

FACULTY BOARD ON ATHLETICS

UNIVERSITY OF NOTRE DAME

Meeting of November 18, 2004

5th Floor Conference Room, Main Building

Members Present: Prof. Fernand Dutile (Chair); Prof. Harvey Bender; Prof. Eileen Botting; Mr. Bobby Brown; Prof. Stephen Fallon; Mr. Patrick Holmes; Prof. William Kelley; Prof. David Kirkner; (Rev.) Mark Poorman, C.S.C.; Prof. Donald Pope-Davis; Prof. John Weber.

Members Absent: Dr. Matthew Cullinan; Prof. Umesh Garg; Prof. F. Clark Power; Dr. Kevin White.

Observers Present: Mr. Bernard Muir of the Department of Athletics; Ms. Kitty Hoye, recorder.

Guests: Ms. Ava Preacher, assistant dean, College of Arts and Letters; Mr. Samuel Gaglio, assistant dean, Mendoza College of Business.

1. Call to order and prayer: The Chair called the meeting to order at 5:05 p.m. Father Poorman led the group in prayer.

2. Minutes of previous meeting: Prof. Bender moved that the minutes of the meeting of October 12, 2004, be approved; Father Poorman seconded. The group unanimously approved the motion.

3. Announcements: The Chair announced that he had approved, on the Board's behalf, team schedules for rowing (spring 2005); indoor track and field (2004-05) (the Chair noted that this schedule required no class absences); men's and women's fencing (2004-05); men's swimming (2004-05); and women's swimming (2004-05). After the approval of the schedule for men's swimming, an amendment to that schedule became necessary due to an unanticipated problem related to pool availability. The Chair, exercising the discretion delegated to him by the Board for such situations, approved excused absences for the afternoon of November 19, although the team had already allocated the three excused-absence days allowed by University guidelines for the Monday-Wednesday-Friday sequence of classes.

The Chair announced that he had approved captaincies for baseball (Tyler Jones, John Axford, Cody Rizzo, and Greg Lopez). The Chair also approved a slate of candidates for captaincies in football. From that slate, actual captains will be selected. [Note: Ultimately, Derek Curry, Mike Goolsby, Ryan Grant, and Carlyle Holiday were chosen].

At this point, the Board ratified the decisions announced by the Chair.

The Chair then reported on a meeting of the Faculty Athletics Representatives Association, held in Washington, D.C., from November 11 through 13. At that meeting, the executive committee, on which the Chair serves as a representative of Division I-A, reviewed for the membership twenty-six pieces of proposed NCAA legislation especially germane to the interests of the group. The Chair will bring these proposals to the Board for discussion at a breakfast meeting in early December. The Board's views on this legislation will inform the University's legislative votes within the Big East Conference, votes scheduled to be cast at the NCAA Convention in January.

At the Washington meeting, the faculty athletics representatives of Division I-A voted to create a separate organization due to the group's perceived separate interests (with regard, for example, to current legislative proposals to allow twelve football games per season and to permit student-athletes to play five years, rather than four, within a five-year window). This separate group parallels that of the Division I-A directors of athletics, with whom that division's "faculty reps" have met annually in Dallas for the past four years. The steering committee of the new organization, on which the Chair of the Faculty Board represents the Big East Conference faculty representatives, has commissioned a formal mission statement and bylaws. The Division I-A "faculty reps" will meet again at the January 2005 NCAA convention.

4. Fifth-Year of Eligibility Revisited: Prof. Bender, chair of the subcommittee on academic integrity, introduced the topic. Over the past two or three years, he reported, the subcommittee has focused on several aspects of the fifth year of eligibility at Notre Dame. Usually from ten to fifteen student-athletes, primarily in football, apply for such eligibility annually. Student-athletes approved for such eligibility fall into one of three categories during that fifth year: 1) those completing their undergraduate degree; 2) those enrolled in a graduate-degree program; and 3) those deemed "unclassified graduate students." A number of questions arise with regard to those completing an undergraduate degree during the ninth semester. In 2003-04, five of the eleven students seeking a fifth year fell into this category; in 2004-05, three out of nine did. Notre Dame has a more stringent rule with regard to student-athletes in that ninth semester than does the NCAA. That organization allows student-athletes completing an undergraduate degree to take during that semester as few credit hours as necessary to complete the degree requirements. Notre Dame requires such student-athletes to take a minimum of nine credit hours during the ninth semester (the University follows the NCAA rule with regard to the eighth semester; a student-athlete needing only two credits to graduate, for example, may take as few as two credits during that semester). Prof. Bender, noting that the subcommittee has recently discussed the challenges presented by this category of student-athlete, invited two assistant deans, Sam Gaglio of the Mendoza College of Business and Ava Preacher of the College of Arts and Letters, to discuss this situation. Dean Preacher emphasized that student-athletes who do not need nine hours to graduate present a significant problem. The Board, in requiring this number of credits, sought "academic engagement." But that engagement does not happen. Instead, she observed, such student-athletes enroll for nine credits, but do not go to all the classes. Even if they end the semester with a 1.0 grade-point average, "we graduate them," though in "poor standing." That notation appears on their transcripts. Of course, when they come to our office, we do not know that they are student-athletes. Nonetheless, this nine-credit requirement means that we treat them differently from the way in which we treat other students. Moreover, we

