

**Faculty Board on Athletics
March 27, 2008
Room 500, Main Building**

Members: Prof. Donald Pope-Davis (Chair); Prof. Patricia Bellia; Mr. Michael M. Burns (Student Rep.); Prof. Stephen Fallon; Mr. Patrick Holmes; Prof. William Kelley; Prof. David Kirkner; Prof. Mary Ann McDowell; Prof. Richard Pierce; Prof. Robin Rhodes and Prof. John Weber

Members absent: Prof. Umesh Garg; Rev. Mark Poorman, C.S.C.; Dr. Frances Shavers and Dr. Kevin White

Board Liaisons: Ms. Missy Conboy and Mr. Stan Wilcox of the Department of Athletics

Observers and Guests: Charlie Weis, Head Football Coach and Kathryn Lam (Recorder)

1. Call to order and prayer: Prof. Pope-Davis called the meeting to order at 4:00 p.m. Mr. Burns offered the opening prayer.

2. Approval of Minutes: Minutes from the meeting of February 28, 2008 were unanimously approved as presented.

3. Football Coach Update: Coach Charlie Weis provided an update on the football program. His presentation covered topics including the relationship between football and academics, student-athlete transfers, recruiting, changes in coaching staff, motivating student-athletes, and redshirting.

4. Subcommittee Updates

a) Student Welfare: Prof. McDowell informed members that the Student Welfare Subcommittee and Mr. Holmes met with Dennis Jacobs, Vice President and Associate Provost, to discuss honor code violation issues. They are continuing to investigate the issue, but do not anticipate making concrete recommendations regarding this issue by the end of the semester.

b) Academic Integrity: Prof. Weber invited members of the Board to a meeting of the Academic Integrity Subcommittee where they will discuss two issues: 1) applicants for fifth year of eligibility and 2) nominees for the Byron V. Kanaley Award. He reminded members that the Board authorized the subcommittee to approve routine applications for a fifth year of eligibility, with the proviso that *all* Board members will be notified of subcommittee meetings so that they are able to give their input on the applications. [See March 19, 2007 minutes.]

5. Ex Officio and Liaison Updates

a) Academic Services for Student-Athletes: Mr. Holmes, Director of Academic Services for Student-Athletes, provided the Board with a detailed summary of the Fall 2007 team grade report.

In response to Prof. Pope –Davis’ inquiry, Mr. Holmes said that student-athletes remain on probation until they are considered to be in good academic standing. Mr. Holmes went on to say that Notre Dame’s requirements for student-athletes to participate are more stringent than those stipulated by the NCAA. While Notre Dame requires that student-athletes achieve a minimum GPA in order to participate in athletics, the NCAA only requires that student-athletes pass six credit hours. Additionally, Ms. Conboy pointed out that most schools certify their student-athletes once per year, whereas Notre Dame certifies its student-athletes twice per year.

Mr. Burns initiated a discussion about how student-athlete success in the classroom is publicized, particularly to the student-athletes’ peers on campus. Ms. Conboy said that Sports Information does publicize student-athlete academic success and she will contact that office to obtain a catalogue of where that type of information is sent. Prof. Pope-Davis encouraged faculty members to share the successes evidenced in the report with their cohorts.

Prof. Kelley expressed concern that a 3.0 GPA is too low of a benchmark measure. In response to comments regarding grade inflation, Prof. Kelley said that he would like to know if, over time, student-athletes have improved relative to non-student-athletes.

b) Department of Athletics: In advance of the meeting, a summary of the *White v. NCAA* settlement was distributed to members. Mr. Wilcox said that the settlement makes it easier for Notre Dame student-athletes to receive financial assistance through the more flexible guidelines of the Student-Athlete Opportunity Fund (SAOF). The settlement will also allow former student-athletes to access funds for educational and career planning purposes. He said that the Department of Athletics will make efforts to inform current and former student-athletes about the opportunities provided by the *White v. NCAA* settlement.

Prof. Pope-Davis reminded members that for their reference, they were sent a document providing an update on the NCAA legislative proposals discussed at the December 17, 2008 Board meeting.

6. Faculty Board on Athletics Manual: The Faculty Board on Athletics Manual (FBA Manual) is reviewed periodically to examine the policies and procedures contained therein and to determine if there are any areas that warrant updating or clarifying language. The Student Welfare Subcommittee was charged with reviewing the FBA Manual. Prof. McDowell, co-chair of the Student Welfare Subcommittee, presented amendments proposed by the subcommittee. She asked all members to propose additional amendments as they felt appropriate. Most changes were made without discussion or debate. Below are the items that involved deliberation among Board members. [Underlined parts are proposed additions to the language; [bracketed] parts are proposed deletions from it].

