



GEORGIA INSTITUTE OF TECHNOLOGY
GEORGIA TECH ATHLETIC ASSOCIATION

Internal Review
Investigation Report

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I. INTRODUCTION

On or about February 25, 2019, the Georgia Institute of Technology (the "Institute" or "GT") retained the services of Littler Mendelson, P.C. to conduct an investigation into alleged inappropriate conduct by a staff member. The Institute received complaints alleging player and staff mistreatment by Head Women's Basketball Coach MaChelle Joseph ("Joseph"). The objective of this investigation process was to investigate Ms. Joseph's treatment of players and staff, and provide an assessment to the Institute.

II. SCOPE OF INVESTIGATION AND INVESTIGATION PROCESS

The Investigation consisted of a review of selected documents as well as interviews of individuals currently or formerly associated with the Women's Basketball program. The Investigator completed forty (40) interviews, which were almost exclusively conducted in person at various locations on the Georgia Tech campus.¹ During the course of the investigation, the Investigator interviewed:

- Thirteen (13) current players on the Women's Basketball team;
- Four (4) former players from the Women's Basketball team;²
- Seven (7) administrative support staff, including Women's Basketball program staff, team trainer, strength and conditioning coach, sports information liaison, and academic advisor;
- Five (5) current assistant or graduate assistant coaches;
- Three (3) parents of current or former players;
- Four (4) other individuals associated with the team reported to have relevant information, including a team physician, a team bus driver, and student managers;
- Three (3) performance or team consultants retained by the program to observe and work with the program during the 2018-2019 season;³ and
- Head Women's Basketball Coach MaChelle Joseph.⁴

¹ The Investigator also participated in a meeting with Associate Athletic Director Joeleen Akin and Human Resources Business Partner Kevin Kruse before the start of the investigation to obtain background information regarding the Athletic Department and Women's Basketball program.

² While the Investigator met with four (4) former players, the factual findings of this Report focus on the experience and reports of current players on the Women's Basketball roster.

³ During the Investigator's interview with Coach Joseph on March 12, 2019, she suggested that the Investigator speak with four individuals. The Investigator was able to speak with three of the four individuals. However, the fourth individual, Dr. Javar Godfrey, was not responsive to the Investigator's request to meet.

⁴ All interviews were conducted between February 26, 2019 and March 18, 2019.

In addition to the interviews above, the Investigator also reviewed the following documents and policies: (1) Georgia Tech policies; (2) University System of Georgia Ethics Policy; (3) team roster and player and staff bios from Georgia Tech website; (4) employment contract of MaChelle Joseph; (5) various emails and documents regarding staff issues and HR meetings in early 2019; and (6) reports and documents from prior investigations.

III. INTRODUCTION

Head Women's Basketball Coach MaChelle Joseph has been employed by Georgia Tech for eighteen (18) years. She served as an Assistant Coach for three years before being named Head Coach in 2003. Joseph has eight (8) direct reports including five (5) full-time and graduate assistant coaches and three (3) administrative support staff. In addition to the direct reports, several other Georgia Tech Athletic Association ("GTAA") staff members regularly interact with the team and players, including medical and training staff, strength and conditioning staff, academic advisors, and sports information staff.

Both Coach Joseph and her assistant coaches describe her coaching style as demanding. Coach Joseph was described as fiery, passionate, and intense. Assistant coaches reported that Coach Joseph can be confrontational and is a firm believer in accountability. During the course of the investigation, several interviewees indicated their strong belief that Coach Joseph cares about her players. However, some interviewees also expressed concerns that Coach Joseph does not know how to appropriately tailor her message to meet the needs of that particular student athlete. One long-standing staff member indicated that Joseph does not know how to "channel her negative energy" or tone down the intensity during her interactions with players, coaches, and staff members.

I asked Coach Joseph and her assistants to differentiate between tough but acceptable coaching, and conduct that would go beyond the scope of acceptable coaching. Coach Joseph indicated that any action taken "to be mean" would be over the line.⁵ Assistant Coaches identified the following as conduct that would constitute unacceptable behavior in a coaching setting: (1) throwing things at or hitting a player; (2) making someone feel demeaned; (3) personalizing criticism of a player or making criticisms regarding things that have nothing to do with basketball; (4) telling a player that she is "fucking stupid" or "fucking dumb"; (5) excessive and continuous use of profanity specifically directed at a player; (6) disrespecting or humiliating a player; and (7) repeatedly calling a student athlete a "bitch" and/or "pussy".

In addition to the individuals identified above, Coach Joseph engaged with several consultants during the 2018-2019 season. Dr. Tiffany Jones is a certified mental performance consultant. Dr. Jones consulted with the program on one occasion on February 15, 2019. During her visit, Dr. Jones met separately with Coach Joseph, the coaching staff, seven (7) individual players, and later engaged in a full team session.⁶ She did not observe the team in a game or practice setting. Dr. Jones indicated that she met with each of the seven players for approximately thirty (30) minutes each during her visit. Before those meetings, players were

⁵ During this portion of the interview, Coach Joseph indicated that she did not believe her actions in coaching the team were different than the football or men's basketball coach. She also indicated that the level of yelling and swearing that she engaged in was on par with other coaches at Georgia Tech.

