

UNIVERSITY OF HOUSTON SYSTEM
INTERNAL AUDIT DEPARTMENT
SPECIAL PROJECT REPORT

UNIVERSITY OF HOUSTON
UH Student Athlete Health & Safety

REPORT NO. SP2020-01

University of Houston System Internal Auditing Department
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Background: At the General Counsel’s recommendation, the Audit and Compliance Committee of the University of Houston System Board of Regents requested the Internal Audit Department to review the assertions contained in a newscast of KPRC television station which aired on June 11, 2019 and contained an interview with an anonymous UH soccer player describing a February 2018 workout as “torture” that resulted in a student-athlete being diagnosed with Rhabdomyolysis (Rhabdo). The General Counsel requested the reviews by Internal Audit and the UH Police Department after determining that the description of the event asserted in the newscast triggered the University’s Hazing Policy. Additionally, the newscast referenced a workout in January 2019 that resulted in numerous soccer student-athletes being diagnosed with Rhabdo. The newscast also asserted that the University had been made aware of the 2018 workout in January 2019 through an email received by the University from a parent of a former student-athlete. A comprehensive timeline related to the Rhabdo investigation is included as Exhibit 1.

Objectives: To determine:

- Whether the Asst. Strength Coach complied with University policies and guidelines and acted appropriately;
- Whether the Head Women’s Soccer Coach complied with University policies and guidelines and acted appropriately;
- Whether Athletic Department management complied with University policies and procedures and acted appropriately;
- Whether the Athletic Department had the right policies and procedures in place to address student-athlete health and safety and what improvements have been made to them;
- Whether UH senior management complied with University policies and procedures and acted appropriately.

Scope of Work: We interviewed UH senior management, Athletics Department management, sports medicine staff, sports performance staff, the soccer coaching staff, former and current student-athletes, and the parent of a former student-athlete that was diagnosed with Rhabdo. In total, we interviewed 21 individuals. We reviewed documentation prepared by University and Athletics management for a related presentation at the May 16, 2019 UHS Board of Regents meeting. We reviewed the University and Athletic Department policies and procedures including the soccer team handbook, sports medicine policies and procedures, other records maintained by sports medicine, and the University’s Hazing Policy. We reviewed the online and television news articles related to the subject matter. We reviewed the Interassociation Recommendations: Preventing Catastrophic Injury and Death in Collegiate Athletes (Interassociation Recommendations) endorsed by the NCAA Board of Governors on April 30, 2019 and clarified by the NCAA Frequently Asked Questions in July 2019. We performed other procedures as we deemed appropriate.

Results:

Athletic Department Policies and Procedures

Sports medicine has detailed policies and procedures posted on its website. We determined that sports medicine is substantially following the Interassociation Recommendations and has assigned the

responsible party for each statement in the checklist accompanying these recommendations. We determined that sports performance had policies similar to those of other universities that focus on liability, access to the weight room, and other facility regulations. Athletics management and sports medicine stated they will continue to evaluate ways to enhance implementation. The Interassociation Recommendations have been formally incorporated into Athletic Department policies and procedures and communicated to staff, coaches, and student-athletes.

February 9, 2018 Soccer Team Workout

A “punishment” workout consisting of approximately 250-300 “up-downs” was conducted by the former soccer strength and conditioning coach and was observed by the soccer coaching staff until the head soccer coach stopped the workout. One student was hospitalized and diagnosed with Rhabdo on February 14, 2018. The Senior Associate Athletic Director was immediately informed of the student-athlete’s hospitalization by sports medicine personnel but was unaware that it occurred as a result of a “punishment” workout until November 9, 2018. The VP for Athletics was unaware of the hospitalization and “punishment” workout until informed by sports medicine personnel on January 28, 2019.

Actions Taken:

In response to the Rhabdo incident, on February 27, 2018, the Senior Associate Athletic Director and Associate Director of Sports Medicine sent emails to sport coaches, sports medicine, sports performance, and staff that include the Rhabdo Return to Play Protocol, Rhabdo prevention guideline and quick reference sheet. On May 29, 2018 the Associate Director of Sports Medicine sent an email to the Athletic listserv cautioning of the risk of Rhabdo, including exercises following a transition period such as Winter break.