University Guidelines for Scheduling Practice, Competition, and Travel

Prof. McDowell, with the help of language drafted by Prof. Weber, said that the amendment proposed below was made in the context of the Board’s discussion with the men’s and women’s golf coaches at its last meeting. It was explained that the tenor of that discussion appeared to apply to sports and schedules other than the specific request by the golf teams. The Board has become overtly aware of the pressures and very real constraints some individual teams face in

trying to build competitive schedules. Without competitive schedules, coaches are impacted from climbing in the rankings and achieving their assigned goals. Reflecting the discussion at the last Board meeting, the subcommittee proposed amending the second paragraph as stated below:

(See board minutes for the meeting of April 10, 2003.) Given special circumstances consistent with the board's desire to enable coaches to build competitive schedules, the board gives its chair the discretion to approve up to two additional class misses for a given semester before having to bring a specific request before the board. The board has...

The amendment was approved.

Fifth Year of Eligibility

In consultation with Mr. Holmes, the amendment below was proposed. [Text in **bold** was added through discussion by the Board at today's meeting].

NOTE: For purposes of these fifth-year-eligibility provisions, a student becomes a fifth-year student-athlete after completing eight full-time academic semesters at Notre Dame. [A] An academic semester is [one during which the student undertook at least one hour of credit at Notre Dame. See board minutes for meeting of September 26, 2002.] defined as either a fall or a spring (15 week) semester, not including summer school. Full-time is defined as completing at least 12 credit hours **for undergraduate students or 9 credit hours for graduate students**, except for the final semester where the student-athlete may be enrolled in less than a minimum full-time program of studies, provided the student is carrying the courses necessary to complete the baccalaureate requirements.

Prof. McDowell explained that the purpose of the amendment was to provide clarity by removing the reference to "one hour of credit." In response to Prof. Weber's, Mr. Holmes said that the proposed change could impact student-athletes that graduate in seven semesters because it would require them to be a full-time graduate student in their eighth semester. Mr. Holmes suggested adding the bolded language above.

Mr. Holmes then initiated a conversation about the necessity of a stipulation in the policy that said in reviewing petitions for a fifth year of eligibility, the Board may consider the extent to which a student-athlete will advance the competitive position of the program. He questioned whether the Board should be weighing in on that facet of the decision. He proposed the following amendment:

In reviewing petitions for a fifth year of eligibility, the Faculty Board on Athletics may consider the extent to which:

1. approval of the application would serve the best interest of the student-athlete;
2. the student-athlete has committed to the academic program recommended by the academic advisor; and
- [3. the student-athlete will advance the competitive position of the program.]

The amendment was approved.

Off-Campus Residence

A discussion ensued that revisited the Board's February, 28, 2008 deliberations regarding the Grant-in-aid Student-Athlete Housing Policy Appeals Procedure. At that meeting the Board amended the Grant-in-aid Student-Athlete Housing Policy Appeals Procedure to require more stringent requirements for a student-athlete to be granted an appeal hearing. It restricted hearings to be allowable in only two circumstances: 1) a grant-in-aid student-athlete's request for permission to live off-campus during the senior year is denied by the Director of the Office of NCAA Compliance and Student-Athlete Development/Welfare, or 2) a grant-in-aid student-athlete is determined to have moved off-campus without permission by the Director of the Office of NCAA Compliance and Student-Athlete Development/Welfare.

Through the discussion, Prof. Kelley said that he considers the second component to be a Department of Athletics disciplinary issue and that it should not be included as an avenue to an appeal hearing. He said that the violation of the housing policy is different than being granted an appeal hearing. Prof. Pope-Davis said that the Board is the only body that has a policy addressing off-campus housing for student-athletes. Prof. Fallon said that the enforcement of the policy resides with the Board. The Board then voted on amending the policy as follows:

In those instances where[: a)] a grant-in-aid student-athlete's request for permission to live off-campus during the senior year is denied by the Director of the Office of NCAA Compliance and Student-Athlete Development/Welfare, [or b) a grant-in-aid student-athlete is determined to have moved off-campus without permission by the Director of the Office of NCAA Compliance and Student-Athlete Development/Welfare,] the grant-in-aid student-athlete may, within 10 days of receiving the written explanation for the decision, submit a written request for an appeal hearing to the Faculty Athletics Representative (FAR).

The amendment passed by a vote of 6 to 1.

Through further discussion on the policy, Mr. Wilcox and other members indicated that since the policy deals with residence life issues, they are interested in hearing Fr. Poorman's input and clarification on how changes to this policy impact student-athletes, the Department of Athletics and the Board. In the interest of time, Prof. Pope-Davis tabled the discussion on the Grant-in-aid Student-Athlete Housing Policy Appeals Procedure.

Prof. Pope-Davis called for a vote of the Board to approve all of the proposed changes to the document which passed unanimously.

With no further business to discuss, Prof. Pope-Davis adjourned the meeting at 6:10 p.m.