

**Faculty Board on Athletics
Meeting of September 14, 2009
500 Main Building**

Members present: Patricia Bellia (Chair), Stephen Fallon, Thomas Frecka, Umesh Garg, Patrick Holmes, William Kelley, Tracy Kijewski-Correa, Mary Ann McDowell, Richard Pierce, Rev. Mark Poorman, C.S.C., Robin Rhodes, Kevin Richards (Student Rep.), Frances Shavers

Members absent: F. Clark Power, Jack Swarbrick

Board Liaisons present: Missy Conboy, Charmelle Green, and William Scholl of the Department of Athletics

Observers and Guests: Jill Bodensteiner, Associate Athletics Director; Beth Hunter, Assistant Athletics Director and Executive Director, Monogram Club; Brent Moberg, Director of Compliance; Tracey Thomas (Recorder); Tom Timmermans, Compliance Coordinator; Jen Vining-Smith, Assistant Athletics Director

1. Call to order and opening prayer: Prof. Bellia called the meeting to order at 3:05 p.m. and Father Poorman offered the opening prayer.

Prof. Bellia asked all members to introduce themselves and new members to make short remarks. New members include Tracy Kijewski-Correa (Engineering), Kevin Richards (student representative), and Stephen Fallon (elected to fill the last year of Prof. Bellia's unfinished at-large term). Charmelle Green, Senior Assistant Athletics Director for Student Welfare and Development, joins the group as a liaison from the Department of Athletics. Tracey Thomas is the new recorder of minutes.

2. Approval of Minutes: The Board unanimously approved the minutes of the May 21, 2009, meeting.

3. Chair's Announcements: Prof. Bellia welcomed all new and returning members and offered thanks for members' service to the university. She noted that Board membership carries with it a tremendous responsibility to student-athletes, faculty, the Department of Athletics and the university at large.

Prof. Bellia said it is a privilege to serve as the chair of the Board. She stated that her vision of the Board's function derives from the university's Statement of Principles for Intercollegiate Athletics, which speaks of Notre Dame endeavoring to "maintain a highly competitive athletics program consistent with its tradition, heritage, and overall mission as a Catholic university. It will attempt to excel in intercollegiate athletics, but always in conformity with its primary role as educator and moral guide." Prof. Bellia noted that a strong voice for the faculty through the Faculty Board on Athletics will help Notre Dame's athletics program to operate in consonance with the university's educational mission. The roles of the Faculty Board on Athletics include the following: nurturing a commitment to academic integrity within the athletics program;

ensuring suitable academic support for student-athletes; promoting the welfare of our student-athletes; and serving as a liaison between the faculty and the Athletics Department.

In light of these roles, Prof. Bellia described three challenges for the 2009-2010 Faculty Board on Athletics. A first challenge is to understand in more detail the priorities, goals, and strategies of the Athletics Department, as well as more about the “industry” within which it operates. Second, a major challenge involves studying the growing “score” gap between a segment of the student-athlete population and the rest of the student population, and what must be done to address it. This gap implicates issues of academic integrity, to the extent that this might be a population of “at risk” students. It also implicates the charge to the Board to ensure suitable academic support for athletes who are here. The third challenge is to engage a broader segment of the faculty in issues at the intersection of academics and athletics, fostering engagement about the large and small challenges that pursuing excellence in athletics alongside excellence in academics will raise.

Next, Prof. Bellia provided an overview of agenda items for the upcoming year. Reports from university offices which intersect with athletics will occur regularly. Some items that will be carried over from the last year include a report on drug testing techniques and a requested report from the chair on the class miss policy. On this issue, Prof. Bellia said she would like to revisit the delegation of approval authority to the chair to confirm that the delegation is being exercised as the Board intends. Prof. Bellia said that she would continue to invite coaches to speak with the Board as appropriate. And finally, the work of subcommittees, to be previewed at this meeting, will continue.

Prof. Bellia also reported on business undertaken in the name of the Board since she took the Chair on August 1, 2009. She approved the schedules of the following sports: women’s basketball, men’s basketball, men’s and women’s indoor track and field and outdoor track and field; men’s lacrosse; women’s lacrosse; men’s swimming and diving; women’s swimming and diving; and men’s tennis. She approved routine changes to the schedules of several sports. One non-routine approval involved a women’s basketball home match scheduled for a study day. Prof. Bellia also approved of captaincies for football and hockey. She reminded the Board that although the Board eliminated the GPA minimum for captaincies, the requirement for Board approval remains in place.

