

**Faculty Board on Athletics
Meeting of September 10, 2014
10:00 am-12:00 pm, 500 Main Building**

Members present: Patricia Bellia (Chair), James Brockmole, Ann Firth, John Gaski, Jessica Hellmann, Erin Hoffmann Harding, Patrick Holmes, Dan Kelly, Thomas Noble, Jaime Pensado, Joseph Powers, Robin Rhodes, Jack Swarbrick, Christopher Stewart

Member excused: Ann Tenbrunsel

Athletics Liaisons: Jill Bodensteiner, Michael Harrity

Observers and Guests: Brandon Roach—Office of the General Counsel, Tracey Thomas (Recorder)

1. Call to order and opening prayer

Professor Patricia Bellia called the meeting to order and gave the opening prayer.

2. Minutes of May 9, 2014

Professor Bellia reviewed for new members the password-protected website where committee minutes are made available. The minutes of the May 9, 2014 meeting were unanimously approved.

3. Chair's announcements

Professor Bellia spoke about the Board's projected work for the fall. The October meeting will include a report from Mr. Holmes on academic topics and a disciplinary report from Student Affairs. In November, Ms. Bodensteiner will provide a compliance report and Professor Bellia will present the class miss report. Professor Bellia expects that Father Jenkins will join a portion of the December meeting.

- **Spring/Summer 2014 Business**

Professor Bellia reported for the minutes certain business that the Board handled during the summer.

- The Board approved a request to live off campus by a student-athlete who had not fulfilled the six-semester on-campus requirement. The student had withdrawn from Notre Dame for a semester but was on track to graduate with her class in Spring 2015.
- The Board recommended to Associate Provost Hugh Page that a student-athlete's departure from campus for Olympic training be treated as a leave of absence (not requiring readmission) rather than a separation from the University (requiring

readmission). Dr. Page approved the request on the basis of that recommendation.

- Two coaching transitions occurred:
 - Joe Piane, coach of men's cross-country and men's and women's indoor and outdoor track and field, retired. Alan Turner was promoted to head coach of both track and field and cross-country.
 - For family reasons, head women's swimming coach Brian Barnes has resigned from his position. Recently retired men's swimming coach Tim Welsh has agreed to fill the position on an interim basis until a search for a new coach is completed.
- At the May 2014 meeting, women's soccer coach Theresa Romagnolo requested permission to schedule an away game with the University of Illinois during the freshman orientation weekend. The Board conditioned its approval of the request on the women's soccer program attempting to move the start time of the game to noon on Friday, August 22, making it feasible to hold the game and still return students to campus in time for evening orientation events. Mr. Harrity, sport administrator for women's soccer, handled the re-scheduling request. The University of Illinois acceded to the request, despite the impact on game attendance and receipts. The match was completed successfully, with students returning to campus in time.

Professor Thomas Noble asked about precedent set by this approved request. Professor Bellia provided background on the policy. No orientation game is permitted by the policy; any exception for an orientation game must be approved by the Board. The current accepted model for permitted home orientation games is to schedule a Friday game at 5 p.m. and a Sunday game at 2 p.m. This latest approved request presents a possible second acceptable model for away games: a noon Friday away game from which students are easily able to return to campus by Friday early evening.

Ms. Hoffmann Harding reported that she is part of a group reviewing the first-year orientation schedule, which might affect acceptable start times for exceptions to the policy. Professor Bellia agreed to consult with Dr. Page on the planned changes.

- **Schedule Approvals**

Professor Bellia reviewed the chair's role in schedule approvals. The Board has delegated to the chair the authority to approve scheduling requests that comply with the Board's class miss restrictions. The policy allows teams to adopt a schedule that includes up to three class misses in the Monday-Wednesday-Friday sequence and three class misses in the Tuesday-Thursday sequence. The chair is permitted to approve up to two additional misses to facilitate the construction of competitive schedules.

Since her last report on schedule approvals, the chair has approved 16 athletic team schedules (see Appendix A).

