



FACULTY BOARD ON ATHLETICS UNIVERSITY OF NOTRE DAME

Meeting of March 18, 2003

5th Floor Conference Room, Main Building

Members Present: Prof. Fernand Dutile (chair); Prof. Matthew Barrett; Prof. Harvey Bender; Prof. William Berry; Ms. Emily Bienko; Dr. Matthew Cullinan; Prof. Stephen Fallon; Prof. Umesh Garg; (Rev.) Mark Poorman, C.S.C.; Prof. Donald Pope-Davis; Prof. John Weber.

Members Absent: Prof. John Borkowski; Mr. Patrick Holmes; Prof. Katherine Spiess; Dr. Kevin White.

Guests Present: Ms. Carol Kaesebier, vice-president and general counsel; Mr. Peter D'Alonzo, senior counselor, Office of Academic Services for Student-Athletes.

Observers Present: Ms. Sandy Barbour, Ms. Missy Conboy, and Mr. Bernard Muir (all of the Department of Athletics); Ms. Mary Hendriksen (recorder).

1. Call to order and prayer: The chair called the meeting to order at 5:05 p.m. Prof. Berry led the group in prayer.

2. Minutes of previous meeting: A motion to approve the minutes of the meeting of February 18, 2003, made by Prof. Bender and seconded by Prof. Barrett, passed unanimously.

3. Announcements: Each spring, the Faculty Board on Athletics bestows the Byron V. Kanaley Award on senior monogram winners deemed most exemplary as student-athletes and as leaders. The chair announced that, pursuant to a letter sent to each head coach, he had received several nominations for the award. Copies of the nominations will be sent to each member of the Board. The chair asked the subcommittee on academic integrity to meet as soon as practicable in order to make to the Board recommendations regarding the award. The chair anticipated that the vote of the full Board on these recommendations would occur through e-mail.

The chair announced that he had approved, on the Board's behalf, the schedule for men's soccer for fall 2003. That schedule, which conforms to University requirements, includes an away game on August

23, which falls during Orientation. The chair has confirmed, however, that no first-year student-athletes will travel with the team to that contest.

The chair announced that he had approved the schedule for volleyball for fall 2003.

The chair announced that he had approved a half-day excused absence, on February 24, for the softball team. That team was unable to return to campus on February 23, as originally scheduled, because of weather delays.

4. Report on NCAA Certification procedures: At this point, Ms. Carol Kaesebier, vice-president and general counsel of the University, reported to the Board on the progress of the NCAA certification procedure at Notre Dame (see Appendix to these minutes). Father Malloy has appointed Ms. Kaesebier to serve as chair of the Self-Study/Certification Steering Committee. That committee comprises sixteen members, five of whom (the president of the university; the NCAA faculty athletics representative; the director of athletics; the associate athletics director and senior women's administrator; and the vice-president and general counsel) are required by the NCAA to serve on the committee. The process mandates the institution to make a thorough evaluation of four areas: governance and commitment to rules compliance; academic integrity; fiscal integrity; and equity, welfare and sportsmanship. The Steering Committee has created four separate subcommittees to address each of these, respectively. Prof. Carol Mooney, vice-president and associate provost, chairs the Governance and Commitment to Rules Compliance Subcommittee. This subcommittee evaluates the mission statements of the department of athletics and of the university; institutional control and presidential authority over the department of athletics; and rules compliance. Dean Carolyn Woo, of the Mendoza College of Business, chairs the Academic Integrity Subcommittee. This subcommittee assesses the academic standards for student-athletes; the economic support provided to student-athletes; and the scheduling of athletics events with regard to their impact on academic life. Mr. Drew Paluf, assistant vice-president for finance and controller, chairs the Fiscal Integrity Subcommittee. This subcommittee evaluates the financial practices, the fiscal management and stability of the department of athletics and, as well, the policies and procedures designed to ensure that student-athletes do not receive impermissible benefits. Prof. Donald Pope-Davis, associate dean of graduate studies and professor of psychology, chairs the Equity, Welfare and Sportsmanship Subcommittee. This subcommittee evaluates gender and minority issues, with regard to both students and staff, in the department of athletics; student-athlete welfare; and sportsmanship and ethics.

The process, Ms. Kaesebier stressed, involves two fundamental steps. The first step requires a substantial and thorough institutional self-study. That document will originate from the discussions of the four subcommittees, with their initial drafts going to the steering committee by June 1, and their final drafts in mid-September. The steering committee expects to include the entire Notre Dame community, including the Faculty Senate and the Executive Committee of the Academic Council, in the further development of the final self-study report. A website and a town meeting will contribute mightily to the community's opportunity to comment. The final document, significantly informed by the contributions of the wider community, will be submitted to the NCAA by November 1.

