

**Faculty Board on Athletics**  
**Meeting of Friday, February 8, 2018**  
**12:30 pm-2:00 pm, 500 Main Building**

Members Present: Patricia Bellia (chair), Corey Angst, Jaimie Bleck, Erin Hoffmann Harding, Adam Sargent on behalf of Patrick Holmes, Dan Kelly, Sean Kelsey, Mary Ann McDowell, Susan Ohmer, F. Clark Power, Jack Swarbrick, Aaron Striegel, Cameasha Turner, Kevin Vaughan

Members Excused: Ann Firth, Patrick Holmes

Athletics Liaisons: Missy Conboy, Mike Harrity, Jody Sadler, Angie Torain

Guests: Erin Abbey, Associate Director, Athletics Compliance; Heidi Uebelhor, Assistant Athletics Director, Compliance; Claire Leatherwood Slebonick, Assistant Athletics Director, Policy, and Recorder

**1. Opening Prayer**

Professor Patricia Bellia called the meeting to order at approximately 12:34 pm and invited Professor Aaron Striegel to give the opening prayer. Professor Bellia welcomed Professor Susan Ohmer back to the Board after a semester teaching in London and introduced new Board members and liaisons.

**2. Minutes of Meeting of December 7, 2018**

Professor Bellia shared that she circulated a draft of the minutes to Ms. Ann Firth and Mr. Brian Coughlin, both of whom had given presentations at the December meeting. Ms. Firth did not make any changes. Professor Bellia noted that any approval of the minutes would be subject to any changes from Mr. Coughlin.

Board members voted unanimously to approve the minutes, subject to any changes from Mr. Coughlin.

**3. Chair's Announcements**

*Schedules.* Professor Bellia announced that a class miss day was added to the men's basketball travel schedule due to a delayed return after an away-from-home competition during the recent ice storm.

*Captaincy Approvals.* Professor Bellia announced she approved those nominated as captains for women's lacrosse and men's tennis, noting that men's tennis will be choosing match day captains from the list she approved.

#### **4. Compliance Annual Report**

After Board members introduced themselves, Professor Bellia invited Ms. Angie Torain, Senior Associate Athletics Director, Compliance, Legal and Risk Management, and members of her staff to present the Compliance Annual Report (Report). Ms. Erin Abbey, Associate Director of Athletics Compliance, led the Compliance Office's presentation.

Ms. Abbey introduced the Report and began with a demographic breakdown of the student-athlete population, commenting that the total number of student-athletes is consistent with the total in past years. Ms. Abbey highlighted the financial aid related data, pointing out the number of student-athletes who qualified for a Pell Grant. She explained how the number of Pell Grant qualifiers affects the amount Notre Dame receives from the NCAA in the form of Student Assistance Fund (SAF) monies.

In response to a question from Mr. Jack Swarbrick regarding the number of Pell Grant recipients compared to those who may qualify for it, Ms. Uebelhor explained that the Report's numbers do not reflect those student-athletes who did not complete the Free Application for Federal Student Aid (FAFSA), which determines Pell Grant eligibility; rather, the percentages only reflect those student-athletes who completed the FAFSA. Ms. Abbey commented on the Compliance Office's efforts to alert student-athletes to the benefits of submitting the FAFSA. Replying to a question from Ms. Missy Conboy, Ms. Abbey explained the Pell Grant's disbursement process. Ms. Uebelhor shared that students receive different levels of Pell Grant funding based on financial need, ranging from as little as \$600 to over \$5,000.

Ms. Abbey discussed information on grants-in-aid (GIAs) and squad sizes, noting that Notre Dame tries to maximize the GIA it provides given the NCAA limits. In response to a question from Professor Bellia regarding the relationship between the National Letter of Intent (NLI) and GIAs, representatives from the Compliance Office explained the connection, describing multi-year GIAs compared to single-year GIAs and head count sports compared to equivalency sports.

Ms. Abbey commented on Notre Dame's transfer data, noting that transfers are a hot topic right now within the NCAA's national legislative discussions. Ms. Abbey shared that Notre Dame's transfer numbers are a bit lower than most other institutions, and that Notre Dame is itself trending lower, with the number in 2017-18 lower than in previous years and the current year tracking below the 2017-18 level. Professor Bellia reminded the Board of the change in NCAA legislation that now allows student-athletes to submit their names into a transfer portal and to contact other institutions without the need to seek permission from their current institutions. Ms. Uebelhor commented on a rule specific to football—permitting a student-athlete to compete in up to four contests without losing a season of eligibility—that may increase the number of transfers in that sport. Mr. Swarbrick remarked on the new transfer rules and their impact.

Ms. Abbey discussed the information associated with Notre Dame's GIA cancellations, reductions, and non-renewals, offering that the 2017-18 figures are consistent with the 2016-17 figures. Ms. Abbey explained details of the data, sharing that the majority of student-athletes

were mid-year graduates, left the institution, or voluntarily quit the team. She highlighted those who graduated with eligibility remaining and provided additional context for the remaining data points. Professor Bellia reiterated that under a policy adopted in the 2017-18 academic year, sport administrators, and ultimately the Director of Athletics, oversee coaches' decisions. Those decisions are also subject to appeal to a panel of the Board, but there were no non-renewal appeals during the 2017-18 year. In response to a question from Professor Ohmer, Ms. Abbey provided additional specifics around the typical reasons motivating voluntary withdrawals from programs. Ms. Abbey used an example to explain these statistics.