Professor Bellia briefly reviewed some of the approved schedules. Teams denoted with an asterisk are permitted to apply the class miss protocol to individual athletes, due to the ability to rotate athletes on these teams. Each individual athlete is capped at three class misses for each class format. On teams involving individual competition, such as the tennis teams in the fall, individual athletes are occasionally permitted four misses when they advance in specific tournaments. Under the Board's policy, Professor Bellia grants the additional absences in consultation with the Office of Academic Services for Student-Athletes.

Some team schedules have been approved with class misses that exceed the 3/3 limit.

- Football: The football team will be on the road for six games this year. Although one game falls during Thanksgiving break, Notre Dame does not have a game scheduled on the Friday of fall break. As a result, the team will be traveling on five Fridays during which classes are in session, and four trips involve airline flights. Professor Bellia granted three full-day Friday absences for the team's travel to Syracuse, Florida State, and Navy. For travel to Indianapolis for the Purdue game and for travel to Tempe for the Arizona State game, Professor Bellia followed earlier precedents involving partial class misses. Every effort will be made to keep student-athletes in class for as long as possible. It will be necessary to dismiss all student-athletes from the last afternoon class slot on both days. For the Arizona State game, some students will need to be dismissed from the penultimate class slot. Professor Bellia will work with Academic Services for Student-Athletes to determine, based on academic performance, which students will be dismissed from that class slot, and every effort will be made to have students attend alternative sections or to record missed classes.
- Golf: Because there is no regular season competition in golf, each team must construct its own tournament schedule, and each tournament spans multiple days, typically including either a Friday or a Monday. As in past years, the golf teams require additional class misses to build competitive schedules.
- Volleyball: As with last year, the team has no control over the conference scheduling of games. The ACC scheduling format requires Friday/Sunday matches, whereas the Big East typically played a Saturday/Sunday schedule. Unlike the Big East, however, the ACC does not have a conference tournament. Overall, then, the volleyball team will miss as few classes as, or fewer classes than, it has in past years.
- Basketball: Both men's and women's basketball requested permission to schedule a home reading day game in December 2014. The requests were accompanied by the submissions required under the Board's revised study day policy. The chair approved the requests and will ensure that the both teams adhere to the relevant protocols.

- **Captaincy Approvals**

Professor Bellia distributed a list of captaincy approvals since May (see Appendix B). Professor Bellia reviewed the policy, which directs the chair to approve any captain who clearly falls in the stated criteria (high standards of conduct and strong leadership; there is no minimum GPA requirement). In some cases, the chair receives a slate of names for approval, and the coach selects a subset of student-athletes from the approved slate. In other cases, the coach submits the final choices. Typically, the chair receives a list of names which s/he can discuss with the team sports administrator. The names are reviewed by Student Affairs for any disciplinary violations, and a discussion with officials is permitted if necessary. The chair sends approvals to the coach; s/he can choose to bring the approvals to the full board if desired.

4. Developments in Intercollegiate Athletics

- Amateurism in intercollegiate athletics

Professor Bellia welcomed Brandon Roach, General Counsel's Office, to report on the situation facing the NCAA relating to the subject of amateurism in intercollegiate athletics.

Mr. Roach noted that the current public discussion and perception of the ongoing status of amateurism in intercollegiate athletics is being fueled in part by legal actions related to this subject. He provided a brief overview of the history and current status of several significant cases:

- The *O'Bannon* case, a class action case involving the use of an athlete's name, image and/or likeness
- *Alston v. NCAA* and *Jenkins v. NCAA*, class action cases asserting that NCAA amateurism rules violate antitrust laws by limiting the benefits universities can provide to student-athletes
- *Northwestern University v. College Athletes Players Association*, an administrative proceeding under labor law where student-athletes are asserting a right to unionize as employees
- Concussion-related litigation

Mr. Roach took questions following his presentation, at the conclusion of which Professor Bellia thanked Mr. Roach for his report on this important topic.

- NCAA governance redesign and related issues

Professor Bellia and Mr. Swarbrick reported on other NCAA issues, including the governance redesign. The NCAA board of directors voted in August to adopt a new governance structure. Professor Bellia fears that there is an increased potential for accelerated and poor legislation.