Prof. Bellia also described an unexpected situation that arose in women’s soccer after approval of the schedule in the spring. In late spring, the NCAA changed the length of the season, adding a week of competition. The revised schedule submitted in July called for the team to play a match during freshman orientation weekend, when FBA rules preclude on-campus competition, and the schedule was approved without the matter being referred to the full Board. While allowing the game to proceed in light of the prior approval, Prof. Bellia notified the head coach and sport administrator that in the future such requests would have to come to the full Board for consideration. Prof. Bellia noted that she expects this to be a recurring issue because of the lengthened season.

Finally, Prof. Bellia reported on a summer meeting of the Central Collegiate Hockey Association Council. The withdrawal of a team from the league leaves the league in the awkward posture of

having 11 teams. The CCHA Council is considering how to respond to this change. The addition of another team to the league could have class miss and student welfare implications, depending on the location of the school. She said she is confident that her concerns are shared by the hockey administrator.

4. Report on Department of Athletics Reorganization: Prof. Bellia invited Missy Conboy and Bill Scholl to present an overview of the recent Athletics Department reorganization.

Ms. Conboy offered an apology on behalf of Jack Swarbrick that a previously scheduled meeting out of town prevented him from attending today's meeting. She said the reorganization was undertaken in order to ensure that the highest quality service is being provided consistently to the concerned constituencies. She distributed a set of handouts detailing the new organizational structure.

The organization is divided along internal and external lines: the internal interface reports directly to Ms. Conboy while the external section reports to Mr. Scholl, with some positions reporting directly to the Director of Athletics. Ms. Conboy described the relationships between various members of her team, noting the new strategic initiatives reshaping positions and responsibilities.

Ms. Conboy said that each sports administrator has now been assigned only one sport with which to work, another new initiative. This focus should enable the administrator to become more fully engaged with the sport and to offer year-round resources to the sports teams, and should provide the Athletics Department staff more opportunities to develop professional skills. Ms. Conboy said the sport administrators will be reaching out to FBA members connected with the same sports.

Ms. Conboy asked for questions. Prof. Bellia asked how sports are assigned to administrators and what the continuity plans are. Ms. Conboy said continuity will be encouraged. She said that Mr. Swarbrick solicited input concerning a good fit for each sport. Other considerations included the nature of other work responsibilities. Gender was not a consideration, nor was it necessary for the administrator to have played the sport.

Prof. Kelley asked for clarification on the Department of Athletics' organization chart, and in particular the inclusion of Pat Holmes, who serves as Director of Academic Services for Student-Athletes and therefore reports to the Office of the Provost, on the chart. Ms. Conboy stressed that Mr. Holmes was not included as a direct report within the Athletics Department but rather as someone who reports outside of Athletics but works in an area that intersects with Athletics. Ms. Conboy observed that Mr. Holmes is invited to senior staff meetings within the Department of Athletics because of the importance the Department places on academics and to ensure that he is fully apprised of the Department's initiatives. Ms. Conboy noted that the chart was an internal document but that she would raise Prof. Kelley's concern with Mr. Swarbrick.

Mr. Scholl next presented the organization of the external functions of the Athletics Department, including development, corporate partnerships, managing the expendable athletic scholarships distributed under the Rockne Heritage Fund, and fostering effective guest relations and event

marketing. Old functions have been reshaped in response to Mr. Swarbrick's focus on providing excellent service to student-athletes, faculty, alumni, donors, students and faculty, and corporate partners.

Prof. Kelley asked about the guidelines for defining which corporate sponsorships get picked up. Prof. Kelley noted a concern that the increasingly high price of football tickets will cause a higher volume of season football tickets to change hands, opening up the possibility of scalping. With an increase in sponsorship money, the ticket prices could be lowered; he wondered if useful monies are being left "on the table." Mr. Scholl said that the guidelines for corporate sponsorships were established in the last administration, and the number of sponsors was set at and remains eight. The university is still committed to not having onsite signage in the football and basketball stadiums. Also, the university is committed to limiting the commercial aspect of university athletics, even if that means leaving money on the table. The football tickets do constitute the major revenue stream for the Athletic Department; adding other streams might impact ticket prices, but that is not yet under consideration.