⁶ The players who were interviewed by Dr. Jones were personally selected by Coach Joseph and included the five (5) starting players and two (2) other significant contributors.

instructed that their conversations would not be confidential. During those interactions, Dr. Jones indicated that the players did not raise any significant concerns regarding mental or emotional abuse and she did not note any "red-flags" after her day long consultation with the team. Dr. Jones indicated that one player raised concerns during her visit, but Dr. Jones expressed concerns regarding the player's maturity level and her perceptions of the coaches' behavior. Dr. Jones reported that she often hears player complaints regarding coach treatment during her consultations. She attributed most of the complaints that she receives in her work to this generation of student athlete being unable to take coaching. When asked to describe what was acceptable coaching vis-à-vis conduct that stepped "over-the-line," she identified situations where a coach attacks a student athlete's character, sexuality, personal trait, or something they have no control over. She gave an example that if a coach called a player a "pussy," she would consider that to be beyond acceptable coaching. Following the consultation, Dr. Jones prepared a proposal for a more extensive consultation with the program, but that process has been put on hold due to Coach Joseph being placed on administrative leave.

Coach Joseph also engaged Carol Ross and Gail Goestenkors of Coaching Full Circle, LLC to provide consulting services. Ross and Goestenkors were long-time successful women's basketball coaches at the collegiate and professional level. They started their business in 2018 to provide consulting services to other coaches and provide feedback and recommendations around areas of game strategy, team and player management, motivation, and other areas of the coaching profession. Ross and Goestenkors had a one-year engagement with the women's basketball program which consisted of three on-campus visits, observing Georgia Tech games, and providing feedback to Coach Joseph. During their consultation, Ross and Goestenkors met with coaches, attended some team meetings / film sessions, and attended several practices. They did not meet or work with any student athletes during their visits. Neither Goestenkors nor Ross raised any concerns regarding player treatment during the practices that they observed.

IV. RESULTS OF FACT INVESTIGATION

Based upon the general allegations of player and staff mistreatment, the Investigator interviewed participants regarding a broad array of conduct that could be considered alleged "mistreatment." As a general matter, the vast majority of players interviewed indicated that the conduct described below would vary depending on whether there were any visitors present at a practice or meeting. This was corroborated by administrative staff members who confirmed that the mood and tenor of team practices and meetings would be significantly different if donors, parents, recruits, or administrators from central athletic administration were present. Players stated that when there were visitors at practice, Coach Joseph would be "happy" and "positive" and would tone down how she interacted with the team. However, when there were no visitors present, Coach Joseph would "act crazy" and engage in the conduct complained about below. Multiple Georgia Tech employees who regularly attended team practices also indicated that the mood and tenor of practices would be substantially different if others were present. Coach Joseph denied varying her coaching methods based on whether any outsiders were present at practice. Several assistant coaches also stated that practices were not significantly different if outsiders were present.

A. Relationship Between Coach Joseph and Players.

The Investigator asked players to describe their relationship with Coach Joseph, what they liked about Coach Joseph, and which individuals they trusted within the Women's Basketball program.

Current players described their relationship with Coach Joseph as ranging from "decent" to non-existent. The majority of players interviewed indicated that they either had no relationship with Joseph or intentionally attempted to limit their relationship with Joseph to basketball related topics. They reported doing so in order to prevent Joseph from "us[ing] it against them" in practice or claiming the player was using any personal issue or concern as a "distraction" or "excuse." Several players reported that they are scared of Joseph and intentionally avoided her in the athletics building or avoided eye contact in meetings. Others indicated that they had no interest in a relationship, because they were scared of Joseph or felt that they could not trust her.

When asked about what they liked about Coach Joseph, players reported:

- Three (3) players believe that Joseph cares about them or sometimes cares.
- Several players described things that Coach Joseph does for them such as taking them on trips with the team, massages, basketball gear, and experiences.
- Three players stated that they did not like anything about Coach Joseph.
- Two players indicated that they liked Coach Joseph when she was off-the-court.
- One player indicated that Joseph is a brilliant coach and strategist.
- One player indicated that Joseph tries to get the best out of them.
- One player described Joseph's ability to connect them with resources and experiences.

When asked who they trust in the program, at least nine (9) student athletes indicated that they cannot trust any member of the coaching staff. Of those nine, two indicated that they do trust some members of the Women's Basketball administrative staff, but none of the coaches. A few players indicated that they trusted one assistant coach, and one player indicated that she trusted two of the assistant coaches. None of the interviewees indicated that they trusted Coach Joseph.

B. Feelings Associated With Being a Part of the Program.

During individual interviews, players were asked to describe how they felt with regard to their involvement with the team and working with Coach Joseph. Generally, players were happy with their relationships with their friends and teammates and largely satisfied with their experience on-campus. Several players went as far to state that they "love" their teammates. However, one interviewee indicated that she regrets coming to Georgia Tech due to the treatment of her and other players.

When asked to describe their general feelings associated with the program and working with Coach Joseph, players described feeling insecure, nervous, anxious, and scared at various points in the season and in their careers. Others described the environment as "toxic," "suffocating," "draining and miserable," and "unhealthy." Several players also indicated that

they no longer have the same passion for the game that they once had. One player described a complete loss of the joy of the game, even after a team victory. Two players specifically stated that they no longer want to be near the gym. Other players described a situation where they "Fake It To Make It," in which they described faking being happy during activities associated with the team in order to make the time more passable. One player stated that she felt "anxious" just by virtue of smelling Coach Joseph's perfume, and stated that she was so "tense" that she was not playing up to her potential.