The second step, the campus visit of the NCAA Peer-Review Team, will take place during the latter part of January 2004. Members of that team will interview a wide variety of the Notre Dame community and submit its report to the appropriate NCAA committees. Father Poorman asked about student input. Ms. Kaesebier responded that various units of student government would be consulted. Prof. Bender: Is the process “dovetailed” at all with the accreditation process of the North Central Association? Ms. Barbour replied that such “dovetailing” had been tried, but did not work. Doing both processes at once put too heavy a burden on campus officials. Prof. Bender expressed his concern that no members of the Engineering or Science faculties serve on the steering committee or on any of the four subcommittees. Agreeing with Prof. Bender’s concern, Prof. Garg pointed out that approximately ten members of the faculty from the College of Business appear on the various certification committees. Ms. Kaesebier responded that there had been no intention to exclude, but that some faculty members who were asked declined for lack of time. Others were on sabbatical. Prof. Berry asked whether there had been any discussion of structuring a reaction to the self-study document. Perhaps, he suggested, a dozen or so members of the faculty, hand picked for their ability to do so, might provide a productive reaction. Ms. Kaesebier reacted very positively to the idea, adding that the device also would allow for representation of the Science and Engineering faculties. She invited members of the Board to suggest to her who should serve in such a capacity.

5. Petitions for a fifth year of eligibility: Mr. Peter D’Alonzo, senior counselor, Office of Academic Services for Student-Athletes, presented to the Board the petitions of Jason Beckstrom and Courtney Watson, both football players, for a fifth year of eligibility. Prof. Fallon noted the structural problem presented by such petitions, which are considered at a time when departmental schedules for the fall semester may not even be published yet. Father Poorman pointed out that the fifth-year process would work so much better if that very small number of fifth-year petitioners could, prior to registration, reserve places in specific courses. The Provost’s Office should be approached to arrange that. If our priority is academic integrity, let’s do something radical to meet that priority. Individual departments, Father Poorman continued, will likely oppose this idea; they will resist reserving spaces, especially for student-athletes – and even more especially for fifth-year student-athletes. The chair agreed with Father Poorman’s suggestion and said he would meet with the appropriate officials in an attempt to implement it. Prof. Pope-Davis emphasized the need for fifth-year petitioners to seek the assistance of departmental personnel. An advisor from each department should provide counsel and even sign off on the schedule, if possible. As a fallback, any student-athlete can come to him in connection with his position in the graduate-studies office. He can deal with unclassified graduate students. Prof. Pope-Davis also expressed his wariness with regard to independent studies. The Board approved both petitions, one subject to the submission to the chair of the list of specific courses, totaling at least nine hours, when it becomes available.

6. Orientation weekend: On behalf of the subcommittee on student welfare, Prof. Barrett reported on the progress of the subcommittee’s proposal regarding Orientation weekend. In developing its proposal, the subcommittee met with Eileen Kolman, dean of the First Year of Studies, rectors and other administrators from the Office of Student Affairs, including vice-president Father Poorman, officials of the Department of Athletics, including director Kevin White, and coaches and student-athletes of those teams most directly affected by the proposed provision. Prof. Barrett announced that

these discussions yielded a consensus of approval regarding the following substitute for the current guideline with regard to Orientation:

The University recognizes the importance of the first-year orientation weekend, which begins at 5:00 p.m. on Friday and ends at 6:00 p.m. on Monday. During this period, the University will not schedule any competition on campus or any away competition in football. First-year student-athletes may not participate in any away competition or travel related to competition during this weekend. First-year student-athletes may participate in practice on campus after 3:00 p.m. on Sunday and after 2:00 p.m. on Monday.

