

**Faculty Board on Athletics
December 17, 2008
Monogram Room, Joyce Center**

Members present: Donald Pope-Davis (Chair), Thomas Frecka, Patrick Holmes, William Kelley, David Kirkner, Mary Ann McDowell, Richard Pierce, (Rev.) Mark Poorman, C.S.C, Clark Power, Robin Rhodes, Umesh Garg, Frances Shavers, Jack Swarbrick

Members absent: Patricia Bellia and Michael M. Burns (Student Rep.)

Board Liaisons present: Bill Scholl and Michael Karwoski of the Department of Athletics

Observers and Guests: Kathryn Lam (Recorder)

1. Call to order and prayer: Prof. Pope-Davis called the meeting to order at 3:05 p.m. Prof. Frecka said the opening prayer.

2. Approval of minutes: The Board unanimously approved the minutes of the October 16, 2008 meeting.

3. Sports Medicine Update: Prof. Pope-Davis invited Dr. James Moriarity, Athletics Medical Physician, to give a presentation on current trends in sports medicine. Dr. Moriarity's talk focused on three areas: 1) changes in the practice, 2) injury prevention, and 3) European approach. Board members engaged in discussion about the lack of research activity in the United States focused on understanding how to prevent injury. Booklets outlining the services available and personnel involved in the Sports Medicine Department were given to the Board.

4. Grant-In-Aid Appeal Hearings: Joe Russo, Director of Student Financial Strategies, addressed the Board about his experience with grant-in-aid appeal hearings. He reminded the Board that NCAA legislation governs the policy developed by the Board and that his role is to serve as the chair of the hearing panels. For reference, he distributed a sample letter sent to student-athletes to notify them of the non-renewal of their grant-in-aid. Mr. Russo explained that in his first 27 years in this role he could "count on two hands" the total number of hearings requested. In recent years, hearings have been more frequently requested.

5. NCAA Legislation: Mr. Karwoski provided an annual review of NCAA legislation. He distributed copies of the detailed legislation under review as well as a summary sheet of specific legislation considered at the Big East Faculty Athletic Representative (FAR) meeting. He presumed the items reviewed by the FARs would be most relevant for the Board's consideration. Mr. Karwoski briefly reviewed each item of legislation on the summary sheet and answered questions. He also welcomed Board members to email him with any further comments or questions. In response to Prof. Pope-Davis's question, the Board indicated that they did not feel that there was a need for the Board to provide an advisory vote on any of the legislative items under review.

6. Subcommittee Updates

a. Student Welfare: Prof. McDowell reminded the Board that the Student Welfare Subcommittee passed the charge to consider the Honor Code to the Academic Integrity

Subcommittee. She explained that, while under its purview, the Student Welfare Subcommittee made a recommendation to the Honor Code Committee to consider requiring notification of a dean or other academic officer of Honor Code infractions by all students, including student-athletes. This type of notification would allow for an intervention with the student, she said. Prof. McDowell said the recommendation was not accepted because of confidentiality issues and because any amendments to the policy would have to be approved by Academic Council. Later, Prof. Pope-Davis reminded members that as a Faculty Board, it can make recommendations to the Academic Council.

The subcommittee has been in discussion with Charmelle Green, Assistant Athletic Director of Student Welfare and Development, to consider offering programs on diversity issues (including race, gender, socio-economic stats, religion) to student-athletes. Furthermore, the subcommittee began addressing the issue of trying to better identify and understand what diversity issues are most problematic based on student-athletes' perceptions. Prof. McDowell introduced an issue concerning student-athletes' ability to arrive and eat at the dining hall, either before it closes or before food is no longer available.

Through a brief discussion, it was confirmed that the review of nominations for the Byron V. Kanaley Award will remain with the Academic Integrity Subcommittee.

b. Academic Integrity: The subcommittee requested to defer its update until the Board's next meeting. The Board complied with the request.

7. Ex Officio and Liaison Reports

a. Department of Athletics: Mr. Swarbrick explained the Department of Athletics' philosophy and policy on student-athletes transferring from the University. He said that two elements are involved in these cases: 1) release from Notre Dame which facilitates the student-athlete's transfer to another school and 2) waiver from Notre Dame which allows the student-athlete to play competitively without having to sit-out one year at another institution. Mr. Swarbrick said that the Department of Athletics' obligation is to help the student-athlete get to an institution where he/she wants to attend. The Department works to put the student-athlete in a position to be able to receive a scholarship from another institution; the Department does not want financial considerations to hinder a student-athlete's transfer. He continued by saying the Department of Athletics also has an obligation to the teammates of the transferring student-athlete and thus it has a policy whereby it will not release the student-athlete to an institution that is a rival, in-conference or on a future schedule. Finally, Mr. Swarbrick reminded the Board that those student-athletes who are not granted a transfer-release by the Department of Athletics can appeal to the Board.

8. Conclusion and adjournment: Prof. Pope-Davis urged Board members to respond to the email sent by his office requesting their availability for meetings for the spring semester. Finally, he reminded the Board about its invitation to the Athletic Department Christmas Party the following evening.

With no further business to discuss, the meeting was adjourned at 5:05 p.m.