

**Faculty Board on Athletics**  
**May 21, 2009**  
**Monogram Room, Joyce Center**

**Members present:** Donald Pope-Davis (Chair), Patricia Bellia, Patrick Holmes, William Kelley, Mary Ann McDowell, Richard Pierce, Rev. Mark Poorman, C.S.C, Clark Power, Jack Swarbrick

**Members absent:** Michael M. Burns (Student Rep.), Thomas Frecka, Umesh Garg, David Kirkner, Frances Shavers, Robin Rhodes

**Board Liaisons present:** Missy Conboy, Michael Karwoski and William Scholl of the Department of Athletics

**Observers and Guests:** Kathryn Lam (Recorder); Adam Sargent, Associate Director of Academic Services for Student-Athletes; Jeff Shoup, Director of Residence Life and Housing

**1. Call to order and opening prayer:** Prof. Pope-Davis called the meeting to order at 10:00 a.m. and Mr. Scholl offered the opening prayer.

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

**3. Academic Integrity Subcommittee Report:**

*Directed Readings*

Continuing from the previous meeting, Prof. Bellia presented a report on the Academic Integrity Subcommittee's work. First, she updated the Board on the progress made regarding directed readings taken during a student-athlete's fifth year of eligibility. As discussed at the previous meeting, the subcommittee was concerned with the intellectual rigor of a particular set of directed readings courses. The dean of the college in which the particular directed readings reside responded to a letter sent by the chair, Prof. Pope-Davis. Prof. Bellia described the dean's response as "encouraging." Prof. Pope-Davis noted that the dean agreed with the Board's concerns and intends to apply a cap to the number of directed readings and special studies courses an individual faculty member can teach in a semester.

*Team Captains*

Prof. Bellia explained that the subcommittee, at the request of the Chair, had considered the appropriateness of the GPA standard for team captains. She said that through the subcommittee's discussion, members expressed the importance of captains being leaders in the classroom and on the field; captains should set an example for teammates through their efforts in the classroom. She reported that members of the subcommittee also considered the fact that some students outperform their predicted success based on their SAT scores, but may not meet the current minimum GPA to be named a captain, whereas other students might meet the GPA standard but might not actually be setting an example in their studies. She reported that some members of the subcommittee suggested that the GPA is not necessarily the best proxy for effort in the classroom, and that the subcommittee therefore voted to recommend removing the GPA minimum for team captains. Based on the subcommittee's recommendation, Prof. Bellia moved

that the Board approve the deletion of the GPA requirement, as stipulated in the Faculty Board on Athletics handbook, in the evaluation of team captains. The motion passed unanimously.

#### *Kanaley Awards*

Prof. Bellia noted that the coaches did an excellent job this year with their nominations for the Kanaley Award, which was helpful in the subcommittee's deliberations. She then described a recurring concern of the subcommittee which again arose during this year's review of the nominees. She pointed out that the current policy is silent on how to treat students who have returned or might return for a fifth year of eligibility. The current language in the policy simply states that the award is bestowed on 'senior monogram winners.' The policy was written before fifth years of eligibility became so prevalent, and thus it now is necessary to clarify whether students are only eligible for the award in their *fourth* year at the university, their *final* year at the university, or both. Prof. Bellia also pointed out that it is not always known at the time of reviewing the nominees whether they will return for a fifth year.

Prof. Bellia presented three possible alternatives to clarify the language in the Faculty Board on Athletics manual. Option 1 considered athletic eligibility as decisive and would treat as a 'senior' a student-athlete who has completed or is forgoing any remaining eligibility in the sport in which he/she is being nominated. Option 2 considered academic status as decisive and would treat as a 'senior' a student-athlete who is completing his/her undergraduate degree. Option 3 had no restriction and would treat as 'seniors' both student-athletes who are completing an undergraduate degree, whether or not they have athletic eligibility remaining, and those student-athletes who are enrolled as graduate students while exhausting remaining athletic eligibility.

Following a thorough discussion about the advantages and disadvantages to each option, the Board voted to approve Option 3 and added the following language to The Byron V. Kanaley Award policy:

For purposes of the Kanaley Award, the Faculty Board on Athletics treats as 'seniors' both those student-athletes who are completing an undergraduate degree, whether or not they have athletic eligibility remaining, and those student-athletes who are enrolled as graduate students while exhausting remaining athletic eligibility.

#### *Honor Code*

The fourth topic Prof. Bellia addressed was the representation of student-athletes in the population of honor code violations. Although the subcommittee discussed a number of ways to respond to the issues surrounding the honor code, it wished to consult the full Board on the relevant issues (on which the subcommittee had elaborated in a memorandum provided before the April meeting). Prof. Bellia explained that the subcommittee approached the issue from two angles: 1) whether the honor code policies now in place adequately deter and respond to violations, specifically among student-athletes, and 2) what additional programming or strategies might serve to reduce the number of violations among student-athletes (or violations more generally).