When asked to identify the source of their feelings, the majority specifically identified Coach Joseph and the culture she has created around the team. One player specifically identified Coach Joseph's "intense" and "extreme" yelling as the cause of her feelings. Another attributed the feelings to how difficult it is to please Coach Joseph, the team's regular inability to do so, and Coach Joseph's reactions to those situations.

C. Concerns Regarding Player Well-Being.

The Investigator asked interview participants if they had concerns regarding their own or a teammate's well-being. Players generally indicated that they had no concerns regarding physical well-being, but eleven (11) of thirteen (13) players interviewed expressed concerns regarding player emotional and/or mental well-being. The two remaining player interviewees were unsure if they had concerns.

Multiple student athletes indicated that they or one or more of their teammates regularly cried as a result of their involvement with the team, which they specifically attributed to Coach Joseph. One player indicated that whenever a player is "in it," there are concerns for her well-being. The "it" was described as significant scrutiny and "targeting" by Coach Joseph during which the player's actions are under a figurative microscope. Another player described it as Coach Joseph being "laser focused" on that player and any perceived mistake or lack of proper attitude or energy. During that time, any perceived issues or mistakes by that player are amplified and generally result in what they describe as extreme cursing and yelling by Coach Joseph. That player described "feeling lost mentally" during the time she was subject to increased scrutiny by Coach Joseph. Another player described being at "a breaking point" during her time under the microscope, and another reported feeling like she was going to have a panic attack. Multiple players indicated that they were scared for their teammates when they were being scrutinized, and expressed fear that they might face similar treatment in the future. A more senior player indicated that "everyone has their day," where Coach Joseph is "laser focused" on that player's energy, mistakes, attitude, etc. Generally, the players indicated that such intense scrutiny is reserved for upperclass players, but due to the fact that this year's team is very young, several first and second year players reported regularly being the focus of Coach Joseph's ire. Another player indicated that members of her family expressed concern regarding her well-being, because they had never heard her cry that much. Another player reported that Coach Joseph "broke [her] down" during halftime of a game. There, the player stated that Coach Joseph got in her face and was screaming at her at halftime, all while she was sobbing as a result.

The players also described physical effects they experienced throughout the year, which they directly attributed to the scrutiny by Coach Joseph. In addition to numerous reports of players crying during practice and games and in private settings away from the court, players

indicated feelings of anxiety, depression, loss of appetite, and weight fluctuation. One player attributed the exacerbation of her existing eating disorder to treatment she received from Joseph.

Multiple staff members also expressed concerns for the mental and emotional well-being of players. Several staff members indicated their opinion that Coach Joseph engaged in conduct that they considered "verbal abuse" and bullying. They indicated that it was apparent that the players were afraid of Joseph and exhibited signs of high stress and anxiety. Several staff members expressed specific concerns regarding the players' physical manifestations of the stress and anxiety. One staff member indicated that players were experiencing sleep disturbances, which affected performance. Another staff member reported player weight loss during particularly "bad weeks" with the team.

During her interview, Coach Joseph reported having concerns regarding the mental well-being of the student athletes, but described the issues to be more about family matters, academics, an eating disorder, and fear of failure. The majority of assistant coaches interviewed did not have any concerns regarding player well-being, but at least one assistant coach expressed some concerns regarding player mental and emotional well-being.

D. Allegations of Physical Mistreatment.

Players interviewed generally denied the existence of physical abuse. However, players also stated that Coach Joseph fairly regularly throws objects such as basketballs and clipboards, and has described Joseph as regularly breaking her clipboard. Standing alone, the Investigator does not believe that Coach Joseph is unlike other coaches who may throw objects or break equipment during difficult parts of practice or a game. Coach Joseph denied engaging in any conduct that could be considered physical abuse and specifically denied throwing anything at a player, or attempting to pressure a player to play in spite of injury.

Players denied that Coach Joseph engaged in any inappropriate physical contact with a player. However, a few specific issues were raised that may fall within the broad category of physical mistreatment. Specifically, players described two incidents in which players felt that Coach Joseph tried to hit a player with a thrown object (including a water bottle). Coach Joseph denied ever throwing anything at a player. None of the players identified could provide additional information with regard to Coach Joseph's alleged intent when throwing objects, and the Investigator is unable to make any conclusions about the intent behind these alleged actions.

Several players raised concerns that they felt pressured or pushed to play by Coach Joseph in spite of an injury or to return too soon after an injury. These concerns were echoed by Georgia Tech employees with responsibility for player medical treatment. Coach Joseph denied such allegations. The medical staff interviewed confirmed that they had final authority over player medical decisions, but could not provide an opinion as to whether Joseph attempted to influence how a player reported her symptoms regarding any specific injury. The Investigator did not review any medical records, so he was unable to attempt to confirm whether any of those specific allegations are accurate.

1. Allegations of Coach Joseph Trying to Hit Player With Object.

Players interviewed described two incidents in which they felt that Coach Joseph attempted to hit a player with an object.

