

**Faculty Board on Athletics
Meeting of December 13, 2019
12:45-2:15 pm—500 Main Building**

Members Present: Patricia Bellia (Chair), Corey Angst, Jaimie Bleck, Ann Firth, Erin Hoffmann Harding, Patrick Holmes, Sean Kelsey, Randy Kozel, Susan Ohmer, Richard Pierce, Aaron Striegel, Kevin Vaughan

Members Excused: Lauren Hanna, F. Clark Power, Jack Swarbrick

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

Guests: Heidi Uebelhor, Assistant Athletics Director; Claire Leatherwood Slebonick, Assistant Athletics Director and Recorder

1. Opening Prayer

Professor Bellia called the meeting to order at 12:49 pm and offered the opening prayer.

2. Minutes of Meeting of November 15, 2019

The Board unanimously approved the minutes of November 15, 2019, without changes.

3. Chair's Announcements

Professor Bellia reminded the Board of the Athletics Department's invitation to attend the hockey game that evening and the women's basketball game on January 12, 2020.

Schedules. Professor Bellia announced that she approved class misses for post-season NCAA travel for the volleyball team and a revised softball schedule for spring 2020. Additionally, Professor Bellia shared that she approved the spring 2020 women's lacrosse schedule as well as the fall 2019 schedule for men's lacrosse. She explained that the need to retroactively approve the men's lacrosse schedule arose from an oversight by the men's lacrosse staff. The retroactive approval had no class miss implications, as NCAA rules do not permit lacrosse to miss classes outside of the championship season. Professor Bellia worked with Athletics staff to implement changes to the schedule approval process to ensure that this oversight does not happen again.

4. Report of the Drug Testing Oversight Committee, Ann Firth, Vice President and Chief of Staff

Professor Bellia introduced Ms. Ann Firth, Vice President and Chief of Staff and chair of the Drug Testing Oversight Committee (DTC). Ms. Firth referenced the Drug Testing Program for Student-Athletes policy (Drug Testing policy), which requires an annual report to the Board on test results and educational initiatives. She thanked various Athletics Department staff members for their work in this area and described DTC's membership.

Ms. Firth provided drug testing results for 2018-19 and compared it to historical data. She described the Safe Harbor provision, process for electing it, and its consequence and noted that no student-athlete opted to use it in 2018-19. Ms. Firth discussed the positives by substance and whether they were first, second, or third offenses. She also offered this data organized by gender and sport. Ms. Firth shared that the DTOC is conscious of the changing legal and cultural landscape with regard to marijuana use nationally and has been reflecting on what Notre Dame's stance should be in the context of the Drug Testing Program. Ms. Firth noted that positive tests for marijuana among Notre Dame student-athletes are relatively low as a percentage of the number of administered tests, but that this is the substance for which there is the greatest numbers of positives.

Ms. Firth explained that education on the Drug Testing policy occurs during mandatory fall compliance meetings. In addition, Ms. Firth shared that Athletics' Student Welfare and Development office partners with the McDonald Center for Student Well-Being to do team workshops on substance abuse. Furthermore, Football has implemented an information campaign particularly focused on supplement use, as many supplements have been found to contain substances that are considered performance-enhancing under the policy. Ms. Firth added that as a result of recent attempts on the part of some students to tamper with the collection of urine for testing, DTOC and Athletics Department partners have bolstered educational efforts around the consequences of tampering.

Ms. Firth emphasized DTOC's awareness that the University's drug testing protocol requires the observed collection of specimens from our student-athletes, neither a small request nor one that is made of any other student population. She highlighted that DTOC continues to believe the University's current approach to testing is appropriate and consistent with best practices nationally.

In response to a question from Professor Aaron Striegel on any potential movement by the NCAA on its policy of testing for marijuana, Ms. Firth replied that there has been no formal communication to member institutions on that point, although there has been some informal communication that suggests the NCAA might consider a change. She noted that the University has historically patterned its test screen for marijuana as well as other substances on the NCAA's guidance.

Replying to a question from Professor Corey Angst, Ms. Firth stated that testing for opioids is part of the screening but that the policy as currently written does not impose sanctions for their use because student-athletes are often prescribed opioids after an injury or surgery. She shared that, on occasion, a student-athlete has been identified as using opioids subsequent to the time allotted for the injury or triggering event and that, as there is a clause in the Drug Testing policy that allows intervention as necessary to address student-athlete welfare, DTOC has used that clause in those limited circumstances.

Ms. Firth shared a breakdown of the number of individual student-athlete positive tests and whether those positives occurred during pre-participation, random, or probationary drug tests. Ms. Firth noted that only football and baseball require pre-participation drug tests.

Replying to a question from Professor Bellia, Ms. Firth confirmed that ingestion of Adderall would trigger a positive test as a stimulant, which would then lead to a discussion with the student about whether the student had a physician's prescription for that medication. In response to a second question from Professor Bellia on synthetic marijuana, Ms. Firth explained that the number of variations in synthetic marijuana makes it difficult for drug screenings to catch them all and so, while it is a concern of DTOC, University screenings have not been testing for it. Ms. Erin Hoffmann Harding offered that her staff has not seen synthetic marijuana among the student body population.

Noting the number of positive tests and relatively low number of Safe Harbor provision elections, Professor Bellia asked if there was more that could be done to educate student-athletes on the availability of the Safe Harbor provision. Ms. Firth invited those present who work closely with the student-athletes to comment. Ms. Heidi Uebelhor explained that several student-athletes attempt to elect the Safe Harbor provision after they are notified of an imminent drug test or after they were drug tested, demonstrating that they know it exists but are unwilling to elect it at the appropriate time.

