

**Faculty Board on Athletics**  
**April 21, 2008**  
**Room 500, Main Building**

**Members:** Prof. Donald Pope-Davis (Chair); Prof. Patricia Bellia; Mr. Michael M. Burns (Student Rep.); Prof. Stephen Fallon; Prof. Umesh Garg; Mr. Patrick Holmes; Prof. William Kelley; Prof. David Kirkner; Prof. Mary Ann McDowell; Prof. Richard Pierce; Rev. Mark Poorman, C.S.C.; Prof. Robin Rhodes; Dr. Frances Shavers; Prof. John Weber and Dr. Kevin White

**Board Liaisons:** Ms. Missy Conboy 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 3:00 p.m. Ms. Lam offered the opening prayer.

**2. Approval of Minutes:** The minutes from the meeting of March 27, 2008 were approved as corrected.

**3. FBA Manual:** [At its previous meeting, some Board members expressed interest in seeking clarification on the Grant-in-aid Student-Athlete Housing Policy Appeal Procedures.]

During a robust discussion, Fr. Poorman commented that the Board is responsible for determining policy and that it is in the interest of the Department of Athletics to enforce the policy. As stated in the policy, the Director of the Office of NCAA Compliance and Student-Athlete Welfare and Development is responsible for enforcement.

Prof. Bellia commented that she believes the current appeals process was developed in a format parallel to the appeals procedures for a transfer-release hearing. Ms. Conboy pointed out that while the transfer-release policy and its appeals process is required by the NCAA, the housing policy and its appeal process is not. Fr. Poorman noted that as the policy is currently written, a student-athlete's written request for appeal is submitted to the NCAA Faculty Athletics Representative (FAR), not the Chair of the Board. He was concerned with the fact that the policy currently designates the FAR with the responsibility of appointing three *non-ex officio* members of the Board to the hearing panel. Prof. McDowell proposed amending the language in third paragraph of the housing appeal procedures as follows:

[Underlined parts are proposed additions to the language; [bracketed] parts are proposed deletions from it].

If the FAR grants the request for an appeal hearing, this hearing is conducted within a reasonable period of time, ordinarily not to exceed thirty (30) days after the FAR receives the written request. The FAR appoints three [*non-ex officio*] members of the faculty [Faculty Board on Athletics] as voting members of the hearing panel. The FAR

designates one of these three members of the hearing panel as its chair. The chair of the hearing panel schedules the hearing.

By voice vote, the amendment was unanimously approved.

Prof. Bellia observed that as the policy reads, the basis for an appeal to go to a hearing panel has been dramatically narrowed. Ms. Conboy agreed and said that a hearing would result in only a very unique situation.

At Prof. Pope-Davis' request, members agreed to allow the FBA Manual to be edited for consistency in syntax and grammar.

#### **4. Subcommittee Updates**

**a) Academic Integrity:** Prof. Weber informed members that the Academic Integrity Subcommittee dealt with two issues over the past month: fifth year of eligibility applications and Byron V. Kanaley Award nominations. All members of the Board were invited to attend the session where the subcommittee deliberated both issues.

Prof. Weber said that the subcommittee carefully examined the proposed academic programs of the seven student-athletes that petitioned for a fifth year of eligibility and concluded that all of the proposed programs were substantive. He noted the subcommittee's concern with a directed reading course included in one student-athlete's program. He said that he thinks the Board should review directed reading courses in the future. Upon recommendation of the subcommittee, the Board unanimously approved the seven fifth-year applicants.

Regarding the Kanaley Award nominations, Prof. Weber reminded members that head coaches can make up to one nomination per team. He mentioned that the number of winners of the award has risen over the years. However, the subcommittee does not think the increase in the number of winners has diluted the significance of the award because, in the meantime, more sports have been offered at the University. Ms. Conboy agreed and said that she does not think the student-athletes think that the award's significance has been diluted either. A discussion ensued regarding the nominees. Through the discussion, Ms. Conboy mentioned that playing and practice times vary by sport and that she thinks it is important to consider the student-athletes' time commitment as a factor in awarding the winners. In response to a question from Mr. Burns, Prof. Weber indicated that the GPA is only one factor in the consideration of a candidate. In previous discussions of the Board, the importance of not establishing an arbitrary GPA by which candidates would or would not win the award was emphasized. The award is not just an academic award; it recognizes excellence in academics, athletics, leadership, and service.

Prof. Bellia commented that the subcommittee found a dramatic variance in the quality of coaches' recommendations. Dr. White asked that the subcommittee provide him with an exemplary nomination form so that he can share it with the coaches as a model to follow in the future.

Prof. Pope-Davis thanked the subcommittee for its effort in reviewing the fifth year of eligibility petitions and Kanaley Award nominations.

**b) Student Welfare:** Prof. McDowell reported that the Student Welfare Subcommittee met with Dennis Jacobs, Vice President and Associate Provost, regarding his request of the Board to consider ways to address student-athlete violations of the Honor Code.

[As the policy governing violations of the Honor Code currently reads, after a student's first infraction, no coach or other party is notified of the infraction; only the student, professor, and Associate Provost, has knowledge of the infraction. Yet, after the second violation, a student can be suspended or dismissed from the University. In such a case, no (or little) warning is given to the coach before the student's punishment is enforced. In previous discussions, the Board expressed concern with the lack of warning of the coaches.]