Two upperclass players described an incident during a prior season in which they felt that Coach Joseph attempted to hit a former teammate with a water bottle during halftime. They described a particularly tense half time locker room, during which the player reportedly had to dodge a bottle thrown by Coach Joseph. Another player recalled the incident and stated that the bottle came very close to hitting the former teammate but was unable to provide an opinion whether the bottle was thrown at the player or just near the player. At the recommendation of current players, the Investigator spoke with the former player by phone. The former player indicated that had she not dodged the bottle, it would have hit her. Coach Joseph denied throwing any object at a player.

At least five players described an incident in which they thought Coach Joseph was going to hit a player with a clipboard during a recent game. They described a situation during a game in which Joseph was "in their faces" and screaming at them. During the incident, they alleged that Coach Joseph swung her clipboard toward the ground and it passed only a few inches from a player's face. The player-at-issue stated that she jumped back to avoid being hit. Several players reported feeling like the clipboard was going to hit the player. Coach Joseph denied engaging in any type of physical abuse. Likewise, Georgia Tech employees interviewed did not raise any issues regarding physical mistreatment. Based on the lack of evidence regarding Coach Joseph's purported intent in nearly hitting the player, the Investigator was unable to verify this claim.

2. Players Feeling Pressured To Play In Spite Of Injury.

Several interviewed players raised concerns regarding feeling pressured to play in spite of being injured or pushed to return to action too soon after injury. When interviewed, Georgia Tech employees with knowledge or experience regarding player injuries reported some concern that Joseph pressured medical staff to clear players to return to play. However, medical staff interviewed indicated that they always had final authority over medical decisions and when a player was cleared to play. However, they could not provide an opinion whether Coach Joseph pressured a player to minimize her particular injury to the medical staff.

One player recalled an incident during a prior season in which a teammate was pressured to practice with a [REDACTED]. The player reportedly elected to practice and did so in considerable pain. The Investigator did not speak with the former player and could not confirm these allegations. Therefore, the Investigator deems this specific claim unfounded.

Another player described an incident in which she injured [REDACTED] during a game. After the play, she said that she "knew something wasn't right" with [REDACTED]. After leaving play, she reported feeling pressured by Coach Joseph to return to action. Specifically, she recounted that Joseph asked her, "Are you going to play or are you going to quit?" The player stated that she felt like she could not say that she was unable to play. She eventually elected to return to action, and later evaluation determined that she [REDACTED]. After [REDACTED] and [REDACTED], the player felt rushed back to play by Coach Joseph. She stated that her

██████ was painful and swollen for several weeks or longer after returning to action.

Several other players likewise reported feeling pressured to play in spite of being sick or injured. One stated that her ██████ was painful and swollen and sought treatment before practice as a result. During practice, the player felt like Joseph pressed her to play harder and called her "soft" when she could not do so or complained about ██████. Another player reported feeling pressured to play despite a ██████ injury and stated that Joseph accused her of faking the injury. Many players reported that when they or a teammate reported being sick or hurt in practice or a game, Coach Joseph questioned whether they were "faking" their injuries or that their complaints were labeled an "excuse" by Coach Joseph.

Coach Joseph denied ever pressuring a player to play in spite of an injury or attempting to overrule the opinion of a medical professional. While concerning, the Investigator did not inspect player medical records so he was unable to verify any of the players' claims. Therefore, there is insufficient information to conclude that these allegations are accurate.

E. Allegations of Emotional or Mental Mistreatment.

Every player interviewed reported concerns regarding alleged emotional or mental mistreatment by Coach Joseph. The players described the environment around the team as "toxic," "suffocating," "unhealthy," and "hostile," which they attributed to player treatment by Joseph. The players described Coach Joseph's conduct as "bullying" and emotionally, mentally, and verbally "abusive." Specifically, players indicated that they feel "targeted" by Coach Joseph for blame and extreme scrutiny on all aspects of them as both a person and player. As a result, whenever that player is under scrutiny on that particular day, they are regularly and loudly criticized on all topics and aspects of their behavior. Such scrutiny is not limited to a woman's play, but will range from being scrutinized regarding their personal lives, their attitude, and their energy, in addition to any issues or concerns with their actual play.

1. Allegations of Insulting, Demeaning, and Belittling Behavior.

Players reported that they were subject to "daily belittlement" by Coach Joseph in team practices and meetings. Players reported being insulted and called derogatory and demeaning names on a daily basis. Some of the comments attributed to Coach Joseph include calling players:

- "Bitch" and telling a player(s) that they are someone's "little bitch"
- "Pussy"
- "Fucking stupid"
- "Fucking idiot"
- "Dumb"
- "Punk-ass"
- "Coward"
- "Cancer of the team"
- "Motherfucker"
- "Fat"
- A "waste"
- A "piece of trash"

- "Juvenile Delinquent"
- Calling a player a "whore" and accusing her of having sex with everyone on campus
- Telling a player that she would be in jail if not for Coach Joseph

When describing the "constant name calling," the players indicated that it regularly occurred with Coach Joseph screaming at a player only a few inches from the player's face. Some players described situations where you could see and/or feel spit coming from Joseph's mouth while she yelled at the player. Coach Joseph also regularly made these comments while swearing and/or with a finger in the player's face. While the use of curse words is not atypical of collegiate coaches, the players described the conduct as beyond that of simply cursing out a player for making a mistake. They attributed no purpose behind it and characterized it as "bullying" and "verbal abuse," rather than actual coaching.

