

**Faculty Board on Athletics
December 17, 2007
Room 500, Main Building**

Members: Prof. Donald Pope-Davis (Chair); Prof. Patricia Bellia; Prof. Stephan Fallon; Prof. Umesh Garg; Mr. Patrick Holmes; Prof. William Kelley; Prof. Mary Ann McDowell; Prof. Richard Pierce; (Rev.) Mark Poorman, C.S.C; Prof. Robin Rhodes; Prof. John Weber; and Dr. Kevin White

Members absent: Mr. Michael M. Burns (Student Rep.); Prof. David Kirkner; and Dr. Frances Shavers

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

Observers and Guests: Ms. Ann Firth, Associate Vice President for Student Affairs; Ms. Nina King, Director of Rules Education, Athletic Compliance; Mr. Bill Kirk, Associate Vice President for Residence Life; Kathryn Lam (Recorder); Mr. Jeff Shoup, Director of the Office of Residence Life and Housing

1. Call to order and prayer: The Chair called the meeting to order at 4:05 p.m. Prof. Steve Fallon offered the opening prayer.

2. Approval of minutes: Minutes from the meeting of November 12, 2007 were unanimously approved as presented.

3. Off-Campus Housing Policy: Dr. Pope-Davis reminded the Board that the new Off-Campus Housing Policy was passed last year after much work from the Student Welfare Subcommittee. He is now bringing it to the Board's attention because, as Chair, he received two requests from student-athletes wishing to move off campus. The rationale of the student-athletes was that they have acquired enough credits (or three-fourths of those needed to graduate) to be considered seniors. Prof. Pope-Davis said that he denied their requests because their rationale was not in the spirit of the policy as he read it. He thinks that the policy intended for student-athletes to live on campus for three years. He said that if members concur with his view, the language of the current policy needs to be amended to clarify that point. He added that more student-athletes are scheduled to meet with him regarding the same matter.

After some discussion the group generally agreed that student-athletes should live on campus for three calendar years. Fr. Poorman noted that residence halls housing contracts are reviewed on a semester basis, not an academic year basis. Prof. Pope-Davis said that he would have the policy revised based on the general agreement that student-athletes should live in the residence halls for three years. He will send the amendment to the Board for a vote.

4. Updates: Prof. Pope-Davis informed the Board that Prof. McDowell will be serving as co-chair of the Student Welfare Subcommittee, along with Mr. Burns.

Prof. Pope-Davis distributed a handout that lists the remaining Board meetings for the academic year. With the Board's consent, the February 28, 2008 meeting will be extended by one half hour and will now take place from 4:00 p.m. – 6:30 p.m.

As promised at the last Board meeting, Prof. Pope-Davis distributed copies of class miss policies of Big East conference member institutions (those member institutions not included, can be assumed not to have a policy). He also said that the Academic Integrity Subcommittee will look at the Board's current class miss policy and will consider the policies of the University's aspiring peers.

Prof. Weber provided an update on the work of the Academic Integrity Subcommittee. He described a five-part recommendation that the subcommittee developed to enhance communication between the faculty and Academic Services for Student-Athletes (ASSA). Parts one and two of the recommendation suggest sending letters from the Board to faculty and department chairs to inform them of the purpose of ASSA and to encourage them to complete the forms they are sent by ASSA. Prof. Weber distributed a draft of both of these letters. Prof. Pope-Davis asked members to review the letters and to submit any suggested edits to Ms. Lam by Friday, December 21, 2007. Prof. Bellia indicated the subcommittee's interest in having the emails sent from the Board (not a single individual) directly to the faculty and department chairs.

Prof. Pope-Davis tabled the discussion of the practice time issue until the next meeting of the Board.

5. Academic Progress of Student-Athletes: In advance of the meeting, Mr. Holmes distributed information regarding the academic progress of student-athletes during the 2006-2007 academic year. He highlighted the 10 Academic All-Americans, noting that the University had 14 in the previous year and that only three times in the University's history did it have 10 or more. He also noted that three student-athletes were recipients of NCAA Postgraduate Scholarships. This is the third time in the University's history, and the first time since 1975, that three student-athletes have been recognized in the same year. He credited the type of student-athlete that the University enrolls and the support that they are subsequently offered as reasons for the success. He said that it is a goal of the ASSA to have students recognized in this way.

