

**Faculty Board on Athletics  
Meeting of November 15, 2017  
3:00 pm-4:30 pm, 500 Main Building**

Members present: Patricia Bellia (Chair), Corey Angst, James Brockmole, Jaimie Bleck, Ann Firth, Erin Hoffman Harding, Patrick Holmes, Daniel Kelly, Mary Ann McDowell, Susan Ohmer, F. Clark Power, Michael Stanistic, Cameasha Turner, Kevin Vaughan

Member excused: Jack Swarbrick

Athletics Liaisons: Jill Bodensteiner, Beth Hunter, Missy Conboy, Mike Harrity

Guests: Claire Leatherwood Slebonick (recorder), Brandon Roach, Associate General Counsel

**1. Opening Prayer**

Professor Patricia Bellia called the meeting to order at 3:04 pm and asked Professor Corey Angst to offer the opening prayer.

**2. Minutes of Meeting of October 25, 2017**

The Board approved the minutes, with eleven members voting in favor of approval and one abstaining.

**3. Chair's Announcements**

*Navy Football Game Invitation.* On behalf of Ms. Missy Conboy, Professor Bellia reminded the Board of the emailed invitation to visit the Hospitality Tent prior to the Navy Football game and encouraged the Board to RSVP as described.

*Captains Approvals.* Professor Bellia announced she approved captaincies for men's basketball and cheerleading.

*Schedules.* Professor Bellia reported that she approved no regular season schedules but approved post-season competition for women's soccer to play at Texas A&M University.

*Infractions Matter.* Professor Bellia provided a brief update on the procedural posture of Notre Dame's academic misconduct case.

#### **4. Legal Developments in Intercollegiate Athletics (Brandon Roach, Associate General Counsel)**

Mr. Roach thanked the Board for the invitation to present on pending litigation relevant to collegiate athletics. He then provided a brief explanation and overview of the status of several categories of cases currently before courts across the country, including antitrust litigation challenging the amateurism model, concussion and other personal injury litigation, and a new type of name, image, and likeness litigation concerning the use of student-athlete images in connection with corporate sponsorships. Mr. Roach then took questions from the group, which led to an extended discussion of the various issues presented by the cases.

Professor Bellia thanked Mr. Roach for his report on this important topic.

#### **5. Academic Reports (Patrick Holmes, Director of Academic Services for Student-Athletes)**

Professor Bellia invited Mr. Patrick Holmes to provide his report on graduation rates. Mr. Holmes thanked Professor Bellia while passing out a packet to the Board.

Mr. Holmes reported that the NCAA recently released the graduation rates for member institutions. He explained two different graduation rate metrics: the Federal Graduation Rate (Fed Rate) and the Graduation Success Rate (GSR). Mr. Holmes stated that the Fed Rate is a graduation metric that measures whether or not a student graduates from the original institution within six years of enrolling in a fall semester. Institutions use the metric for their whole student body as well as their student-athletes, which permits a comparison between the overall graduation rate and the graduation rate for student-athletes. Notre Dame's Office of Strategic Planning and Institutional Research (OSPIR) calculates the Fed Rate figure for the whole student body, while Academic Services for Student-Athletes (ASSA) reports on student-athletes who are a subset of that group. The Fed Rate does not remove outgoing transfers from the cohort or track whether incoming transfers graduate. Nor does the Fed Rate track the graduation of mid-year (January) enrollees.

The GSR is a metric the NCAA introduced approximately thirteen years ago that accounts for grant-in-aid student-athletes transferring both into and out of an institution. Mr. Mr. Holmes noted that most articles about graduation rates for student-athletes use the GSR figures.

Mr. Holmes directed the Board's attention to the second page of the packet, which summarizes trends in Notre Dame's graduation rates. He complimented Mr. John Heisler, Senior Associate Athletics Director, for his work in preparing news releases that situate Notre Dame's graduation rates in relation to those of other institutions. Mr.

Holmes highlighted Notre Dame's 98% GSR, explaining that it ranks first among Football Bowl Subdivision (FBS) schools, and further emphasized that Notre Dame's GSR has either been first or tied for first among this group for the last eleven years.

Mr. Holmes pointed out the report's trends, summarizing the data by describing how in ten categories the report measures—GSR and Fed Rate, respectively, among all student-athletes, male student-athletes, female student-athletes, black student-athletes, and football student-athletes—Notre Dame's 2017 rates are first, second, or third in nine out of ten categories. Mr. Holmes emphasized some additional statistics, noting that Notre Dame was first or tied for first for both the female and the male student-athlete GSR.

Professor Bellia observed that Notre Dame's 2017 GSR for black student-athletes is the lowest she recalls it being, coming in at ninth in the report's rankings at 90%, although she noted 90% is the same percentage as it was in 2016. She asked whether Mr. Holmes could comment on this rate. Mr. Holmes stated that students not leaving in good standing, which happened in a number of more recent cohorts, affects this figure.