Multiple players also described being mocked by Coach Joseph when they spoke up and said they did not want to be called stupid, or otherwise defended themselves during these incidents.

Several interviewees raised concerns regarding Coach Joseph "using" things outside of basketball to criticize players. Players described incidents in which Joseph used issues or events from a player's personal life to criticize them as players in practice. For example, a player described a situation where [REDACTED]. When the player did not have a good practice shortly thereafter, Coach Joseph yelled at the player and accused the player of [REDACTED] a "distraction" and "excuse." Other players described a teammate's [REDACTED] used against the player in practice, and Coach Joseph labeling such issues as "excuses."

Several interviewed staff members corroborated the accounts of the players above. They reported that Coach Joseph regularly demeaned, manipulated, and yelled at players. They confirmed they heard Coach Joseph calling players names such as: stupid, dumb, pussy, and other personal insults not related to the game of basketball. The Investigator asked the interviewees if the conduct described was within the scope of acceptable coaching or if it was of a different character and scope than what they witnessed at other teams and programs. Several indicated that, in their opinion, the behavior described went beyond the scope of acceptable coaching and far exceeded the conduct of other coaches at Georgia Tech or other institutions. One staff member indicated that the conduct was twice as severe as that the staff member witnessed on other teams. Another staff member stated that the conduct was "outside the scope of normal interaction" between a coach and her/his team. One long-tenured staff member indicated that she "believes any [player] complaint would be valid." Because of the conduct described, several staff members indicate that they no longer attend practice as often, because they did not want to be associated with the conduct directed toward student athletes. Several staff members indicated that they had or considered coming forward with their concerns in the past.

Coach Joseph admitted to yelling at her players on occasion and cursing in games, practices, and team meetings. However, Joseph denied engaging in any conduct that could be construed as emotional or mental abuse. Similarly, several assistant coaches stated they were unaware of any student athlete complaints regarding mistreatment of any kind.

2. *Allegations of Manipulation and Ostracizing Players.*

During the course of the investigation, players reported regularly feeling manipulated by Coach Joseph and described situations where they felt Coach Joseph's actions were intended to ostracize certain players. A majority of players interviewed indicated that Coach Joseph regularly criticized and blamed one player or a small number of players for a loss, a bad practice, or any outstanding issues within the team. Players described situations where the individuals blamed may have had very little connection to the issues for which they were being blamed. For example, a player was blamed for the team playing badly in a game despite that player not having played significant minutes in that game.

Players also expressed concern regarding the public nature of Coach Joseph's actions. Rather than discussing concerns in relative privacy, Coach Joseph oftentimes raised concerns or blamed a player during a meeting with the entire team and coaching staff present. During those occasions, Coach Joseph would criticize or blame the player in front of the whole team and then ask other coaches and players to also critique the player. For example, a player described a situation where teammates were expected to tell a teammate why she was being "selfish," and felt pressured by Joseph to say something even if they did not agree with that assessment. If the player did not participate or provide a critique, Joseph continued to press the player to say something and drag the meeting out until the player spoke up. Players also expressed concern that if they did not share something in those meetings they may be the next target of Joseph's scrutiny. Interviewees also reported being encouraged to stay away from a certain player(s) on the team as part of the critique or ostracizing of the player. In those situations, players reported feeling like they had to stay away from the player under increased scrutiny because if they did not do so, they would be accused of being aligned with the player "in the doghouse" rather than Coach Joseph and the team.

In such situations, several players felt manipulated, because they felt like Coach Joseph put words in their mouths and they were put into a situation where they had to blame their teammates. And when they did speak up to tell Coach Joseph what she wanted to hear, their comments were then used to further attack the player such that the player felt "ganged up on" by the rest of her team.

Players also described several situations in which they felt that Coach Joseph lied to them. One such incident involved a team social event off-campus. The assistant coaches would not give one particular player a ride to the event, and the player was reportedly told at the last minute that she had study hall. The player stated that her study hall was not previously on her schedule and was added last minute, which she believed to be an attempt to keep her away from the team event. However, the other players reported being told by Coach Joseph during a Captain's meeting that the player did not *want* to attend the event with them, which led to question why their teammate did not want to spend time with them. The player felt ostracized from the team in that setting due to the actions of Coach Joseph and the assistant coaches.

Players also described a situation where they felt that Coach Joseph manipulated one player in an attempt to persuade the player to discontinue a friendship with another player. One student athlete reported that Coach Joseph had concerns with how close she had become with one of her teammates. The player indicated that she was called to a meeting with Coach

Joseph and some of the other assistants to discuss the issue. The player alleged that she was given the option of choosing the team or her friend / teammate, and reported that Joseph threatened to take away her scholarship if she did not select the team. In another situation, the player reported feeling pressured to say negative things about her teammate to confirm Coach Joseph's feelings regarding that player. Coach Joseph and other assistants recalled the sequence of events differently and stated that the player approached them and expressed concerns regarding her teammate. The coaches described a situation where they felt the player thought she was being stalked by her teammate, and the coaching staff was helping the student distance herself from the situation and teammate. One assistant coach brought a document to the interview which she stated was kept contemporaneously to the events involving the two students.⁷ She attempted to use that document to further support the coaches' version of the events. Based on the conflicting accounts, the Investigator is unable to provide conclusive factual findings regarding this interaction and incident.