struggle to find courses that will keep them engaged, since they do not receive a high priority in course registration. Dean Gaglio agreed. The problem is one of very narrow scope. Graduate-degree students have an advisor, so they do not present a problem. Student-athletes without the undergraduate degree pose the difficulties. We would like them to be able to take only what they need to graduate. Alas, these student-athletes receive no registration priority and, therefore, have few or no courses to take. Moreover, they find themselves with no advisor and are not academically engaged. There is no real monitoring of their academic progress. Of course, when they apply for a fifth year of eligibility, a prospective course schedule gets entered on the form. Nonetheless, when fall comes around, these student-athletes can't get into the courses set out on that form. Prof. Pope-Davis: There is an informal advising policy in place. They are not required to come in, but we in the graduate school certainly encourage them to do so. Dean Gaglio: There must be some mis-communication, then. These student-athletes tell us they do not receive advising. Prof. Weber: If they do not attend class, that is a serious issue. Dean Preacher: They come in to drop the course the day before the deadline, because they clearly have not been attending class in that course. Mr. Muir cautioned that dropping below the credit requirement raises "huge" compliance issues. We must self-report that kind of thing. The Chair asked whether the registrar's office monitors the credit level of all student-athletes. Dean Preacher replied that cracks do appear in the system. For example, one student-athlete fell six hours shy of the requirement; this came as a complete surprise to her, though she was actually a part-time student. In response to a question from Prof. Weber, Mr. Muir stated that a student-athlete not meeting Notre Dame's requirements automatically runs afoul of the NCAA's, since the NCAA incorporates by reference the local institution's minima. Of course, if the shortfall is inadvertent, no NCAA penalties ensue. Dean Preacher emphasized that such student-athletes might complete the one course required for graduation, but fail the other two courses, which failure makes the student-athletes "dismissible." We should not put them in that position. The Chair: Should we let them, by their lack of engagement, put us in that position? Added Dean Gaglio, the student-athletes want to know why, compared to other students, they are being discriminated against. Father Poorman noted that the data distributed to the Board by the Office of Academic Services for Student-Athletes reflect a level of academic achievement that surprised him. These data show that our recent attempts to enforce the fifth-year requirements have been effective. Father Poorman agreed with Dean Preacher that the grade-point average of one student-athlete in particular proves especially troublesome; nonetheless, the numbers are much better overall than they had been. "It looks like a success story to me," he concluded. Prof. Weber agreed. Prof. Kelley indicated his surprise, as well; these student-athletes are better off, he added, for having taken the extra courses. He did worry that perhaps these student-athletes were atypical. Dean Gaglio: We really have to look at a longer time period before we draw any firm conclusions. Prof. Pope-Davis asked if we have an ethical obligation to treat student-athletes in the same way in which we treat other students. The Chair indicated his view that we need not treat unequal things equally. The situations of student-athletes differ from those of other students. For example, few other students enroll for a fifth year primarily to engage in an extracurricular activity. Our "engagement" rule seeks to ensure that we don't have "professional" athletes representing the University on the playing field. Moreover, our student-athletes receive a lot of benefits not received by other students; they are different. Prof. Fallon agreed; there are significant differences. It is hard to imagine students without the incentive of fifth-year athletic eligibility intentionally putting off a course or two in order to return for a ninth semester; it is likely that, with the proposed rule change, more students-athletes would finish