5. Strategic Initiative—Student-Athlete / Alumni Relations: Mr. Scholl introduced Beth Hunter to give a presentation on the Department of Athletics' strategic initiative on student-athlete / alumni relations. The first portion of Ms. Hunter's presentation concerned the Monogram Club, of which she now serves as Executive Director. There are now 7000 living monogram winners (that is, winners of at least one varsity letter). There are 4000 dues paying members of the club, which is a high percentage, nationally. The dues are \$300/year; this fee results in a \$1 million dollar operating budget, permitting the Club to give back to the university in a number of ways.

The Club is working with an endowed scholarship fund of \$5.2 million. The monies are used to provide scholarship assistance to the children of monogram winners who wish to attend the university. In some cases, Ms. Hunter said, the Club is able to offset 100% of the work-loan debt of these students. This year, the Club is assisting 28 sons and daughters of monogram winners. The Club is also funding post-graduate awards, such as assisting a student-athlete with medical school bills. Supporting student-athletes to reach their goals is a significant purpose for the Club.

Two recent gifts illustrate the work of the Club. With a \$1 million gift in 2005, the Club assisted in the new graphics and theming of Notre Dame Stadium. Another \$1 million gift in 2009 is assisting with numerous athletic facilities under construction. In addition, the Monogram Club has undertaken a number of outreach projects to alumni student-athletes, part of Mr. Swarbrick's strategic initiatives. For instance, on the 60th anniversary of the first black athletes to compete at Notre Dame, the Monogram Club brought together over 100 former student-athletes, gathering at the 2009 Blue/Gold Game. The weekend included a reception in the Press box, which Father Hesburgh attended, and a panel discussion on "the state of the black student-athlete." The Club hopes to facilitate regular reunions of this group of student-athletes. Another outreach project the Club will begin to work on is developing a better system of tracking student-athletes to ascertain where the alumni athletes are and how they can be reached effectively.

Ms. Hunter noted that in 2008-09, the Monogram Club created a new ceremony for letter winners. Instead of an informal distribution of letter jackets, the Club hosted a dinner to present jackets to the new winners. A video and team photos completed the moving ceremony. It will be repeated twice a year for new winners.

The Club also provides occasional funding to traveling teams to have a special experience, such as to attend a Broadway show, take a team trip to another country, enjoy a special dinner, or visit a unique venue. In this way, the students and coaches become familiar with what the Club offers them.

Ms. Hunter asked for questions. Prof. Frecka asked what sort of NCAA restrictions there are on benefits for traveling teams. Ms. Conboy said that entertainment when the team is on the road, such as tickets to Disney World or upscale dinners, is permitted. There is a clear procedure and forms to be filled out, preferably prior to the event, so that Compliance can sign off on all such events. Ms. Conboy noted that on average no team receives more than one such benefit, due to travel schedule limitations.

Prof. Pierce asked if alumni student-athletes are in effect “hit” twice for alumni giving. Ms. Hunter explained that the Monogram Club is not a direct report to the Alumni Office, but that they work together to coordinate mass mailings and emails, etc. One such connection, for instance, is to develop mentoring opportunities between alumni athletes and current student-athletes. Prof. Pierce wondered what kinds of connections are made between alumni athletes and non-athlete students on campus. Hunter said that the core mission of the Club is to give back to current athletes. She agreed, however, that building connections between alumni athletes and general students would be a great idea.

6. Report of the Subcommittee for Academic Integrity: Prof. Richard Pierce

Prof. Pierce said the subcommittee has met once this year; Prof. Bellia was in attendance. The meetings are open for all members to attend; announcements will be made through Prof. Bellia’s office.

Prof. Pierce briefly reported agenda issues for the year. An issue carried over from last year is to examine the question of notification to coaches when a student-athlete commits an honor code violation. A second issue is to examine the process by which 5th year student-athletes register for courses. Departmental restrictions often preclude unclassified graduate students from registering for the courses included in their approved plans of study. Coordination with the registrar is a potential avenue to be investigated, as well as further conversations with departments. A third issue on the agenda concerns facilitating a return to campus for those student-athletes who would like to come back to Notre Dame to finish an uncompleted degree.

7. Compliance Overview: Prof. Bellia welcomed the members of the Compliance Office, who have been invited to provide both an overview of the compliance system and specific guidance to FBA members their liaison roles. Jill Bodensteiner, Associate Athletics Director for Compliance and Legal Affairs, said the staff of the Compliance Office has had a complete turnover since she

came on board on July 1 from her former position in the General Counsel's Office. The staff introduced themselves.