In response to Prof. Kelley's question about what Notre Dame does differently than other institutions, Mr. Holmes said that it uses more stringent criteria than the NCAA for determining if a student-athlete is eligible to compete. Prof. Kelley said that he is certainly in favor of having academic rigor, but that he wants to ensure that we compare ourselves to peers accurately. Mr. Holmes said that he thinks Notre Dame has the right standards and that NCAA needs to reconsider its criteria. He also said that Notre Dame has made the NCAA aware of its different standards. Mr. Karwoski said that when Notre Dame publishes its Academic Progress Rate (APR) results, it notes what standards the University uses.

Prof. McDowell asked how Notre Dame's APR results compare with other institutions, to which Mr. Holmes said that they are very strong compared to others. Dr. White added that Notre Dame's results are outstanding even using the University's higher standard.

Prof. Bellia asked if the University could inform the NCAA that it will report numbers based on the NCAA calculation externally, but will report numbers based on its own standard internally. Mr. Karwoski said that the NCAA wants institutions to use APR results to track their own progress over time as opposed to comparing their results across other institutions.

The discussion then turned to fifth year student-athletes. Prof. Pope-Davis said that, as Chair, he personally meets with every student-athlete that applies for a fifth year. He explained that this is an additional way in which the student-athlete can articulate why he/she wants a fifth year of eligibility.

Mr. Holmes then addressed senior grant-in-aid student-athletes that live off campus and the impact this has on their academic performance. Fr. Poorman said that he thinks it would be helpful to see a comparison between senior student-athletes who live on campus and senior student-athletes who live off campus. Prof. Fallon said that it may be helpful for the Board to see how student-athletes that move off campus compare to non student-athletes that move off campus.

6. 2006-2007 Student-Athlete Disciplinary Statistics: Fr. Poorman invited Bill Kirk, Associate Vice President for Residence Life, and Jeff Shoup, Director of the Office of Residence Life and Housing, to address the Board regarding student-athlete disciplinary statistics. Fr. Poorman explained that the Office of Residence Life is using new software to track disciplinary statistics. Prof. Pope-Davis asked if students that are on disciplinary probation can participate in team activities. Fr. Poorman said that generally they cannot, but waivers are granted in rare circumstances.

Prof. Pope-Davis asked if coaches are involved in the disciplinary process. Mr. Shoup said that if a matter involves a student-athlete and he/she is in danger of being suspended or placed on probation, the Office of Residence Life will contact Mr. Karwoski in the Department of Athletics. Fr. Poorman said that the best scenario is for coaches to strongly encourage student-athletes to inform the coach of any infraction. Dr. White said that there is an athletic department practice of coaches indicating to their student-athletes the need to contact and inform the coach of any infraction before he/she is informed by others.

Prof. Kelley asked if the Department of Athletics can influence the outcome of hearings or sanctions placed on student-athletes. Fr. Poorman said that the Department of Athletics has no influence over sanctions given by the Office of Residence Life, but that it can layer other sanctions on top. Dr. White explained that after a case has been adjudicated by the Office of Residence Life, additional sanctions can be given by the Department of Athletics (including the coach of the student-athlete's respective team).

Prof. McDowell asked if disciplinary incidents are reported to law enforcement. Mr. Kirk said that his oversight includes Security and Police and that it is his discretion to involve law enforcement. He also stated that all cases are treated as if they could be prosecuted by law.

7. Committee on Sexual Assault Prevention: Fr. Poorman introduced Ann Firth, Associate Vice President for Student Affairs, and said that she and Mr. Kirk are co-chairs of the Committee

on Sexual Assault Prevention (CSAP). Ms. Firth distributed a list of committee members. She said the purpose of the committee is to serve as a means to inform and assist those people who are victimized and to coordinate sexual assault awareness and prevention on campus. The goal of the committee is to eliminate sexual assault on campus. Mr. Kirk noted that the committee involves the larger South Bend community. Ms. Firth also shared a CSAP poster that gives an overview of available resources including where to get help, how to help a friend, how to report assaults, etc. Through a First-year Orientation peer education session called “College has Issues,” incoming students are made aware of the reality of sexual assault on campus.

Fr. Poorman noted that Charmelle Green, Assistant Athletic Director, Student Welfare, is a member of the committee and coordinates programming specific to student-athletes. Ms. Firth added that the committee is looking to improve the methodology for counting assaults. The committee wants to increase prevention efforts and training with students, staff and faculty. Fr. Poorman said that one of the most difficult things the committee confronts is getting people to report an incident. Ms. Firth said that the University needs to provide safe avenues to report.