four years one or two courses shy of the degree. Should we, he asked, revisit the issue of “red-shirting?” Might not students be better off having five years in which to complete their undergraduate degree? The Chair: Indeed, the Board already has approved such arrangements. Under our current regulations, student-athletes may come to us as sophomores, for example, for approval of a fifth-year of eligibility. Unfortunately, though, the student-athlete cannot safely spread academic requirements over a five-year period without the early assurance of the head coach that the athletics grant-in-aid will be available during that fifth year. Coaches do not want to commit to a fifth year until they see how the student-athlete performs athletically and, often, until they see how recruiting has worked out with regard to that particular year. The Chair asked whether some compromise might be possible; for example, does Coach Willingham know by the student-athlete’s junior year that a fifth year is inevitable and can be committed to? Not necessarily, Mr. Brown responded. Mr. Muir informed the Board that Coach Willingham is currently meeting with senior student-athletes to discuss their prospects for a fifth year. His decision involves many factors – leadership, playing ability, and academics. Mr. Muir pointed out that some schools, in order to use the grant-in-aid more productively, “run off” student-athletes who have not excelled athletically. Our goal, by comparison, is to graduate our student-athletes. Prof. Fallon: “Red-shirting,” therefore, at least as practiced at some schools, will not guarantee graduation or the spreading of requirements over five years? He wondered whether university policy—not the coach—should determine when decisions on a fifth year of eligibility get made. Prof. Botting suggested that stricter advising might be required. Perhaps, as well, we might offer certain “skills building” courses that such student-athletes could take and from which they might profit. Maybe we could even advise some student-athletes to enroll in a graduate-degree program. Dean Gaglio pointed out that such student-athletes usually contemplate only a one-semester situation; for them, of course, a graduate program will not work. Student-athletes in their ninth semester may take their courses seriously, but most cannot take courses in which they are truly interested; the Provost’s Office needs to give such student-athletes priority in course selection. Dean Preacher: But why do we question the academic integrity of student-athletes regarding their fifth year, but not that of other students? The student-athletes with whom we have problems are those whom we make leap over hurdles that others don’t have. Mr. Brown commended Dean Preacher and other administrators for all they do in this regard. The reality is, however, student-athletes will not be invited back for a fifth year unless they are athletically contributing. Such contributors have given much to the University and have earned the right to take as few credits as necessary to graduate. We should not put them in a position of graduating, but not in “good standing.” Prof. Weber saw this issue disappearing; recent years have shown a trend from no student-athletes out of nine achieving at a level above a 3.0 grade-point average, to seven out of eleven, in the most recent year for which we have data, so achieving. Father Poorman agreed that the Provost should approve a priority registration status for such student-athletes. This has to happen; these student-athletes should be able to get into courses they need. Mr. Holmes replied that priority registration does take place for a number of student-athletes. The Chair noted that, in a certain sense, the issue is really one of timing more than of credit number. After all, during their eighth semester, we do allow student-athletes to take as few credits as necessary to finish the undergraduate degree. Since the NCAA allows this to happen in only one semester, why not provide student-athletes the option of taking the reduced load in their ninth semester should they have some undergraduate requirements left to complete? For football players, the light semester would then coincide with the playing season, which would relieve time constraints. Prof. Botting, who also supported priority registration for such student-

athletes, questioned whether the nine-credit requirement should be seen as a “burden.” Isn’t it really an opportunity? And shouldn’t we “pitch it” as such? Indeed, this requirement accords with the rule that the harder you work the happier you are. If we act as good advisors to the student-athletes, the system can work. Mr. Brown responded that whether the requirement becomes a burden or an opportunity depends on the individual student-athlete. We should revisit this issue after the priority-registration matter gets resolved. Once student-athletes can get into courses they truly want, then we should look at the numbers. Until that time, some student-athletes will not see this requirement as an “opportunity.” Dean Preacher: The system does get complicated, though, when you deal with prospective fifth-year student-athletes. Should we advise them not to graduate? To graduate and become unclassified graduate students? What is the best path for finishing up in individual cases? The non-degree-seeking student-athlete will more likely drop the courses and walk away once the season is over. Prof. Pope-Davis agreed with Mr. Brown; the burden-opportunity dichotomy plays out on an individualized basis. We have conceived of the “engagement” requirement as an opportunity, but it is not clear that students’ happiness relates proportionately to how busy they are. For some, the burden can be overwhelming and not psychologically healthy. Thinking in more-strategic ways might provide a solution. Can we create opportunities for student-athletes to get a graduate degree or at least credits toward such a degree? Can we develop more professional-type courses? Getting that done falls beyond the jurisdiction of the Board, but its advocacy could make a difference in achieving such objectives. Prof. Kelley enthusiastically endorsed that proposal. Prof. Bender: Where do we go from here? Do we reaffirm our commitment to the policy – “stay the course,” so to speak? Father Poorman thought the Board should look at the quality of the advising with regard to fifth-year student-athletes. Prof. Weber reminded the Board that the current iteration of the fifth-year application requires a commitment from the student-athlete to put together a curriculum, meet with an advisor, and, in some cases, be interviewed. Where do we start? How far can we go? Father Poorman: It’s a recurring issue and very problematic, but we can certainly improve advising. Prof. Kelly asked if the Board had ever interviewed fifth-year students about this matter. Father Poorman thought that to be a “great idea.” Mr. Brown emphasized that the student-athletes under discussion vary considerably. He, for example, knew from an early age that he wanted to go to law school. But, he urged, we must face the fact that many of these student-athletes are not brought back for a fifth year because they are Rhodes Scholars. We are doing much better with regard to engagement, but are we willing to live with a few student-athletes “falling between the cracks”? Prof. Weber asked whether we can predict those who will not make it. The Chair thanked Dean Preacher and Dean Gaglio for participating in the Board’s discussion of this important and challenging issue.