Under the new governance model, the 65 members of the “Big 5” conferences, including the ACC, were given the power to engage in “autonomous” rule-making in certain areas, including health and wellness, meals and nutrition, financial aid, academic support, time demands, and so forth. Mr. Swarbrick noted that a commonality of interest has been lost; the business of managing Notre Dame Athletics is very different than managing Butler Athletics or Ball State Athletics. In the face of this economic tension, the legislative progress was paralyzed. In addition, cultural differences have not been addressed at all. Given this strained context, the grant of increased autonomy prevents a complete break between the economically advantaged institutions and all the rest, while holding together championship arrangements (such as the March Madness basketball championship tournament). Mr. Swarbrick predicted that this will be a “stop-gap measure.” While it keeps the Football Bowl Subdivision together, it will result in “terrible legislation,” such as the meal legislation adopted earlier this year.

Mr. Swarbrick predicted that there will now be an extended period of time—perhaps a decade—during which the model is allowed to work. Because of the broadcast agreements, there will be no conference realignment for another decade, during which time there will be an opportunity to allow the new system to work out kinks. Not until the end of that decade will new strains really emerge.

Professor Bellia concluded the report on NCAA business and noted that updates will be forthcoming as appropriate.

5. Student-Athlete Task Force Report

Professor Bellia reported on the outcome of the Student-Athlete Task Force, which she and Mr. Swarbrick had chaired. The task force emerged from a recommendation of the Board to study effective ways to support at-risk student-athletes. The task force met through Spring 2014, produced a draft report in July, and shared its report with Father Jenkins on July 30. The membership of the task force included, among others, several members of Board (including Ann Firth, Robin Rhodes, Chris Stewart, Pat Holmes, and former member Richard Pierce), Athletics staff (including Ms. Bodensteiner and Mr. Harrity), Associate Provost Hugh Page, and members of the football and men’s basketball staffs. Professor Bellia provided a brief review of the main points of the report.

The task force considered four aspects of student-athlete life: recruiting and admissions; student-athlete transition to campus life; curricular offerings; mentoring and support outside of athletics. Some broad conclusions emerged from the task force’s recommendations.

- Intensive individualized attention is strongly recommended. One tool will be to regularly bring together all campus staff who have a working relationship with an at-risk student-athlete. The group could include the sport administrator, assistant coaches, the academic advisor, a trainer and/or nutritionist. Regular discussion will lead to better identification of any potential issues and will insure consistency in the type and quality of attention being given to at-risk student-athletes. This technique is particularly important for student-athletes who play for teams with a higher number of at-risk students, and could be directed to other sports as well.

- The Summer Bridge program, which has been successful, should be expanded. The program needs a permanent staff and home; it needs to be expanded to provide support for more students; and it needs a director and manager.
- In terms of curricular issues, the task force advocated expansion of the successful Writing and Rhetoric tutorial and the reading comprehension program piloted in spring 2014.
- More attention should be given to faculty mentors for at-risk student-athletes. Growing evidence indicates that faculty mentors can provide important incentive for academic and cultural engagement of at-risk students. Faculty members were invited to begin the process of identifying potential faculty mentors who would provide “true engagement.” Ms. Bodensteiner and Professor Noble provided anecdotes to support the notion that many at-risk students need mentoring and coaching to learn academic engagement techniques that may be taken for granted by the majority of the university community.

Members discussed the need for an increase in support systems for at-risk students. Professor Bellia reported that Father Jenkins has called it “a moral imperative” to meet the academic, social and personal needs of this targeted population; the University needs to do everything that the task force has suggested, and needs to do it right. Professor Bellia noted that members have been provided links to four representative articles that discuss aspects of the issues of success for at-risk students on university campuses.

Ms. Hoffmann Harding noted that Student Affairs has had “great success” with a case management model. In response to a question, Professor Bellia noted that resident hall staff should begin by contacting the sports administrator for a team when a student-athlete is identified as experiencing some challenges. It was noted that the Board and the Athletics Department appreciate any insights and information that can be shared by Student Affairs in the interest of providing support to this student-athlete population.