Lastly, players described feelings of isolation from their teammates and from the rest of the Athletic Department. They reported being repeatedly told by Coach Joseph that central athletic administration cannot be trusted. Specifically, players are told not to trust compliance staff,⁸ Joeleen Akin, and other administrators who are not part of the program. This, in addition to actions by Coach Joseph which ostracize certain players and sow seeds of distrust among the team, creates a perception that they cannot trust anyone. Administrative support staff, including performance, medical, and academic staff, report that players do not trust them as a result, which has impacted their ability to provide services to student athletes.

Georgia Tech staff members corroborated player complaints regarding being regularly blamed for the team's problems. At least one interviewed staff member reported observing Coach Joseph specifically targeting and blaming one player for a team issue and Joseph proclaiming that it was "all your fault" to the player, who ran away crying. Coach Joseph denied engaging in any conduct that could be considered manipulative and denied ever lying to her players.

In addition to the issues outlined above, numerous students raised concerns regarding Coach Joseph engaging in what they described as manipulative conduct, assigning blame to certain players for issues with the team, pitting players against one another, and ostracizing certain players through her actions and comments to the team. These actions have fostered a further sense of distrust between the players and the coaching staff.

⁷ The timeline provided by the assistant started on January 13, 2019 and ended on February 26, 2019. The assistant stated during the interview that her notes were kept contemporaneously to the events listed. However, when the assistant shared the Word file with the Investigator, the document properties indicated that the document content was initially created on March 11, 2019 at 10:05 p.m., the day before the assistant's interview with the Investigator. The document properties indicated that it was last saved on March 15, 2019 at 11:49 pm, just nine (9) minutes before it was emailed to the Investigator. These issues raise questions regarding the assistant's testimony and the veracity of the contents of the document.

⁸ The Investigator is aware that Coach Joseph and other assistant coaches have raised concerns regarding alleged disproportionate scrutiny the Women's Basketball program has faced from the Compliance office within the Georgia Tech Athletic Association. The Investigator makes no opinion as to those allegations, as they fall outside the scope of this investigation.

F. Allegations of Favoritism or Unequal Treatment.

During interviews, players raised concerns of favoritism and inequitable treatment by the coaching staff. When asked to describe what they considered inequitable treatment, several players identified the increased scrutiny and blame levied on certain players as described in Section III.E, *supra*. They described that such increased scrutiny was generally reserved for certain players, especially older players, but all expressed concerns that they could be next to experience such treatment.

When asked to provide specific examples of favoritism or inequitable treatment, players indicated that starters and star players generally received preferential treatment. One starter admitted as such when she indicated that she skipped class on occasion and received no punishment, but a teammate who attended but merely did not actually participate in class was punished as a result. Players also described an incident in which a star player fell asleep in a film session and faced no repercussions, but a non-star player was severely punished for doing the same thing. Multiple players expressed concern regarding an incident in which first year students were required to report to the A.A. building at 7:00 a.m. to sign up for classes. One star player refused to do so and faced no repercussions. Players describe similar situations in practice settings. The starting five ("Gold" squad) may do something incorrectly and face no punishment, but if the second team ("Blue" squad) did the same, they would have to do a punishment run. Similarly, a first year starter reported performing a drill a certain way in practice that resulted in no repercussions, while an upperclass student was punished for performing the drill the exact same way.

Coach Joseph and other assistant coaches denied engaging in any conduct that could be considered favoritism or inequitable treatment of student athletes.

While allegations of preferential treatment for starters or star players may create issues with team dynamics and raise concerns of players, the Investigator is unaware if such purported special treatment is unlike any other athletic programs at Georgia Tech or other institutions.

G. Allegations of Intimidation, Threats, and/or Retaliation.

The Investigator generally found little evidence of conduct that would constitute threats or retaliation in the traditional sense. Players described Coach Joseph threatening to take a player's scholarship away or subject the team or certain players to increased conditioning for poor performance or other issues. However, the Investigator did not find information to suggest these alleged "threats" were significantly different than coaches in other sports threatening to take a scholarship away. Several players noted that Coach Joseph made threats to take one particular player's scholarship away and then suggested the player would have to go back to a home environment that was not particularly stable. The Investigator does not have sufficient information or context to determine whether such statements would be inappropriate in a competitive coaching context.

A majority of players interviewed indicated that they did not feel comfortable raising concerns regarding the program, or opposing Coach Joseph's point of view, out of fear of being subject to increased scrutiny themselves. One player stated that a player "can't have a mind of

your own," and another indicated the worst thing that a player could do would be "to go against her." Players described situations where a player or players faced increased scrutiny from Coach Joseph, and she would expect other players to voice concerns to support the scrutiny that was being levied upon the player. In those situations, players "felt like they had to blame their teammate." However, if a player refused to do so or attempted to defend the teammate, that player herself would then face extra scrutiny and blame. Players indicated feeling that everything they said or did was wrong and being afraid to defend themselves or their teammates. While this does not fall within the traditional notion of retaliation, interviewed players indicated that they felt scared and intimidated to speak up or voice concerns in such situations.