We were informed by the VP for Athletics that shortly after his arrival at UH in January 2018, he held meetings with the sport head coaches and sports performance personnel and prohibited them from conducting “punishment” workouts and gave authority to sports medicine personnel to stop a workout for safety precautions. We were unable to confirm the exact date of either meeting but were able to confirm that meetings were later held with the sport head coaches on April 11, 2018 and with sports performance personnel on August 16, 2018 to reiterate these directives. In furtherance of protection of health and safety for student-athletes, the VP for Athletics issued the UH Student-Athlete Bill of Rights for Proper Medical Care.

January 23, 2019 Soccer Team Workout

We determined that this was the first regularly scheduled workout for the soccer team following a return from Winter break (and was not a “punishment” workout). The workout included a strenuous exercise that should not have been used during the first workout after a break. The Senior Associate Athletic Director was immediately informed on Saturday, January 26 that one student-athlete had been hospitalized for Rhabdo, and was immediately informed on Sunday, January 27 that four additional student-athletes had been hospitalized for Rhabdo. As a result of this workout, we determined that a total of six student-athletes were hospitalized overnight for treatment of Rhabdo and nine others received treatment for Rhabdo at a hospital and were released the same day. The VP for Athletics found out about the hospitalization of student-athletes through a phone call from the parent of hospitalized student-athlete on Monday, January 28.

Actions Taken:

On January 28, a joint decision was made by the VP for Athletics, soccer team doctor, Head Women’s Soccer Coach, and two sports medicine staff to send the remaining team members to the

hospital for evaluation and treatment. On January 29, communication about the event was provided to parents of soccer student-athletes. Upon receipt of an email on January 29 describing the February 2018 “punishment” workout in great detail, the Chancellor forwarded the email to the VP for Athletics and General Counsel 21 minutes after receipt, which follows the University’s triage protocol (General Counsel and appropriate VP).

The former soccer Asst. Strength Coach was placed on administrative leave on January 31 pending an internal review and was terminated for cause on February 4, 2019.

In response to this Rhabdo incident and the email received from the parent of the former student-athlete, the General Counsel and the VP for Athletics requested Equal Opportunity Services to initiate an investigation to learn more about the soccer team culture and issues they have experienced as student-athletes at UH. This included an interview with all of the soccer student-athletes. A written report regarding soccer team culture was issued on March 18, 2019 concluding that the soccer team members have an overall positive spirit and believe that the Athletics Department responded effectively to their experience with Rhabdo. In addition, the Athletics Department has implemented a Catastrophic Injury Report to help ensure that the appropriate parties, including the VP for Athletics, are notified of any hospitalized student-athlete.

Investigations were later commenced by the UH Police Department and the Internal Auditing Department/UH Institutional Compliance, after there were media reports describing the February 2018 workout as “torture.” On September 6, 2019, the UH Police Department received an email from the Harris County DA’s Office that indicated that the grand jury issued a “NO BILL” after its deliberation of UHPD’s hazing case, which means that the February 2018 event did not constitute hazing under Texas law. The University’s Hazing Policy focuses on student-on-student activity rather than activity by others on students.

The Athletics Department adopted the Interassociation Recommendations and the UHS Board of Regents policy 22.01, Intercollegiate Athletics, will be updated to formally adopt the Interassociation Recommendations, pending approval at the November 14, 2019 board meeting.

Conclusion:

Asst. Strength Coach

After interviews with soccer student-athletes and sports medicine personnel, we believe the February 2018 workout was excessive. After this workout, sports medicine issued guidelines regarding excessive workouts and workouts during transition periods (e.g. return from Winter break). The Asst. Strength Coach ignored these guidelines and took responsibility for the January 2019 soccer workout. Athletic Department management terminated the Asst. Strength Coach for cause on February 4, 2019.

Head Women’s Soccer Coach

Prior to the February 2018 soccer workout, there was no policy prohibiting “punishment” workouts. The Head Women’s Soccer Coach acted appropriately, although he should have stopped the February 2018 workout before it became excessive.

Athletic Department

Athletic Department management acted appropriately. In evaluating opportunities for improvement, management has implemented a more formal structure of communicating serious incidents involving

hospitalization. Athletic Department policies and procedures addressing student-athlete health and safety have been enhanced.

University Senior Management

University senior management appropriately followed its triage protocol upon receiving an email from the parent of a former student-athlete describing the February 2018 workout and after reviewing a June 11, 2019 KPRC news story that described the workout as “torture”. University senior management commenced a hazing investigation in accordance with its policy.