Ms. Bodensteiner provided an overview of the office's current priorities. She is committed to disseminating rules education to a broader array of constituents—alumni and current parents as well as student-athletes and coaches. She is working with Mr. Holmes's office as well. A second focus is to upgrade use of technology to improve efficiency. A third concern is to take an increasingly proactive role in both reviewing/commenting on proposed legislation and introducing legislation (via the Big East conference) for consideration by the NCAA.

A fourth area of focus is the use of improved technology and other resources to enhance monitoring processes. She said this is the biggest job and a critical one for the office to manage in this first year. Under Bylaw 22 of the NCAA rules, each member institution must have a full audit done by an auditor from outside the Athletics Department. Notre Dame's internal auditing service has regularly fulfilled this function, notably in 2001-2003 and 2007. The next audit is due, comprising fifteen items. The internal auditors will begin the process but an outside auditor may be needed to finish. Improved technology will also enable the office to more effectively monitor, for example, the distribution of financial aid and the management of the summer camps programs, both of which are governed by NCAA rules.

Ms. Bodensteiner invited Jen Vining-Smith, Assistant Athletics Director, to present an overview of general compliance issues. Ms. Vining-Smith stressed the importance of continual and consistent rules education to the student-athletes and coaches, to highlight potential problems that might arise both during the year and in the summer.

Ms. Vining-Smith identified certain areas of concern for FBA members. She first discussed wagering and gambling and noted that NCAA rules prohibit such activities by institutional staff members with responsibilities for athletics. She noted that it was unclear whether FBA members would fall into this category, and therefore recommended a conservative approach. Ms. Vining-Smith also discussed the prohibition in NCAA rules on student-athletes receiving extra benefits, a restriction which is extended to friends and family members as well. Ms. Vining-Smith discussed the application of this rule to FBA members in their liaison roles. She explained that FBA members are permitted to entertain student-athletes under defined conditions. In particular, a faculty member who is a liaison to a team is permitted to provide meals to the team on an occasional basis; such meals should be cleared with the Compliance Office beforehand. The Compliance Office tracks the meal benefits provided to student-athletes to ensure no athlete receives an excess of opportunities. Ms. Vining-Smith also explained certain rules applicable to boosters. Finally, she noted certain limitations that NCAA rules place on recruiting.

Ms. Bodensteiner thanked Ms. Vining-Smith for her report, and gave a brief statement about the process of self-reports of "secondary" violations under NCAA rules. Under NCAA rules, member institutions are responsible to self-report these violations on a quarterly basis.

Prof. Frecka asked what the institution can learn from secondary violation occurrences. Ms. Bodensteiner said a goal is to create a functional database to enable tracking of the typical violations and the source of them. Such a mechanism will allow the compliance staff to more

effectively educate coaches, administrative staff and student-athletes. Institutional self-reporting is viewed very favorably by the NCAA. One goal of the Compliance Office is to continue to develop trust between staff and coaches, which will lead to improved reporting and, eventually, fewer violations. Prof. Frecka expressed confidence in the work being done by the Compliance Office. He asked further about risk assessment. Ms. Bodensteiner said she has been involved in benchmarking this topic with peer institutions, such as Texas, but is not aware of formal risk assessment models established by the NCAA or the Big East.

Prof. Bellia thanked the Compliance team for its presentation.

8. Report of the Subcommittee on Student Welfare: Prof. Mary Ann McDowell

The committee met last week, and Prof. McDowell reported on agenda items. One task is to review the appeals procedure for nonrenewal of a student's athletic grant-in-aid. The subcommittee will also examine the adequacy of honor code programming for student-athletes. Finally, the subcommittee will explore the adequacy of diversity programming for student-athletes. Father Poorman and Charmelle Green have been invited to attend subcommittee meetings; all members are also welcome to attend any meeting.

9. Other Business

Father Poorman provided members with updated and revised documents from the Office of Student Affairs.

In the interest of time, Prof. Bellia tabled until the next meeting the discussion of the proposed revisions to the Faculty Board on Athletics manual. She noted that in the manuals that members have received today, the proposed changes have been temporarily inserted. She stressed that these changes have not yet been reviewed. She noted that the list of sport liaisons has been revised to its final form, replacing any earlier lists members have received.

Prof. Bellia thanked all guests and members for their informative presentations. She noted that the next meeting, on October 14, will be moved to the Monogram Room of the Joyce Center and shortened to allow for a tour of the new Purcell Pavilion.

Prof. Bellia adjourned the meeting at 5:00 p.m.