In response to a question from Professor Striegel regarding year-to-year transfer trends, Ms. Abbey offered graduate transfer numbers and potential legislative changes as an area to watch. Ms. Uebelhor discussed the reasons why transferring as a graduate student is popular. Professor Bellia reminded the Board about a discussion during the Board's last meeting regarding potential legislative proposals to curb graduate transfers. Professor Striegel commented on this potential legislation in relation to an institution's primary undergraduate mission of graduating students.

Ms. Abbey explained how the SAF works, listing expenses the fund can permissibly cover, such as summer school tuition, health insurance, and clothing. Replying to a question from Professor Ohmer, Ms. Abbey stated that SAF money could be used to cover summer room and board expenses in addition to tuition. Professor Bellia highlighted that Notre Dame, in contrast to some peer institutions, does not use its SAF to cover some permissible items, such as premiums for loss-of-value insurance for elite student-athletes. In response to a question from Professor Bellia on the amount of international taxes covered by SAF in 2017-18, Ms. Abbey shared that Notre Dame had approximately twenty international student-athletes. She explained the rising tax costs associated with the inclusion of cost-of-attendance (COA) in GIAs. She commented on Notre Dame's efforts to propose legislation that would allow a fund other than SAF to cover these tax costs. In response to a comment from Professor Bellia on the amount of money in 2017-18 SAF, Ms. Abbey explained the reasons why the amount is lower than is typical. Replying to a question from Ms. Erin Hoffmann Harding on other available campus funds and a question from Professor Bellia on the Academic Enhancement Fund, Ms. Abbey explained the partnership between the Compliance Office, Academic Services for Student-Athletes, and the Office of Student Enrichment, and thanked those offices for their partnership. Mr. Adam Sargent and Ms. Uebelhor provided additional context on how the funds are used and shared.

Ms. Abbey provided an overview of 2017-18 recruiting statistics, highlighting that a majority of on-campus visits occur during home football games. She noted that, due to a change in NCAA legislation, the numbers of visits will likely increase in next year's Report, and she forecasted a potential budgetary impact. Ms. Uebelhor reiterated the difference between unofficial visits and official visits. In response to a question from Professor Ohmer, Ms. Abbey explained that the higher numbers of unofficial visits in rowing are largely due to its squad size and rowing's unique recruiting model. Replying to a question from Professor Angst, Ms. Abbey explained the governors on the number of official visits, which include NCAA rules and budgetary constraints. In response to a question from Mr. Swarbrick, Ms. Abbey stated that NCAA rules limit each prospective student-athlete to taking five official visits. Ms. Conboy and

Ms. Uebelhor shared that there are other rules that govern the length of stay as well as other elements of the visit.

Ms. Abbey explained the Report's information on waivers, including the philosophy of the Compliance Office when filing waivers. She discussed the 2017-18 waiver statistics, including the office's success rate and the types of waivers filed. Ms. Abbey shared examples of the filed waivers, which Professor Bellia supplemented with a reminder of the waiver for Arike Ogunbowale, women's basketball student-athlete, to participate in the television reality show *Dancing with the Stars*.

Ms. Abbey explained the data associated with violations, noting that the statistics are consistent with those from past years with slightly over half coming from the Compliance Office's monitoring efforts and a little under half coming from self-reports. She described the types of violations and shared that these statistics are fairly consistent with other ACC institutions. Ms. Uebelhor commented on the positive health of the compliance culture in Athletics as evidenced by the split between self-reports and monitoring efforts in bringing violations to light. In response to a question from Professor McDowell, Ms. Abbey stated that just because a violation is associated with a sport does not necessarily mean that coaches or staff members connected with that sport were involved and offered an example to that effect. Ms. Uebelhor offered an additional example. Replying to a question from Professor Angst, Ms. Abbey described the different levels of severity of violations and Professor Bellia noted that Notre Dame's recent Committee on Infractions case was classified as Level 2 – Mitigated.

Ms. Abbey highlighted the final page of the Report, which illustrated the global representation of Notre Dame's student-athletes. Ms. Torain complimented Ms. Abbey on her work on the Report. Seeing no other questions, Professor Bellia thanked Ms. Abbey for the Report.

## **5. Student-Athlete Survey**

Professor Bellia introduced the Student-Athlete Survey (Survey), reiterating the Board's involvement in the Survey's redrafting and its connection to the Board's charge to systematically ascertain the views of Notre Dame's student-athletes. Professor Bellia described two mechanisms for doing so: (1) Senior Exit Interviews with graduating student-athletes; and (2) the Survey.

Professor Bellia explained the Senior Exit Interview process, including the questions asked and themes from the responses. Two significant themes reflected in the exit interview process involved the difficulty student-athletes face in balancing the competing facets of their lives, and the elimination of training table in North Dining Hall.