Prof. Barrett noted that the provision allows no competition on campus from 5:00 p.m. on Friday to 6:00 p.m. on Monday of Orientation weekend. Teams other than football may choose to compete off campus during that weekend, but must leave first-year students here. Because of the disruption football competition would inflict on Orientation activities on campus, the football team may not compete at home or away during that weekend. Prof. Barrett specified that a team could apply to the Board for an exemption with regard to a specific foreign tour or an elite competition; at this point, though, the subcommittee makes no recommendation regarding these. Mr. Muir pointed out that Dr. White indicated his comfort with foreign tours either not including first-year student-athletes or providing for their return in time for Orientation. Stressing the explicit support of Father Poorman, Dr. White and Dean Kolman, on behalf of their constituencies, for the proposal, Prof. Barrett recommended that the Board approve it. Prof. Bender noted that the change troubled him; our current language struck him as “powerful”; why change? Prof. Barrett replied that the current rule addressed only “planned University events,” an ambiguous phrase at best. Does this include only formal speakers and sessions scheduled by the First Year of Studies? The Office of Student Affairs stresses the importance of the entire weekend. Agreeing, the chair added that the current provision merely “discouraged” athletics activities during Orientation. That term could imply that teams could compete even without seeking Board or other approval. Prof. Pope-Davis favored removing the ambiguity of the current regulation; the proposal speaks more clearly than the current rule and provides a more structured format. Prof. Berry: Why does the proposal include Monday? Prof. Barrett: Mandatory gender-issues sessions take place on Monday until 6:00 p.m. Prof. Fallon expressed his concern that, since foreign tours are permitted only once in a four-year period, the provision may deny some student-athletes that opportunity during their entire college experience. Prof. Pope-Davis, in response, emphasized the importance of Orientation. Crucial developmental issues attend one’s transition from high school to college. We should err, if at all, toward requiring first-year students to be here for Orientation. The educational opportunities here equal or surpass the benefits of a foreign tour. Ms. Conboy added that teams do not always have the funding for foreign tours and, in some cases, coaches may choose to go during the spring. Prof. Garg: Do student-athletes take advantage of Notre Dame’s study-abroad programs? Board members responded that this does happen, but being off-campus for an entire semester presents significant difficulties for both student-athletes and their coaches. The chair reiterated for the record that the proposal does not preclude petitions by individual teams with regard to specific foreign tours or elite tournaments. The Board voted, with but one abstention, to approve the recommendation regarding Orientation. The chair expressed his thanks to Prof. Barrett and the entire subcommittee. Through

patient discussion and consultation with all constituencies affected, the subcommittee developed a proposal acceptable, even if not ideal, to everyone.

7. Policy on rain-outs and make-ups: Ms. Barbour brought to the Board the problem faced by Notre Dame teams that, while away from campus, face rain-outs or transportation delays. Recently, for example, one of our teams had a game “called” (in other words, the game counted neither as a win nor as a loss for either team), even though Notre Dame had a virtually insurmountable lead, because, due to rain delays, the game began late. Completing the game would have precluded the team from making its flight back to South Bend on Sunday evening, thus occasioning missed classes on Monday. Ms. Barbour asked the Board to consider addressing this situation, even though it happens relatively rarely. Beyond the financial resources invested in such away games, both student-athletes and coaches obviously experience great disappointment when games are “called” or, perhaps, not even allowed to start at a later time that day. In cases in which the coach might, from the very site, call to explain the situation, might the Board authorize its chair to exercise his discretion with regard to allowing the team extra class-miss time? Prof. Barrett noted that for Big East Conference games, the Board has explicitly recognized the conference rule requiring games not played on Sunday due to weather to be made up on Monday. Perhaps the distinction of allowing such extensions for conference games but not for non-conference games makes sense. Replying, Ms. Barbour emphasized that some of these non-conference games might, in light of the prominence of the opponent or our particular record at the time, be our most important. Prof. Bender stated that he felt comfortable leaving the decision to the chair of the Board. Agreeing, Prof. Pope-Davis moved that the chair of the Board be given discretion to authorize extra class-miss excuses to teams at away competitions when reasonable because of weather or travel complications. That motion, duly seconded, passed unanimously. The chair, accepting that responsibility, added that he would report to the Board concerning exercises of such discretion.

8. Reports of *ex officio* members: At the chair’s invitation, Ms. Barbour, reporting for Dr. White, clarified Notre Dame’s status with regard to the NCAA probation imposed on it in December 1999. That probation, Ms. Barbour stated, extended over the ensuing two years and, therefore, terminated in December 2001. With that termination came the end of stringent reporting requirements, the loss of scholarships, and other sanctions attending the status of probation. Nonetheless, Notre Dame remains within a “repeat-offender” window until December 2004. Any major violation by any of our teams during that period could trigger the NCAA’s most serious sanction, the so-called “death penalty.”

9. Reports of subcommittees: Prof. Bender, for the subcommittee on academic integrity, informed the Board that the subcommittee has begun receiving recommendations with regard to improving the process of petitioning for a fifth year of eligibility. The subcommittee will continue to consult with others on campus in order to pursue that objective further.