Don F. Guyton
Director, Internal Auditing
October 7, 2019

EXHIBIT 1

TIMELINE RELATED TO RHABDO INVESTIGATION

December 19, 2016	New Head Women's Soccer Coach hired.
June 23, 2017	New Asst. Strength Coach for soccer and track and field hired.
January 8, 2018	New VP for Athletics hired.
February 9, 2018	A "punishment" workout consisting of approximately 250-300 up-down repetitions by the UH women's soccer team was conducted by the Asst. Strength Coach because two soccer players were alleged to have taken trail mix from food designated for football players. The Asst. Strength Coach learned of this incident and requested permission from the Head Women's Soccer Coach to handle the incident, and he granted permission. The soccer coaching staff, including the Head Women's Soccer Coach, observed the entirety of the workout. The workout resulted in a soccer student-athlete being hospitalized for Rhabdo after being misdiagnosed by the UH sports medicine staff.
February 14, 2018	As a result of this "punishment" workout, one soccer student-athlete is hospitalized and diagnosed with Rhabdo.
February 15, 2018	An Assistant Athletic Trainer sends the Head Women's Soccer Coach, the two assistant soccer coaches, and the Asst. Strength Coach an e-mail stating, "I would like to sit down at some point in the next few days to review any questions or concerns regarding [Rhabdo] . . . It is extremely important that we all have a deep understanding of what [Rhabdo] is and how we can prevent it from happening."
February 27, 2018	A Senior Associate Athletic Director sends an e-mail to the coaches, trainers, and staff, including the Asst. Strength Coach, attaching information relating to Rhabdo and stating, "After having a few cases of Rhabdo, the Assistant Athletic Trainer put together some information to help aid in prevention." Included in this information is the Rhabdo Return to Play Protocol.
February 27, 2018	The Associate Director of Sports Medicine sends an e-mail to the coaches, trainers, and staff, including the Asst. Strength Coach, which includes a Rhabdo prevention guideline and quick reference sheet.
April 11, 2018	The VP for Athletics conducts a meeting with all sport head coaches to re-affirm his position on excessive and "punishment" workouts. We were informed by the VP for Athletics that shortly after his

arrival at UH in January 2018, he held meetings with the sport head coaches and sports performance personnel and prohibited them from conducting “punishment” workouts and gave authority to sports medicine personnel to stop a workout for safety precautions. We were unable to confirm the exact date of either meeting.

- May 29, 2018 The Associate Director of Sports Medicine sends an e-mail to the Athletics Staff listserv cautioning of the risk of Rhabdo, including exercises immediately following a transition period such as Winter break.
- July 16, 2018 Head Women’s Soccer Coach revises the Soccer Handbook to remove physical discipline procedure (this physical discipline procedure was originally drafted by the Asst. Strength Coach).
- August 16, 2018 The Senior Associate Athletic Director conducts a meeting with the strength coaches to remind them that excessive workouts and “punishment” workouts are prohibited, and that sports medicine personnel have unchallenged authority to stop a workout for safety precautions.
- August 17, 2018 UH Student-Athlete Bill of Rights for Proper Medical Care is implemented.
- October 30, 2018 Informal hotline setup by an Assistant Soccer Coach for soccer players to anonymously voice issues and/or concerns.
- November 9, 2018 A Senior Associate Athletic Director meets with a soccer player parent to discuss the February 2018 Incident. She reports that this is her first notification of the nature of the workout.
- November 21, 2018 The Head Women’s Soccer Coach sends an e-mail to the soccer player’s parent addressing concerns and noting that changes have been made to prevent future injuries, including no longer using physical “punishment” within the soccer team. He sends draft email to a Senior Associate Athletic Director who approves the message.
- December 2018 Winter Break begins; student-athletes provided guidance on voluntary workouts over break.
- January 23, 2019 Women’s soccer team performs first workout of the spring semester. We have determined that this was not a “punishment” workout; however, the workout included an exercise that should not have been used in the first workout after the return from the holiday break.
- January 26, 2019 First soccer athlete from this incident is admitted to the hospital for Rhabdo.
- January 27, 2019 Four (4) additional soccer athletes from this incident are admitted to the hospital for Rhabdo.

January 27, 2019 The Head Women's Soccer Coach reaches out to the Associate Performance Nutritionist and the Performance Nutritionist to schedule a hydration/nutrition workshop in light of the Rhabdo incidents.