H. Concerns Regarding Involvement of Dr. Belen Gutter and GT Donors.

In addition to the issues addressed above, Littler Mendelson was also asked to investigate any issues or concerns regarding the involvement of Dr. Belen Gutter or Georgia Tech donors with the team. Dr. Gutter is a licensed psychologist who has worked with Coach Joseph and the program for a number of years. Dr. Gutter also reportedly works with other sports and athletes within the Georgia Tech Athletic Association.

1. Player Concerns Regarding Dr. Gutter and Confidentiality.

During interviews, several players indicated that they felt that information shared with Dr. Gutter was not kept confidential and was shared by Dr. Gutter with Coach Joseph, or other members of the Women's Basketball staff. A number of players indicated that at various times Joseph or other members of the staff suggested or strongly encouraged them to see Dr. Gutter for various issues, including anger management, family issues, mental health issues, or other concerns. Interviewees indicated that meetings with Dr. Gutter were generally held in the Women's Basketball program offices, often in a coach's office. No player indicated that any coaches were present for their meetings with Dr. Gutter. Players indicated that at the outset of their meetings with Dr. Gutter they were provided assurances regarding the confidentiality of their discussions.

Specifically, two players recounted incidents in which they told things to Dr. Gutter in confidence, after which the concerns they discussed were allegedly repeated back almost verbatim to them by Coach Joseph. The players indicated that Coach Joseph would identify to the team in a practice or game setting the very concern that they raised, with the expectation of confidentiality, alone to Dr. Gutter. For example, one player reported that she indicated to Dr. Gutter that she often felt "targeted" by Coach Joseph. Later, in a team setting, the player reported that Coach Joseph said something to the effect of, "[i]t's not like you're being targeted." The players could not confirm that Dr. Gutter relayed what they shared in confidence to Dr. Gutter, but they strongly suspected that it did occur. Several other players indicated that they intentionally held back information or provided misinformation due to concerns regarding confidentiality. Another player indicated that she lost trust in Dr. Gutter after she started soliciting information from the student athlete about her teammates. At least half of the players interviewed indicated that they had concerns regarding confidentiality and did not trust Dr. Gutter. Despite these accounts, several other players interviewed indicated that they felt information shared with Dr. Gutter was kept confidential.

During interviews with Georgia Tech staff members, one staff member recalled an incident during a meeting in which Coach Joseph indicated that Dr. Gutter told her something about a player. However, the Investigator was unclear if what may have been conveyed by Dr. Gutter was her impression or something shared in confidence by the student athlete.

During the Investigator's interview with Coach Joseph, she provided assurances that all information shared with Dr. Gutter is kept in strictest of confidence, and she has never received or solicited confidential information from Dr. Gutter. Based upon the conflicting accounts, the Investigator was unable to confirm or deny whether the concerns raised regarding confidentiality have merit. However, there is a general perception among a majority of the players interviewed that information is not kept confidential such that the continued use of Dr. Gutter may not meet desired purpose(s).

2. Involvement of Team Donors.

During the course of the Investigation, several players raised concerns regarding the level of involvement of team donors with the program. Players indicated that they felt certain donors were provided information about their personal lives that they felt should have been kept confidential. Specifically, players feel that donors are provided access to information regarding their academics, discipline, and personal lives that should be maintained as confidential within the program staff.

Others indicated that they are expected to be accountable to the donors in addition to the coaching staff. One player recalled an incident in which one donor approached a group of players on a trip and questioned the players about where they were going. When the player indicated that they were going to see the trainer for treatment, the donor accused them of going to the pool / beach and lifted the shirt of one player to check if she was wearing a swimsuit under her shirt. On one occasion, the donor reportedly said to the players, "I'm watching you even if Coach Jo[seph] isn't here...."

Despite multiple players indicating concerns with the level of donor involvement, the Investigator was unable to evaluate whether such actions are inconsistent with the actions of donors of other athletic teams or programs. Further, none of the alleged actions identified were directly attributable to Coach Joseph or any other specific member of the Women's Basketball program staff.

I. Allegations of Purported Violations of NCAA Rules and/or Regulations

Several players reported conduct that, if true, may constitute potential violations of NCAA rules and regulations. These allegations are summarized in Appendix A of this report.

J. Allegations of Staff Mistreatment.

In addition to the student concerns raised above, Littler Mendelson was also asked to investigate allegations of staff mistreatment. Multiple staff members report feeling regularly disrespected by Coach Joseph and described similar conduct to that raised by the student athletes. Specifically, staff members reported being talked to like they are children, feeling bullied, and being regularly cursed and yelled at by Coach Joseph, oftentimes while she is "in their faces" and pointing at them. During interviews, staff members indicated that they

routinely felt belittled by Coach Joseph, and administrative staff reported that assistant coaches also receive similar treatment. One long time staff member indicated that she has "learned to stay out of [Coach Joseph's] way" to avoid negative interactions.