Mr. Holmes responded to several other questions, including one from Professor Susan Ohmer regarding the same issue identified by Professor Bellia, by describing some specific characteristics of the current cohort. In response to a question from Professor Angst, Mr. Holmes explained that the NCAA imposes consequences for institutions with very low Academic Progress Rates (APR) and noted that additional consequences for low APRs are being discussed. Mr. Holmes described how, depending on an institution's APR, the institution could lose scholarships and/or the opportunity to compete in post-season competition. Mr. Holmes noted that the Board will discuss the APR and associated reports in more depth during spring Board meetings.

Mr. Holmes turned to a chart comparing Notre Dame's football and men's basketball graduation rates to the rates for other institutions in the "Power 5" conferences (i.e., the ACC, SEC, Big 12, Big Ten, and Pac-12). Notre Dame's teams are at or near the top of both the GSR and Fed Rate rankings. Professor Bellia noted the Notre Dame's men's basketball team's high rates and praised Head Coach Mike Brey's work on this front, particularly as compared to other Atlantic Coast Conference (ACC) men's basketball programs. In response to a question from Professor Angst, Mr. Holmes explained why the Fed Rate and GSR can be dramatically different for the same team, emphasizing the size of the cohort and the impact of junior college transfers and mid-year enrollees. Mr. Holmes directed the Board's attention to the dramatic difference in Fed Rates between programs at the top and bottom of the ranking and offered additional examples of how those percentages could be affected, including the "one and done" phenomenon and a coach's philosophy on scholarship allocation and playing time.

Mr. Holmes directed the Board's attention to the final page in the report, which includes the average GSR and Fed Rate for each sport across all FBS schools. He explained how to compare Notre Dame's rates to these average rates. Mr. Holmes highlighted that there were twelve changes in Notre Dame's sport-specific graduation rates between 2016 and 2017, with ten of those twelve sports showing improvement.

Mr. Holmes concluded his report by inviting any questions from the Board.

Professor Bellia thanked Mr. Holmes for this helpful report and asked if it could be appended to the meeting's minutes, to which Mr. Holmes assented.

## **6. 2015-2016 Class Miss Report**

Professor Bellia introduced the 2015-2016 Class Miss Report by briefly sketching its background and the timing of her presentation of it to the Board. She noted that the purpose of this report is to demonstrate the types, frequency, and distribution across the academic year of the class misses Notre Dame teams face. Professor Bellia further explained that the Board had asked her a few years ago to include GPA and GPA changes in the report, to help identify any concerns about how a higher number of class misses might affect academic performance.

Professor Bellia supplied context for the bar graphs, explaining how to interpret the data and reminding the Board that the Board's cap on class misses applies to regular season competition. She noted that the post-season class miss number is largely dependent on how well the team performs. She also explained that NCAA rules prohibit class misses during the non-championship season for some sports.

Professor Bellia offered her analysis of the data, describing how the ACC's incorporation of Notre Dame into the planned schedule for future years has helped to stabilize class misses in a number of sports, compared to the higher number of class misses Notre Dame experienced in its transition to the ACC in 2013-14.

Professor Bellia reported on an ACC Working Group constituted to study the class miss issue at the conference level. She directed the Board's attention to a document demonstrating the impact of the conference's schedule on a team's class misses. Professor Bellia shared some of the implications of this work for Notre Dame's schedule, offered some of the Working Group's conclusions, and reported that the Working Group has referred this issue to the ACC Senior Woman Administrators. Professor Bellia discussed the different philosophies among the ACC member institutions, including the fact that many institutions do not share Notre Dame's willingness to prioritize this issue.

Noting the limited time remaining in the meeting, Professor Bellia offered to set aside time for more in-depth Board discussion of class miss issues during a future Board meeting, when Professor Bellia presents the 2016-2017 Class Miss Report.

In response to a question from Professor Stanisic, Professor Bellia confirmed that under longstanding Board policy, class misses in the Tuesday/Thursday and Monday/Wednesday/Friday sequences are counted the same way, despite the disparity in the number of minutes a student misses.

Professor Daniel Kelly applauded the Board and Notre Dame for having a strong Class Miss Policy, but encouraged the Board to not be satisfied with the current numbers of class misses necessitated for some of Notre Dame's sports by the combination of the conference schedule and post-season play.

Professor Bellia agreed with Professor Kelly and stated that post-season, as the biggest variable to scheduling, makes controlling the number of class misses of high-performing teams difficult. Ms. Beth Hunter, Associate Athletics Director, offered her experience with the men's soccer post-season run this past year, describing the challenges of the ACC playoff schedule and resulting difficult travel schedule.

Reiterating that she would provide additional time for discussion of these issues in conjunction with the 2016-2017 Class Miss Report, Professor Bellia closed this meeting's discussion of this issue.

## **7. Future Review of Academic Articles Charge**

Cognizant of the lack of time for discussion, Professor Bellia flagged the future review of the Board's Academic Articles' charge. Professor Bellia asked the Board to review the Board's charge as it will be a discussion item in future meetings.

## **8. Adjournment**

Thanking the Board members for their time, Professor Bellia adjourned the meeting at 4:33 pm.