Regarding the policy issue, Prof. Bellia elaborated on the subcommittee's concerns with the confidentiality surrounding the process and that only the student, faculty member, Associate Provost for Undergraduate Studies and faculty member or administrator from the relevant

college on the Honor Code Committee know about the violation. She noted that the policy does not allow Academic Services for Student-Athletes or the head coach to be informed of the violation. Prof. Bellia reminded the Board that the standard penalty for a second violation is suspension or dismissal from the University. She asked if this policy serves the student-athletes and Department of Athletics well enough.

Prof. Bellia said that when the subcommittee asked about expanding the group of those who are informed about a first violation they were met with great resistance. The reasons often noted were FERPA (Family Educational Rights and Privacy Act) and the potential inequity between the penalties received by student-athletes and non-student-athletes if coaches were allowed to impose additional penalties.

Prof. Power expressed interest in involving not only coaches, but peers in the group of people who might help address an honor code issue. Mr. Swarbrick noted his concern with the fact that an honor code violation is nearly the only element of a student-athlete's academic profile that a coach does not know, yet it is the place where intervention may be the most important. In regards to equity, Mr. Swarbrick suggested that a policy could be set whereby coaches are not able to impose additional penalties.

Prof. Pope-Davis reviewed the comments made, noting that the sense of the Board is that it would prefer coaches to be made aware of an initial violation so that an intervention can take place, but that no additional penalties should be imposed. He suggested that the subcommittee meet to discuss the Board's views with the Associate Provost for Undergraduate Studies and the Office of General Counsel. At Prof. Bellia's recommendation, Prof. Pope-Davis charged the Academic Integrity Subcommittee with reviewing the policy issues surrounding the honor code and the Student Welfare Subcommittee with reviewing the programmatic issues raised in the Academic Integrity Subcommittee's memorandum.

#### **4. *Ex Officio* and Liaison Reports:**

**Student Affairs:** Fr. Poorman invited Jeff Shoup, Director of Residence Life and Housing, to report on the 2008-2009 student-athlete disciplinary statistics. He distributed reports providing statistics on violations by team and responded to questions from the Board. Prof. Kelley noted the anomaly created by the divergent approaches to disciplinary issues and the approach to honor code violations just discussed: it would be possible for coaches to impose additional sanctions beyond those resulting from the deliberations on disciplinary issues, but not those resulting from honor code violations. Fr. Poorman added that additional sanctions are indeed an option for coaches in the case of disciplinary issues, but that Residence Life and Housing does not encourage or discourage the imposition of additional sanctions.

In response to Prof. McDowell's inquiry about comparative data from peer institutions, Mr. Shoup noted that few institutions make such data available. Furthermore, the underlying rules and definitions of violations are not consistent between institutions, thus the resulting data is not easily comparable.

**Academic Services for Student-Athletes (ASSA):** Mr. Holmes distributed copies of two annual reports entitled "Profile of Student-Athletes: 2008-2009 Academic Year" and "Student-Athlete

Profile Summary.” He reviewed various aggregated data related to the academic performance of student-athletes and athletic teams.

Mr. Holmes and Mr. Adam Sargent, Associate Director of ASSA, then addressed a concern for the expanding gap between student-athletes with a low academic profile and the rest of the student body. Mr. Holmes said he was concerned about how this particular group of students fits in at Notre Dame, how they are viewed by others, and how they view themselves. He is worried about the quality of their experience at the University.

In an attempt to address this growing gap, Mr. Sargent explained that the ASSA worked with those involved in the writing program to launch, beginning in Summer 2007, a summer version of the required First-Year Composition course that included “studio” hours. In addition, an ungraded one-credit first-year writing tutorial was offered to a small group of students in Spring 2009 (and two sections of the same tutorial were planned for Fall 2009). He said that the programs that were in place until this point did not meet the needs of all of the incoming student-athletes. He noted that these particular students have very basic needs which are not the focus of the services available at the University Writing Center. The tutorial program has more hands-on and one-on-one time with the students and also provides additional tutors outside of the classroom. Thus far, the results have been promising from the perspective of the students.

Prof. Pope-Davis mentioned his role on the NCAA Division I Athletic Certification Committee. He said that the Academic Integrity Committee Subcommittee of that body is currently drafting measurable standards to clarify expectations for each of the NCAA’s operating principles. [Mr. Holmes provided copies of the standards]. He said the standards are becoming more specific and considerations are being made about how to de-certify programs that are not meeting the standards. In the interest of time, Prof. Pope-Davis asked that the discussion be tabled until Fall 2009.

**5. Team Liaisons:** Prof. Pope-Davis distributed ballots to returning faculty members and asked them to indicate their preferences for their team liaison pairings for the 2009-2010 academic year. He said that in coordination with the Department of Athletics, he hopes to develop strategies and opportunities to enhance the relationships between liaisons, their assigned teams and coaches.

**6. Future agenda items and Adjournment:** Prof. Pope-Davis asked the Board to email him ideas for future presentations to the Board, either from the Department of Athletics or other members of the University. He also asked anyone with recommendations for a new student representative to contact him.

Prof. Pope-Davis thanked Prof. Bellia, Prof. McDowell, and Mr. Burns, for assuming subcommittee chair responsibilities for the year and bringing issues forward to the Board. He then thanked all members of the Board for their work and participation throughout the year.

With no scheduled time remaining, Prof. Pope-Davis adjourned the meeting at 12:20 p.m.