

**Faculty Board on Athletics
Meeting of February 28, 2011
500 Main Building**

Members present: Patricia Bellia (Chair), Eileen Botting, Rev. Tom Doyle, C.S.C., Stephen Fallon, Thomas Frecka, Umesh Garg, Patrick Holmes, William Kelley, Tracy Kijewski-Correa, Richard Pierce, Clark Power, Kevin Richards (student representative), Frances Shavers, Ann Tenbrunsel

Member excused: Jack Swarbrick

Board Liaisons present: Missy Conboy, Charmelle Green, Bill Scholl

Observers and Guests: Dennis Jacobs—Vice President and Associate Provost for Undergraduate Studies, Tracey Thomas (Recorder)

1. Call to order and opening prayer

Prof. Patricia Bellia called the meeting to order and invited Father Doyle to give the opening prayer.

2. Minutes of January 31, 2011

Father Doyle moved to approve the minutes; Professor Kelley seconded the motion. The minutes were unanimously approved.

3. Chair's announcements

Prof. Bellia reported that she has approved the captains for the rowing team. In addition, she approved a revised schedule for men's and women's diving; this includes a class miss which will occur in the post season. A revised schedule for fencing was also approved, which did not include any class misses. The fall schedules for cross-country, volleyball and women's golf were also approved. Women's golf has one class miss over the three-class limit on the M/W/F sequence; FBA members are well aware of the scheduling issues in this sport.

Prof. Bellia also reported that Coach Brian Kelly has accepted an invitation to speak at the April 13, 2011 meeting; also invited to the April 13 meeting is Don Bishop, who is newly in charge of enrollment management.

4. Academic Honesty Issues—Dennis Jacobs, Vice President and Associate Provost for Undergraduate Studies

Prof. Bellia introduced Dennis Jacobs, who has been invited to speak to the Board about academic honesty issues, with particular focus on: (1) providing an update on the occurrence of honor code violations among student-athletes; (2) providing an update on discussions about notifying coaches about honor code violations; and (3) brainstorming about programming ideas for reducing the incidence of violations and effecting a change in the campus culture about violations of the honor code.

Dr. Jacobs briefly shared data on honor code violations. Data has been kept since 2003. Since the 2006-07 change in process, roughly 90% of cases are now adjudicated through Honor Code Violation Reports, which are somewhat analogous to plea agreements. Many fewer cases participate in the older, traditional departmental or collegiate honesty committee hearing process.

Dr. Jacobs said there is a lot of concern about the underreporting of honor code violations; this erodes the university's ability to say where it stands on the code. Because much activity is undetected, it tends to encourage taking the risk of getting caught, thus increasing activity. He noted that each spring, the data on honor code violations is reported in "The Observer."

Incidence of occurrences can be tracked by class. First year of study (FYS) students commit the most violations, followed by juniors, sophomores and seniors. The kinds of violations being committed include the following (in decreasing order of frequency): Internet based plagiarism; other forms of plagiarism; and cheating on a test. Seventy-five percent of the courses in which an honor code violation is reported are from the College of Arts and Letters, followed by the Mendoza College of Business and the College of Science.

Members discussed the circumstances that increase the likelihood of honor code violations. All students face challenges at different times, and student-athletes face some unique pressures.

Members asked questions about the structure of the honor code policy, inquiring whether its procedures result in optimum outcomes for students. It was the perception of some members of the Board that students do not take ownership of the honor code at ND. The result is a perception by faculty, students and administrators that cheating is widespread.

Members discussed the possibility of informing coaches of honor code violations, should they occur. Dr. Jacobs talked about the priority of privacy to students as an element of honor code procedures. He explained that students do not want what they perceive of as a mistaken decision to be made public. Changes to the honor code policy, which is currently under review by committee, are governed by the guideline that any change must be capable of being applied to all 8300 affected students.

Members shared their understanding that student-athlete leaders expressed via the Student-Athlete Advisory Council that they are unanimous in their desire to have coaches informed of honor code violations should they occur. The perception is that coaches, as significant mentor figures in the lives of student-athletes, would be able to offer support and guidance to student-athletes in such a situation. Currently, no member of the Athletics Department is informed of such a violation. (For all students, in the case of an Academic Honesty Violation Report, the matter is between the faculty member and the student, with Dr. Jacobs ensuring that the agreed-upon penalty is commensurate with those in similar cases. In the case of a hearing, the departmental honesty committee would be informed as well.) Members shared their belief that because the culture of the team can be impacted by these incidents, and because the student-athlete experiences a unique kind of campus pressure, it would be to the benefit of the student to have the support of a coach in this situation.

Dr. Jacobs noted that in the past, the AD had been notified of the occurrence of violations (though not the identity of the violators), and this could be reinstated as a procedure. The AD would be permitted to communicate to coaches general information about occurrences, which would allow the coach to address generally the culture of the team.

Dr. Jacobs noted that the honor code committee is concerned about maintaining equity in the assignment of sanctions for honor code violations. Informing coaches introduces the possibility of the administration of additional sanctions to student-athletes. Members discussed possible means of ensuring that such sanctions are clearly prohibited in the event that coaches could be informed of violations.

There has been a lot of discussion about what might constitute an effective and practical intervention that could be applied across all students. One suggestion is that every student who commits a violation be required to talk with a counselor. The current approach, which is favored, is to urge or encourage the use of identified services if the student self-determines that a problem exists (in the letter sent to each student involved in an honor code violation). Thus it would be an elective rather than mandated process. Dr. Jacobs reminded members that any system must meet the needs of 8300 students. The committee has not found a compelling reason to mandate disclosure across the student population. Dr. Jacobs agreed that this policy of encouraging self-determined use of support services would ultimately mean little without a comprehensive education program aimed at shifting the campus culture. All agreed that an education program is needed to address this serious campus issue.

Prof. Garg summarized the opinion of members when he said that if there is resistance to a policy shift of informing coaches of violations, then the notification of the AD and the identification of available support services to violators will be welcomed. While the Board is generally in support of the goal of treating student-athletes like the rest of the campus student population, there are occasionally unique circumstances that dictate a difference in treatment. It is the shared opinion of the Board that in this case, student-athletes would be best served by sharing the occurrence of an honor code violation with coaches.

In response to the suggestions made by members, Dr. Jacobs said he will work directly with the AD to develop a process by which anonymized information about violations can be communicated to coaches with the goal of addressing issues of team culture. He noted that the honor code revision committee is aware of the concerns expressed by the Board and committed to resolve the problems if at all possible.