8. Discussion of NCAA legislative items: In advance of the meeting, Ms. Nina King, Director of Rules Education, Athletic Compliance, distributed a list of NCAA legislative items for the Board to consider. She said the first 15 items were provided for informational purposes and the last six items were presented for discussion and an advisory vote by the Board.

Proposals 2007-25 and 2007-26

Ms. King explained that these proposals are both related to student-athlete amateurism. She added that Proposal 2007-26 is the most discussed legislative piece this cycle. Generally, she said, this legislation would allow commercial entities to use student-athletes’ names, pictures, images, etc. in promotions. Student-athletes cannot specifically endorse a company. The advertisement would have to explain how the student-athlete is affiliated with the company.

Ms. King stated that she thinks this proposal goes against the University’s institutional philosophy. In response to Prof. McDowell’s question, Ms. King said that the student-athletes would not be compensated for their participation. Ms. Conboy pointed out that the NCAA currently allows their corporate sponsors to use student-athletes in their advertisements.

Advisory vote result: 1 support, 6 oppose, 1 abstain

Ms. King informed the Board that the National SAAC (Student-Athlete Advisory Council) voted in favor of the proposal.

Proposal 2007-63

Ms. King explained that this proposal allows prospective student-athletes to be academically certified after six semesters of high school, so long as they have a score of 1000 on the SAT and 3.0 GPA in 13 core courses.

Ms. King said that under the current legislation, the University certified approximately 130 prospective student-athletes early, while 16 prospective student-athletes did not receive a waiver. She said that if passed, this proposal would be a benefit to the Department of Athletics because it

could certify early student-athletes that met the credentials. In response to a question by Prof. Bellia regarding tracking of student-athletes that are certified early, Mr. Karwoski said that the Department of Athletics does not specifically track those student-athletes that are certified early, but that they do not often have problems with this process. Ms. Conboy asked if the proposal would further accelerate the admissions process and thus put pressure on the Admissions Office. Mr. Karwoski said that the University's standards are much higher than many other NCAA membership schools and thus does not think the proposal will impact the admissions process. Fr. Poorman said that he does not worry about the impact of the University's admissions office, but worries on a national level if the proposed legislation would put undue pressure on students. Mr. Wilcox said that he thinks the legislation is beneficial because it actually encourages students to take core courses and SATs earlier. He added that the proposal will help ease an administrative burden for the department.

Advisory vote result: 8 support, 0 oppose, 0 abstain

Proposal 2007-80

Ms. King explained that this proposal would allow athletic teams to depart campus more than 48 hours in advance of conference championships. The intention of the proposal is to align the conference championships with NCAA championships.

Prof. Fallon said that he was concerned about how this proposal would affect how conferences arrange championship weekends and could potentially result in championships being stretched across more days. Prof. Weber said that he was worried about the potential increase in the number of class miss days for student-athletes.

Advisory vote result: 1 support, 7 oppose, 0 abstain

Proposal 2007-81

Ms. King said that this proposal would allow conferences, in extenuating circumstances, to grant a waiver of the 48 hour rule restriction for conference championships. She said that currently the NCAA (not the conference) must grant such waivers.

In response to Fr. Poorman's question, Ms. King and Mr. Karwoski said that weather and cost could be considered "extenuating circumstances." Mr. Wilcox said that the proposal does not change anything except that it shifts the burden of granting a waiver from the NCAA to the conference.

Advisory vote result: 0 support, 3 oppose, 5 abstain

Proposal 2006-40

Ms. King explained that this proposal would eliminate the text messaging ban between coaches and prospective student-athletes that was adopted in April 2007.

Mr. Karwoski said that the ability for coaches to text message recruits is most important for football and that the current coaching staff finds text messaging an invaluable means of communication.

Prof. Weber reminded the Board that both the University's SAAC and the national SAAC voted for the original ban on text messaging. Prof. Fallon said he considers this to be a quality of life issue and that banning text messaging levels the recruiting playing field. In response to a question from Prof. Bellia, Ms. King said that the financial burden of text messaging falls on the student-athlete.

Advisory vote result: 1 support, 7 oppose, 0 abstain

Prof. Pope-Davis adjourned the meeting at 6:05 p.m.