5. Schedule for Men’s Golf: At this point, Mr. Muir brought before the Board a request on behalf of men’s golf for an additional excused-absence day during the spring 2005 season. University guidelines generally allow only three missed-class days in the Monday-Wednesday-Friday sequence and another three in the Tuesday-Thursday sequence. The men’s golf team based its request for a fourth Friday on its need to play a top-flight schedule. Mr. Muir pointed out that the Board had approved a similar request for the fall 2004 season. The request currently before the Board applied only to the varsity team; any student-athlete playing exclusively in junior-varsity competition will not be eligible for the extra class-miss excuse. Father Poorman: How many student-athletes are involved? Mr. Muir: The team comprises fifteen students, but only six are involved in any individual competition. The Chair pointed out the special problems

presented by the sport of golf. Increasingly, golf courses are unavailable for college competition on weekends, making the use of weekdays more necessary. Moreover, golf matches take two days to play, and because, obviously, each course is different, practice rounds become especially important. The Board unanimously approved an additional class-miss day in the Monday-Wednesday-Friday sequence for the varsity men's golf team for spring 2005.

6. Report on Grades for Student-Athletes: Mr. Holmes distributed to the Board various documents relating to the academic performance of student-athletes during the 2003-04 academic year. For that year, twenty of the twenty-two varsity teams had annualized grade-point averages above 3.000. Notre Dame boasted 244 student-athletes named Big East Academic All-Stars. Since joining that conference in 1995, Notre Dame has led every year in the number of student-athletes so honored. Six Notre Dame student-athletes earned Academic All-American honors, a category in which the University ranks second in the nation in all-time number of winners. During the academic year, Notre Dame received the Division I-A *USA Today*/NCAA Academic Achievement Award for the highest overall graduation rate in 2003 (92%). The football team earned a prestigious AFCA (American Football Coaches Association) Graduation Rate Award as one of only five Division I-A institutions to graduate 90% of the entering class of 1998. Notre Dame's rate: 96%. Vanessa Pruzinsky was named Women's Soccer Academic All-American of the Year and received a prestigious NCAA Postgraduate Scholarship. For the spring 2004 semester, Notre Dame's 650 student-athletes earned a grade-point average of 3.191. Over 68% of our student-athletes boasted a 3.000 GPA or higher; over 39% had a GPA of 3.400 or higher. Over 21% found their names on the Dean's List. Fourteen student-athletes enrolled as full-time students had a perfect 4.0 GPA. Three varsity teams (women's fencing, women's golf, and women's tennis) had semester averages above 3.400. Women's tennis earned the highest semester GPA (3.552) of all varsity teams. Nine teams earned their highest semester GPA ever, while seven teams ended the semester with their highest team cumulative GPA ever. Data provided to the Board by Mr. Holmes indicated that the 56 senior grant-in-aid student-athletes living off-campus earned an average GPA of 3.452 during the 2003-04 academic year. Of the 56 student-athletes living off-campus, 48 improved their cumulative grade-point averages during that year. The average cumulative-GPA increase for all 56 student-athletes during the academic year: .192. Referring to team data provided by Mr. Holmes, Prof. Pope-Davis indicated his surprise that men's basketball, for example, performed better academically during the semester of heavier athletics competition. Mr. Holmes replied that students in fact do better "in season." As Prof. Botting said earlier, he noted, the busier the happier! Father Poorman found the data very impressive. Prof. Weber urged that these data be "trended," so that in the future we can better assess our academic performance over a longer period of time. The Chair thanked Mr. Holmes for his report.

7. Update on Communications: Prof. Fallon, chair of the subcommittee on communication, informed the Board that his subcommittee planned to meet with undergraduate directors and advisors, as it had done previously. He will, he said, keep the Board informed with regard to this. He urged Board members to let him know of any items that should be raised at that meeting.

8. New Business: Prof. Bender, referring to an e-mail message sent to the Board from the compliance staff in the Department of Athletics, noted that a large group of "pre-first year"

student-athletes will soon arrive on our campus. Currently, only student-athletes in men's and women's basketball can be brought to campus by the institution during the summer prior to initial full-time enrollment. The NCAA has approved the extension of this program to all "at risk" student-athletes, but left it to individual institutions to define "at risk." Father Poorman added that Mr. Daniel Saracino, assistant provost for admissions, has actually developed a formula for that determination. Father Poorman reported that he had attended a special meeting of various University officials to anticipate implementing the new NCAA provision. He added that the Chair of the Faculty Board on Athletics will be invited to join those officials to discuss further that situation. Prof. Pope-Davis registered his concern that "at risk" not turn out to designate a group largely made up of students of color. In such a case, some "vetting" of the definition will need to take place.

9. Adjournment: The Chair adjourned the meeting at 7:00 p.m.