Prof. Berry, for the subcommittee on communication, reported on his attendance at the most recent “Bridge Series” discussion, co-sponsored by the Mendelson Center for Sport, Character, and Culture, the Department of Athletics, and the Faculty Board on Athletics. During that discussion, faculty members associated with the Mendelson Center noted the difficulty of providing information to the faculty at large. What kind of proactive approaches might work? This, Prof. Berry continued, mirrors

the problem continually facing the Faculty Board on Athletics. His committee has both discussed this problem and taken some measures to address it, for example the breakfasts held earlier in the year with “working deans” and academic advisors.

10. New business: Prof. Garg, alluding to the University rule regarding off-campus residence for senior grant-in-aid student-athletes, asked whether, in close cases, “rounding” of the student-athlete’s GPA took place. Prof. Garg observed that for criteria stated in “tenths,” any rounding would take place at the hundredths position; for example, 2.69 would satisfy a 2.7 requirement. The chair noted that the provision on off-campus residence, as originally stated in Board minutes, specifies “2.70,” and therefore any rounding would occur at the “thousandths” level. The chair remembered, however, that the Board had specifically expressed a disapproval of any rounding. Father Poorman’s recollection agreed with that observation. Unless the Board takes further action, the chair concluded, rounding with regard to GPAs will not figure in the Board’s consideration of academic requirements regarding off-campus residence or team captaincies.

11. Adjournment: The chair adjourned the meeting at 6:55 p.m.

APPENDIX

NCAA Certification 2002-2003

Steering Committee

Carol Kaesebier, Vice President and General Counsel, has been appointed by Fr. Malloy to serve as the Chair of the Self-Study/Certification Steering Committee. Fr. Malloy and Ms. Kaesebier have worked together to select a Steering Committee that will capably lead the NCAA Certification process. The committee was selected while keeping the following in mind:

1. Representation from throughout the Notre Dame community
2. Race and Gender Diversity
3. NCAA Certification Requirements
4. Willingness and Ability of members to contribute a high energy effort

Fr. Malloy has appointed the following 16 members to the NCAA Certification Steering Committee:

Required

- i. Rev. Edward A. Malloy, CSCPresident of the University
- ii. Professor Fernand Dutile.....Professor of Law, FAR
- iii. Kevin M. White.....Director of Athletics
- iv. Melissa L. Conboy.....Associate Athletic Director and SWA
- v. Carol C. Kaesebier.....Vice President and General Counsel

Additional

- vi. Carol Mooney.....Vice President and Associate Provost
(Chair, Governance and Commitment to Rules Compliance)
- vii. Drew Paluf.....University Controller
(Chair, Fiscal Integrity)
- viii. Donald Pope-Davis..... Assistant Vice President and Associate Dean of
Graduate Studies
(Chair, Equity, Welfare and Sportsmanship)
- ix. Carolyn Woo.....Dean of the Mendoza School of Business
(Chair, Academic Integrity)
- x. Mark A. Poorman, C.S.C.Vice President for Student Affairs

- xi. Patrick G. Holmes....Director, Acad. Services for Student-Athletes
- xii. Philip Purcell.....Chair, Board Athletic Affairs Committee
- xiii. Sandy Barbour.....Sr. Associate Athletic Director
- xiv. Emily E. Bienko.....3rd Year Law Student

xv. John H. Robinson.....	Faculty Member
xvi. To Be Named.....	Monogram Club Board Member
xvii. Alexis Madrid.....	Student-Athlete

Responsibilities and Composition of Subcommittees

The NCAA Self-Study/Certification process requires thorough evaluation and reporting by the institution on four areas. The Steering Committee created four separate subcommittees to address each of the following areas:

Governance and Commitment to Rules Compliance
 Academic Integrity
 Fiscal Integrity
 Equity, Welfare and Sportsmanship

Governance and Commitment to Rules Compliance

Professor Carol Mooney, Vice President and Associate Provost, chairs the Governance and Commitment to Rules Compliance Subcommittee. This subcommittee is responsible for evaluating the mission statements of the Athletic Department and the University as a whole; institutional control and presidential authority over the Athletic Department; and rules compliance. Professor Mooney's subcommittee includes the following members:

Joe Russo	Financial Aid	Director
Bill Seetch	Religious Superior	
Bill Hoye	General Counsel	Assoc. Vice President
Denny Moore	Public Relations	Director
Chuck Lennon	Alumni Affairs	Director
Phil Iappalucci	Audit & Advisory	Director
John Weber	Faculty Board	Marketing
Michelle Shakour	Development	Director, Planned Giving
Mike Etzel	Faculty	Marketing
Mirella Riley	Alumnus	
Lori Maurer	Student Affairs	Assoc. Director, Res. Life
Rhonda Brown	Institutional Equity	Director
Mike Karwoski	Athletic Dept.	Compliance
Deanna Gumpf	Head Coach	Softball
Casey Buckstaff	Student-Athlete	Rowing
Kevin Bradford	Faculty	Marketing
Buzz Preston	Assistant Coach	Football