January 27, 2019 The Asst. Strength Coach sends a text message to the Head Women's Soccer Coach stating, "Coach, I have been informed of (name of soccer student-athlete) and I take responsibility since it was my lift."

January 28, 2019 Remaining soccer student-athletes are transported to hospital for Rhabdo testing. Three (3) more student-athletes are kept in the hospital overnight with Rhabdo. Nine (9) other student-athletes were admitted into the hospital for IV treatment and released the same day.

January 28, 2019 A Senior Associate Athletic Director sends the VP for Athletics notification of the most recent incident, including the health status of the soccer players.

January 28, 2019 A Senior Associate Athletic Director sends an e-mail to all of the soccer players' parents informing them that the most recent incident is being investigated within the Athletics Department to determine what caused the Rhabdo.

January 29, 2019 Parent of soccer player emails the UHS Chancellor detailing the prior two Rhabdo incidents from February 9, 2018 and January 23, 2019. This email provides extensive details on the nature of the February 9, 2018 workout. General Counsel advised the Board of Regents that the VP for Athletics had previously made the Chancellor aware of the situation and she confirmed his actions were as follows: after ensuring the safety of our student athletes, find out why it happened, take whatever action is needed swiftly, and then ensure that this can never happen again.

January 31, 2019 The Asst. Strength Coach is placed on administrative leave pending a determination on whether he has fulfilled all of his duties and responsibilities under his Employment Contract with the University.

February 4, 2019 The Asst. Strength Coach is terminated for cause, as a result of having multiple incidents of Rhabdo within the soccer program, in addition to a separate Rhabdo case with a track student-athlete in September 2017 resulting from a "punishment" workout.

February 14, 2019 University's Office of Equal Opportunity Services (EOS) begins interview of twenty-four (24) soccer players about team culture and other issues they experienced, including Rhabdo and the termination of the Asst. Strength Coach. During the interview, 21 of the 24 soccer players stated that they were happy with the UH soccer

program. Additionally, 23 of the 24 athletes described team morale in a positive way.

February 20, 2019

The VP for Athletics addresses the Student Athlete Advisory Committee (SAAC), which includes two (2) members of the soccer team, regarding the most recent Rhabdo incident. The VP for Athletics referenced future investments in sports medicine and programming in order to protect the student-athletes health, welfare, and safety.

March 18, 2019

EOS issues a written report regarding the soccer team culture. The investigation reveals no significant issues from the women's soccer players. Players report a positive environment and overall satisfaction with the University's response to the Rhabdo issue.

April 26, 2019

The VP for Athletics sends a letter to all student-athletes, coaches, trainers and staff to inform them of changes to strength and conditioning and sports medicine, including the addition of staff members, and noting that UH Sports Medicine staff have unquestionable authority over every workout and are authorized to step in at any time to remove a student-athlete from training who may be in distress. The VP for Athletics also reissues the UH Student-Athlete Bill of Rights.

May 16, 2019

The VP for Athletics and the VP for Medical Affairs make presentation to the Board of Regents regarding a report on student and student-athlete health and well-being. The report includes a discussion on safeguarding and investing in student-athletes.

From Board Minutes: “[VP for Medical Affairs] stated he was pleased that the Sports Medical Program the UH Athletics Department has in place is excellent and has very clear guidelines that are consistent with the *National Standards and Practices* to prevent and diagnose cases of rhabdomyolysis when it happens; and he said he feels confident that the University's student athletes are getting adequate measures to prevent this problem; and then if they were to develop symptoms they are immediately treated in an adequate way.”

June 11, 2019

KPRC television story airs, which involves interview of anonymous soccer player describing February 2018 event as a “torture workout”.

June 12, 2019

University reviews KPRC story in light of hazing policy.

June 13, 2019

University initiated two separate hazing investigations consistent with university processes: one by UHPD and the other one by the Internal Auditing Department in conjunction with UH Institutional Compliance.

July 2019

NCAA issues Interassociation Recommendations Frequently Asked Questions for student-athlete safety as a follow-up to the

Interassociation Recommendations: Preventing Catastrophic Injury and Death in Collegiate Athletes previously endorsed on April 30, 2019 by the NCAA. UH Athletics Department immediately begins evaluating the recommendations after they were endorsed by the NCAA.

September 6, 2019

UHPD received an email from the Harris County DA's Office that indicated that the grand jury issued a "NO BILL" after its deliberations of UHPD's hazing case, which means that the February 2018 event did not constitute hazing under Texas law.