercollegiate athletic teams and/or student athletes for the purpose of influencing Sports Wager activities by any third persons. Student athletes and those employees associated with the Athletic Department are also subject to certain prohibitions by the NCAA and the Big East Conference rules and in case of discrepancies, the rule most prohibitive of Sports Wagering and supporting of the reasons for this Policy governs. Employees (including student employees) are also bound to confidentiality and privacy by

the Family Educational Rights and Privacy Act (FERPA) and other such privacy policies of Xavier University and in case of discrepancies with such laws or policies, the rule most protective of student privacy and supporting the reasons for this Policy governs.

This Policy applies even if Sports Wagering is legally permitted in the locale where the wager is placed.

This policy will be reviewed and revised no less than annually to take into account changes in applicable law, feedback from annual University department reviews and reports, and developments in best practices.

## C. DEFINITIONS

- a. **Sports Wager(ing)** includes placing, accepting, facilitating or soliciting a bet or a wager of any type with any individual or organization on any Xavier University intercollegiate athletic team, and/or Xavier University student athlete, and/or any activity, contest or practice of any Xavier University intercollegiate athletic team. Examples of sports wagering include, but are not limited to: one person directly or indirectly betting another; the use of a bookmaker or parlay card; Internet sports wagering; auctions in which bids are placed on teams, individuals or contests; and pools or fantasy leagues in which an entry fee is required and there is an opportunity to win a prize. A wager is any agreement in which an individual or entity agrees to give up an item of value in exchange for the possibility of gaining another item of value. The only exceptions would be: a) A Sports Wager between Xavier and another University, or between the Presidents of the respective universities, where the amount involved is nominal and representative of the teams or the localities (i.e. Cincinnati chili against Kansas City barbeque); and b) March Madness pools where Xavier is one of no less than 32 choices and the amount of the sports wager is no more than \$20.00.
- b. **Prohibited Persons** includes all students, faculty, and staff, as well as any contractors, employees of contractors, and volunteers who provide any services to the Xavier University Athletic Department and/or its student athletes.
- c. **Nonpublic Information** is meant to include information that could in any way affect or influence the outcome of an athletic event or performance of a team or individual student athlete, such as, but not limited to, player availability, data or other statistics, health status, academic eligibility status or other factors that only those in close proximity with the student athlete or athletic team could readily ascertain.

## D. VIOLATIONS

Any individual who violates this Policy will be subject to disciplinary action in accordance with the applicable Xavier University procedures that implement sanctions for students, faculty, and staff. Independent contractors and their employees will be subject to action by the Vice President for Administration.

Disciplinary penalties may include written reprimand, formal warning, suspension, termination or dismissal, or such other penalties as the University deems appropriate and consistent with the gravity of the offense. In the case of faculty, violation of this

Policy may constitute grounds for dismissal of a tenured or untenured faculty member, as determined by the processes described in the Faculty Handbook.

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**Other applicable policies and/or resources:**

It is noted that University Trustees are governed by comparable policy developed by the Board.