The Student Welfare Subcommittee made a recommendation to Prof. Jacobs that after the first Honor Code violation by a student-athlete that the Director of Academic Services for Student-Athletes (ASSA) be notified so an initial intervention can take place. Prof. Jacobs brought the recommendation to the University Code of Honor Committee. Through a discussion of the committee, it became clear that they did not want to treat student-athletes differently from other students. Therefore, the committee decided to designate a person in each college's dean's office to discuss the seriousness of any student's (student-athlete or non-student-athlete) first violation with him/her. The committee also recommended that deans and ASSA be notified about student-athletes' first infractions.

The discussion then moved onto ways that student-athletes can better manage some of the pressures that lead to Honor Code violations. Mr. Holmes, Director of ASSA, mentioned that the First Year of Studies, the University Writing Center, along with ASSA, piloted a summer program in the Summer of 2007 that provided select student-athletes with a hands-on first year composition course. The course includes six hours per week of classroom time, an additional four hours of a hands-on studio component in the computer lab, and tutoring outside of the classroom. He said that the course proved to be beneficial and will continue this summer. ASSA is again working with the First Year of Studies and the University Writing Center to expand the programming beyond the summer session.

Prof. McDowell noted that Stan Wilcox, Deputy Athletics Director, and liaison to the Board, emailed head coaches and asked them for information on any Honor Code training and discussions they have with their respective teams. There are plans to compile and report that information to the University Code of Honor Committee. Prof. McDowell mentioned that she is trying to schedule a meeting with Charmelle Green, Assistant Athletics Director for Student Welfare and Development, about programs offered by her office that address the entire student-athlete population.

Mr. Burns said that he has discussed the possibility of a swimming team retreat that could be hosted by Notre Dame over the summer months. The idea, originated by men's swimming Head Coach, Tim Welsh, is to invite student-athletes from other institutions to participate in a variety of academic, team-building and leadership workshops as well as swimming competitions. Mr. Burns indicated that the subcommittee is also interested in speaking with Ms. Green about the idea. In response to a question from Prof. Fallon, Mr. Burns said that there is no precedent at

Notre Dame or other institutions with regard to this type of retreat. Dr. White said that he would discuss the idea with Ms. Green and Coach Welsh and then follow-up with Prof. Pope-Davis.

**5. Member Team Liaison Updates:** Prof. Pope-Davis distributed a ballot and asked returning members to indicate their preferences for their team liaison pairings for next academic year. Members then provided updates on their teams.

Prof. Pierce, liaison to hockey, said that the team had a great season and had tremendous fan support, particularly at the Frozen Four. He also said that he would like the Board to formally express its congratulations to the team on its precedent-setting season. Prof. Pope-Davis said that he would draft a letter of congratulations to the hockey coaching staff and team on behalf of the Board.

Prof. Rhodes attended the men's basketball banquet and said that it was a nice way to end the season. He mentioned that the team has been ranked as high as fifth in some preseason polls.

Prof. Kelley said that he had no report at this time and that he has had some discussions with the men's lacrosse coaches.

Prof. Bellia mentioned that both the men's and women's tennis teams won Big East Conference titles during the past weekend. She said that the matches were very exciting and that the men's victory was in part due to the key performance of a freshman student-athlete. The women's victory included a dominant doubles win by the nation's top-ranked team of Brook Buck and Kelcy Tefft.

Prof. McDowell informed members that she was able to attend the opening of softball's new Melissa Cook Stadium last weekend. She commented that the team is now playing constantly. She said that the rowing team is performing well and is nationally ranked.

Mr. Burns, liaison to men's and women's swimming, said that the programs celebrated their 50<sup>th</sup> and 25<sup>th</sup> anniversaries, respectively, this year. He has been able to attend practices and meets.

Ms. Lam, liaison to the women's lacrosse team, has attended team practices and games. The team will host the Big East tournament for the first time next weekend. The tournament will take place in Notre Dame Stadium, home of the Notre Dame football team. This will be the first time a women's varsity sport will be played in the stadium.

Prof. Weber, liaison to the men's and women's golf teams, said that he is able to interface with the teams on a regular basis. He commented that both teams are in the top 20 in their sports' rankings and that the women's team is doing particularly well. The men's team will need a record with at least as many wins as losses in order to be invited to the NCAA tournament.

Prof. Fallon, liaison to the women's soccer and men's and women's fencing teams, said that there is a very strong team dynamic in each of the programs. While the women's soccer team had a difficult start to its season, it eventually reached the NCAA championship game. Prof. Fallon added that both fencing teams had very good seasons.

Prof. Kirkner said that he has been able to attend practices and meet with coaches of the men's and women's track and field teams.

**6. Updates:** Prof. Pope-Davis reminded members that they are invited to the O.S.C.A.R.S. (Outstanding Student-Athletes Achievements and Recognition Showcase) on Wednesday, April 30, 2008. The O.S.C.A.R.S. is an annual all-sport award and recognition showcase celebrating the accomplishments of Notre Dame student-athletes.

**7. Closing and Adjournment:** Prof. Pope-Davis reminded members that the Board's last meeting of the academic year will take place on Tuesday, May 13, 2008. President John Jenkins was invited to attend and address the issue of admissions standards for student-athletes.

With no further business to discuss, Prof. Pope-Davis adjourned the meeting at 4:10 p.m.