Turning to the Survey results, Professor Bellia noted that the 2017-18 Survey results cannot be compared directly to previous years, as 2017-18 was the first year the Survey was set up in this particular format. Professor Bellia described two distributions of the Survey for fall and spring sport teams and pointed out the response rates of the distributions.

Professor Bellia discussed the Survey results, including specific areas for improvement. She discussed the Survey results from the academic-related questions, noting high percentages of student-athletes reporting that they felt engaged and challenged to reach their academic potential, that they took advantage of available resources, and that Notre Dame was a good academic fit. She highlighted several other statistics, including the number of student-athletes that take advantage of academic enrichment opportunities. In response to a question from Professor McDowell, Ms. Abbey stated that Athletics may cover select summer expenses for student-athletes if their program has credit-hours associated with it, which includes study abroad programs. In response to a question from Ms. Uebelhor, Professor Bellia shared how the summer internship question was framed on the Survey and flagged it for further review. Ms. Conboy provided additional context on how that response could easily change for a student-athlete each year. Professor Clark Power offered some alternative formulations of possible questions. A discussion ensued regarding summer research projects and internship opportunities coupled with the potential difficulties associated with student-athletes taking advantage of those opportunities.

Professor Bellia discussed several additional academically related data points, including an issue with part of the Undergraduate Academic Code that allows students to make up work missed due to excused absences within a reasonable period of time and without penalty. She explained how student-athletes are frequently not given the benefit of this provision. For example, a class might offer five exams throughout the course of the semester and allow each student to drop his or lowest exam grade, but if a student-athlete misses one of these exams because of an excused athletic commitment, he or she is forced to drop the missed exam rather than being able to make up the exam and drop the lowest grade. Professor Bellia described her efforts to rectify this situation, but noted that some instructors within the College of Science were particularly firm in declining to give make-up exams.

Professor Bellia explained the statistics on student-athletes' feelings on whether they had the opportunity to take necessary classes and select a major that suited their academic interests. In response to a question from Professor Jaimie Bleck, Professor Bellia provided additional context around statistics that indicate some student-athletes feel discriminated against by the non-athletic community. Mr. Mike Harrity provided additional information on this point garnered from more specific questions posed to the Student-Athlete Advisory Council (SAAC). Ms. Cameasha Turner shared similar information gleaned from her work as an assistant rector in Farley Hall. Mr. Harrity stated that a member of his staff, Ms. Claire Venard, Assistant Athletics Director, Student Welfare and Development, is going to meet with those who lead the Rector education on these topics. A discussion on these themes ensued, with Board members sharing their experiences.

Mr. Swarbrick noted that the questions of the Survey related to choosing to attend Notre Dame again are comparable to previous years, with Ms. Hoffmann Harding sharing that those numbers are consistent with those from the general student body. Ms. Conboy posited that the timing of the administration of this survey might affect a respondent's answer and wondered how students would feel about their experiences five years removed from graduation. Ms. Hoffmann Harding commented that Office of Strategic Planning and Institutional Research (OSPIR) conducts a survey that may reflect Ms. Conboy's suggestion. Professor Bellia stated that it may

make sense to compare the student-athlete and student body responses on those questions for which the survey instruments align.

Professor Bellia highlighted services that had a positive effect on performance, emphasizing strength and conditioning and mental health support embedded in Athletics. She shared that nutrition—and specifically the discontinuance of training table in North Dining Hall—was a significant theme in the open-ended responses. Professor Bellia provided a brief description of the evolution of the nutritional options offered to student-athletes over the last several years, noting the significant amount of work by Mr. Harrity’s and Ms. Hoffmann Harding’s staffs to address these issues. In response to questions from Professor McDowell, Professor Bellia and Mr. Swarbrick provided more context for the move away from training table and the current model’s implementation. Professor Bellia stated that these issues have been of particular focus for the student-athletes and SAAC and offered to share a formal report with the Board on this subject.

## **6. NCAA and ACC Updates**

Professor Bellia commented on the NCAA’s annual Convention, which was held in January. She noted that the Board had discussed proposed legislation at the December meeting. Professor Bellia highlighted one proposal voted on at Convention that would add independent members to the NCAA’s Board of Governors, explaining that the proposal emerged from the Commission on College Basketball, on which Father John Jenkins had served, and that Notre Dame had supported the proposal. Both Professor Bellia and Mr. Swarbrick encouraged members of the Board to nominate anyone they know of who may be suitable for the position.

Professor Bellia previewed the upcoming ACC meetings for the Board, scheduled to take place in the week following the meeting. Mr. Swarbrick commented on the impetus for the creation of the autonomy model focusing on freeing the autonomy conferences to address impactful issues coupled with subsequent lack of progress, noting that this frustration is leading the NCAA to make decisions that are better left to its member institutions. In response to a question from Professor Striegel, both Mr. Swarbrick and Professor Bellia remarked on the difficulty of curtailing this tendency.

Professor Bellia noted that a decision in the *Alston* case is anticipated to be forthcoming and Mr. Swarbrick provided some additional context to possible outcomes.

## **7. Adjournment**

Professor Bellia adjourned the meeting at 2:01 pm.