Academic Integrity

Dean Carolyn Woo, Mendoza College of Business, chairs the Academic Integrity Subcommittee. This subcommittee is responsible for evaluating the academic standards for student-athletes; the academic support provided to student-athletes; and the scheduling of athletic events to minimize the disruption of academics. Dean Woo's subcommittee includes the following members:

Dan Saracino	Admissions	Associate Provost
Eileen Kolman	First Year of Studies	Dean
Harold Pace	Registrar's Office	Registrar
Pat Holmes	Academic Services	Acting Director
Lois Jackson	General Counsel	Asst. Vice President
Katie Anthony	Alumnus	
Margot O'Brien	Faculty	Business
Darcia Narvaez	Faculty	Psychology
Katherine Spies	Faculty Board	Business
David Moss	Student Affairs	Asst. Vice President
Bernard Muir	Athletics	Assoc. AD/Student Develop.
Bobby Clark	Head Coach	Men's Soccer
Tiffany Gunn	Student-Athlete	Track & Field
Anthony Solomon	Assistant Coach	Men's Basketball

Fiscal Integrity

Drew Paluf, Assistant Vice President for Finance & Controller, chairs the Fiscal Integrity Subcommittee. This subcommittee is responsible for evaluating the financial practices of the Athletic Department; the fiscal management and stability of the Athletic Department; and the policies and procedures designed to ensure that student-athletes are not provided with impermissible financial benefits. Drew Paulf's subcommittee includes the following members:

Jim Lyphout	Business Operations	Vice President
Catherine Rosswurm	Development	Director, Stewardship
D'Juan Francisco	Alumni Affairs	Director, Alumni Clubs
Shannon Cullinan	Public Relations	Assoc. Vice President
Jason Schroeder	Controller's Office	Senior Accountant
Melinda Jones	Faculty	Marketing
Joy Vann-Hamilton	Provost's Office	Assistant Provost
Tom Nevala	Athletics	Asst. AD/Business
Debbie Brown	Head Coach	Volleyball
Steve Fallon	Faculty Board	Liberal Studies/English
Sue Brandt	Financial Aid	Associate Director
Neil Komadoski	Student-Athlete	Hockey
Bob Simmons	Assistant Coach	Football
Christina Wolbrecht	Faculty	Government

Equity, Welfare & Sportsmanship

Professor Don Pope-Davis, Associate Dean of Graduate Studies and Professor of Psychology, chairs the Equity, Welfare & Sportsmanship Subcommittee. This subcommittee is responsible for evaluating gender issues in the Athletic Department (including both students and staff); minority issues in the Athletic Department (again, including both students and staff); student-athlete welfare; and sportsmanship and ethics. Professor Pope-Davis' subcommittee includes the following members:

Bill Kirk	Student Affairs	Assistant Vice President
Sarah Misener	Human Resources	Director, Org. Effectiveness
Jill Bodensteiner	General Counsel	Assoc. Vice President
Iris Outlaw	Multicultural Programs	Director
Mary Ann Spence	Academic Services	Assistant Director
George Howard	Faculty	Psychology
Anita Kelly	Faculty	Psychology
Jocelyn Antonelli	Food Services	Nutrition and Safety Manager
Jannifer Crittendon	Athletics	Asst. AD/Student Development
Tony Sutton	Athletic Trainer	Asst. Athletic Trainer
Martin Stone	Coach	Women's Rowing
Tom Varga	Alumnus	
Gavin Ferlic	Student-Athlete	Golf
Coquese Washington	Assistant Coach	Basketball

Schedule

The NCAA Self-Study/Certification Process will occur on the following timeline.

October 2002	NCAA Staff Orientation Visit with each subcommittee
October 2002	First Steering Committee meeting
November 2002	First Subcommittee meetings
November 2002 – May 2003	Data collection and Self-Study completed
June 1, 2003	Steering Committee receives draft reports from the Subcommittees
July 15, 2003	Steering Committee returns draft reports to Subcommittees for revisions
September 15, 2003	Subcommittees submit final Self-Study reports to Steering Committee
September 15 – November 1, 2003	Steering Committee prepares Final Self-Study Report

November 1, 2003

University submits Final Self-Study Report to NCAA

January 18-21, 2004

Peer Review Team visits Notre Dame