Ms. Firth noted that communication is a key element of a successful support program. While Notre Dame has been acting on “the best intentions,” a significant area for improvement is in communication among concerned units. Professor Hellmann asked about best practices in mentoring; she noted that there are suggested practices to use with another at-risk population, women students in science. In her area, faculty mentoring is a successful tool, particularly when students are matched with mentors who share some characteristics of the students (such as gender). Mr. Swarbrick noted that the task force report calls for “best practices.” One significant area will be to construct a strong assessment tool to be applied when the student-athlete joins the school. A full and rigorous assessment may reveal information previously unidentified that would hamper a student’s adjustment to campus life; for instance, a learning disability may be identified that was previously unknown.

Professor Bellia thanked members for their thoughts on this subject as various units on campus begin the work to develop a truly responsive and supportive system with the aim of providing to all students the education promised by the University.

6. Subcommittees

The meeting was adjourned, and Professor Bellia invited the two subcommittees to meet briefly and choose chairs. The chairs are as follows: Student-Welfare, John Gaski; Academic Integrity, Thomas Noble.

APPENDIX A

SCHEDULE APPROVALS (March-September 2014)

Approval Date	Sport	Within 3MWF/3TuTh Misses Each Semester?	Reason for Exception
8/26/14	Men's Basketball	Y	Home reading day game (conference) approved.
4/14/14	M/W Cross Country	Y*	More than 3 MWF on schedule, but individuals will not exceed 3 MWF misses.
9/10/14	Football	3 full and 2 partial	6-5-1 schedule with bye during Friday of fall break; partial absences determined on a case-by-case basis in consultation with ASSA.
6/26/14, 7/28/14	Men's Golf	Fall 4/1, Spring 3/2	Tournament schedule
6/26/14	Hockey	Y	
8/13/14	Men's Soccer (Fall only)	Y	
7/14/14	Men's Swimming/Men's Diving	Y	
9/2/14	Men's Tennis	Y*	*Involves individual competition in fall semester; any extra misses will be dealt with on a case-by-case basis.
3/30/14	M/W Track & Field (Indoor)	Y*	*More than 3 MWF and TuTh on schedule, but individuals will not exceed 3 MWF and TuTh misses.
9/9/14	Women's Basketball	Y	Home reading day game (non-conference) approved.
7/11/14	Women's Golf	4.5/1.5, 4/2.5	Tournament schedule
8/14/14	Rowing	Y	
5/10/14	Women's Soccer (Fall only)	Y	Orientation weekend games approved.
5/22/14, 7/16/14	Women's Swimming / Women's Diving	Y	
7/21/14	Women's Tennis	Y*	*Involves individual competition in fall semester; any extra misses will be dealt with on a case-by-case basis.
5/9/14	Volleyball	5/0	Format of non-conference tournaments; ACC schedule.

APPENDIX B

CAPTAINCY APPROVALS (May-September 2014)

Approval Date	Sport	Student-Athlete(s)
9/9/14	Women's Basketball	Markisha Wright Whitney Holloway Michaela Mabrey
9/9/14	Men's Fencing	Ariel DeSmet John Hallsten Dale Purdy
slate approved 8/18/14; captains named 8/27/14	Football	Austin Collinsworth Sheldon Day Nick Martin Cam McDaniel
9/9/14	Women's Golf	Ashley Armstrong
slate approved 8/26/14; captains named 9/3/14	Hockey	Steven Fogarty (captain) Peter Schneider (alternate) Sam Herr (alternate)
5/1/14	Men's Soccer	Andrew O'Malley Luke Mishu Nicholas Besler
5/20/14	Women's Soccer	Katie Naughton Cari Roccaro Sammy Scofield
5/1/14	Women's Swimming	Bridget Casey Courtney Whyte
7/28/14, 9/2/14	Women's Tennis	Molly O'Koniewski Katherine White
9/9/14	Volleyball	Kathleen Sevryn