Several staff members also reported that they felt manipulated and intimidated by Coach Joseph. Specifically, staff indicated that Joseph would pit staff members against each other by making staff members voice complaints and concerns regarding other staff members during public meetings. Similar to the concerns raised by the students, staff members felt pressured to voice a complaint even if they had no issues with that particular person. One staff member raised a concern regarding intimidation. During a Fall 2018 staff meeting, Coach Joseph was discussing a then on-going compliance investigation. In the midst of that conversation, Coach Joseph mentioned that she was considering suing Georgia Tech and that she would hate for the staff members' names to be brought up in the lawsuit. The staff member felt that such discussion was an attempt to dissuade any staff from cooperating with the compliance staff or participating in the investigation.

Coach Joseph denied engaging in any conduct that could be construed as mistreatment of staff members. Assistant Coaches admitted that Coach Joseph's treatment of her coaching and support staff is similar to her treatment of student athletes, but believed that such conduct was entirely appropriate.

V. DISCUSSION

Based upon the initial allegations, reports, and subsequent interviews, this matter was reviewed for potential violations of several Georgia Tech and University System of Georgia policies as outlined below.

Georgia Tech's Anti-Harassment Policy (Policy No. 1.7) prohibits "[d]iscriminatory harassment of any person or group of persons on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, or veteran status." The Policy defines **Discriminatory Harassment** as "unwelcome verbal, non-verbal, or physical conduct directed against any person or group, based upon race, color, religion, sex, national origin, age, disability, sexual orientation, gender identity, or veteran status that has the purpose or effect of creating an objectively hostile working or academic environment." While the conduct described was certainly unwelcome by the student athletes, the Investigator found no evidence that the conduct was specifically based upon any protected characteristic. Interviewees indicated that anyone could be subjected to scrutiny, targeting, and harassment by Coach Joseph. Thus, the Investigator found insufficient evidence or information with which to conclude that it was more likely than not that a violation of the Anti-Harassment policy occurred.

The **Non-Retaliation Policy** prohibits any materially adverse action against an employee who opposes actual or perceived violations of Institute policy. While the student athletes and certain staff members felt intimidated by Coach Joseph, interview participants did not identify any materially adverse employment action that was taken against them by Coach Joseph. Thus, the Investigator found insufficient evidence or information with which to conclude that it was more likely than not that a violation of the Anti-Retaliation policy occurred.

The **University System of Georgia Ethics Policy (Policy No. 8.2.18.1)** prohibits unacceptable behavior in the workplace. For example, the Personnel Conduct Code of Conduct

(8.2.18.1.4) states that the System expects that employees "[t]reat fellow employees, students, and the public with dignity and respect." Notably, the entire roster of current student athletes and numerous Georgia Tech employees indicated that Coach Joseph regularly engaged in conduct that they considered demeaning, belittling, and insulting. They described the conduct as "bullying," and provided examples of both emotional and verbal abuse. Staff members described the conduct as different in nature and severity as that exhibited by other collegiate coaches with whom they have interacted. Based on these accounts, the Investigator finds it more likely than not that Coach Joseph's actions fall outside acceptable behavior under the USG Ethics Policy.

The Investigator found the student athletes interviewed to be credible. Their credibility was further supported by the numerous Georgia Tech employees who corroborated portions of the players' testimony. The Investigator also found the reports of the Georgia Tech employees to be compelling. The staff members who raised concerns ranged from numerous individuals within the program and several GTAA employees who regularly interact with the team and players. These individuals echoed similar concerns as those expressed by the student athletes. The individuals have interacted with other teams and coaching staffs at Georgia Tech and other institutions, and testified that the conduct exhibited by Coach Joseph was of a different and more extreme nature and scope than what they had experienced in other settings.

During interviews, numerous players indicated that they do not trust anyone on the team and feel isolated from the rest of the Athletic Department. Staff members indicated that player distrust has impacted their ability to help and provide services to the players to enable them to be successful. The majority of student athletes interviewed reported that they no longer have the love and enjoyment of the game that they once had, and they attributed those feelings to the culture within the program and treatment by Coach Joseph. The Investigator also found the number of players who reported that they have considered quitting or transferring in the past to be further illustrative of the players' perceptions of the program. Lastly, the fact that *every* student athlete interviewed either openly questioned whether Coach Joseph should return to her position, or unequivocally stated that Coach Joseph should be relieved of her duties, was significant. While these issues may not constitute violations of any specific policy, they do create substantial concerns regarding the current culture within the program.

The Investigator found a disconnect between the perceptions of the conduct described and team culture by the coaching staff versus the student athletes and other administrators. Every member of the team reported serious concerns regarding player mistreatment, and staff members from both the Women's Basketball program and GTAA raised similar concerns. However, Coach Joseph reported feeling "shocked" at being placed on administrative leave and the multiple allegations of mistreatment. The discrepancy between what are and what are not acceptable coaching practices appears to be at the heart of this disconnect. However, as noted above, numerous witnesses (both players and staff members) described Coach Joseph's behavior and practices as conduct that went beyond the scope of acceptable coaching. The Investigation has revealed corroborated evidence of Coach Joseph engaging in conduct that appears to go beyond the scope of acceptable coaching, as identified by Georgia Tech assistant coaches, administrative staff, and players, as described in detail above. The Investigator defers to the Institute as to what action(s), if any, should be taken based upon the outcome of this now completed investigation.

End of Report.