5. Academic Reports, Pat Holmes, Director of Academic Services of Student-Athletes

Professor Bellia invited Mr. Pat Holmes, Director of Academic Services of Student-Athletes, to present several academic reports to the Board.

2019 NCAA Graduation Rate Report. Mr. Holmes began by defining the key measurements, the Federal Graduation Rate (FGR), and the NCAA Graduation Success Rate (GSR). Mr. Holmes highlighted the primary points of comparison for the FGR when contrasted with the GSR, noting that the FGR tracks grant-in-aid (GIA) student-athletes who initially enroll in the institution as a freshman in a fall semester. The federal rate is the only metric that allows a direct comparison between student-athletes and all students, but it does not account for student-athletes who transfer into an institution or enroll in January. He described the key features of the GSR, stating that the NCAA initiated the measure in 2005 as a way to capture transfers and chart academic performance ("good standing") while enrolled at an institution. Mr. Holmes also explained the definition of "good standing" and how to calculate the GSR.

Mr. Holmes shared a summary of the University's most recent FGR and GSR numbers, noting that they are consistent with those from past years. He stated that the University's most recent overall FGR is 92%, and the GSR is 98%. Mr. Holmes remarked that the 98% GSR has been consistent for the past four or five years, and this year marks the thirteenth consecutive year that the University has either been first or tied for first among Football Bowl Subdivision (FBS) institutions. He pointed out that Notre Dame women ranked first with a 100% GSR while the men's 96% GSR ranked third. Mr. Holmes shared that eighteen of twenty-two teams had perfect 100% GSRs. Each of the four other teams had a GSR \geq 92%, a number that compared favorably with GSRs of teams from other schools within their sport. Mr. Holmes also compared the University's FGR rates to other FBS institutions and noted that Football's FGR is 84%, which is tied for fourth.

In response to questions from Professor Angst, Mr. Holmes explained how a school could have a very high GSR while simultaneously having a low FGR and that the Academic Progress Rate (APR), rather than the FGR or GSR, is the metric that impacts an institution's ability to compete in the post-season. Replying to a question from Ms. Uebelhor, Mr. Holmes shared that if a team has a GSR of 100, the team's APR is likely high enough to not suffer a post-season penalty.

Mr. Holmes referenced a presentation by Professor Elliott Visconsi on a degree completion program made to the Board at an earlier meeting, reiterating the importance of these conversations continuing to happen.

Student-Athlete GPA Summary Report-Fifth Year 2018-19. Mr. Holmes offered several grade reports to the Board, beginning with the 2018-19 GPA Summary of Fifth Year Student-Athletes. He remarked that nineteen student-athletes who initially enrolled as FY students in 2014-15 returned as graduate students to exhaust athletic eligibility during a fifth year of study at Notre Dame. Eleven of the student-athletes were non-degree seeking students, and eight enrolled in a degree program. Mr. Holmes shared that the average fall GPA for each group. Seven of the degree-seeking students completed an advanced degree by the conclusion of the SP 2019 semester, and the eighth completed a master's degree at the end of the F 2019 semester. Mr. Holmes shared that degree-seeking students have been self-sufficient and successful in recent years.

The Board engaged in a broad discussion around several specific cases. In response to a question from Professor Bellia regarding the one student-athlete who completed a degree during the Fall 2019 semester, Mr. Holmes offered that the student withdrew from some classes after getting injured. Mr. Holmes provided additional context around a non-degree seeking student who enrolled in second-semester classes but withdrew before the end of the semester to prepare for the draft. The Board discussed the circumstances surrounding this case, the reasoning of the student-athlete for withdrawing, and the concerns of the Board about this practice. Mr. Holmes spoke to the student's general level of engagement throughout the semester, and Professor Bellia reminded the Board that the Academic Integrity Subcommittee would have reviewed the student's application.

Student-Athlete GPA Summary Report-Spring 2019. Mr. Holmes described the elements of the GPA Summary Report. He remarked that the average semester GPA for all student-athletes (3.272) for SP 2019 was the second-highest ever recorded, as was the average semester GPA for grant-in-aid student-athletes (3.235). Mr. Holmes compared the SP 2019 numbers to those from past spring semesters to demonstrate relevant trends. He noted lower probation numbers and provided additional context around the numbers, highlighting that twenty out of twenty-two teams had semester GPAs above 3.000, including Football.

In response to a question from Professor Bellia, Mr. Holmes shared that one challenge his staff faces is how to accommodate the needs of different teams for study hall and how that frequently leads to space concerns. Mr. Holmes shared that his staff has been in contact with staff from Ms. Hoffmann Harding's division on potential solutions and noted that addressing this concern is a collaborative effort.

Ms. Hoffmann Harding remarked on the general concern articulated by student-athletes about the narrative surrounding where they fit within the overall student body from an academic perspective, and although the University is offering all appropriate support and student-athletes are succeeding, this group should be aware of that concern and the related gap. Mr. Holmes shared his belief that the new Student-Athlete Transition Director's work will aid in addressing this challenge. Ms. Missy Conboy commented that the narrative around student-athletes' ability to balance their academic and athletic commitments while succeeding in both is one that should be more widely shared. Ms. Hoffmann Harding reiterated that addressing this issue is an institutional challenge.

6. Golf Schedule Request, John Handrigan, Head Coach Men's Golf; Susan Holt, Head Coach Women's Golf; and Rob Kelly, Golf Sport Administrator

Professor Bellia introduced John Handrigan, Head Coach Men's Golf, Susan Holt, Head Coach Women's Golf, and their Sport Administrator, Rob Kelly, and provided context around their unique schedule request to permit these two teams to participate in a tournament at St. Andrews Links in Scotland in March 2021. Professor Bellia invited the Board to introduce themselves.

Mr. Kelly offered additional background on the opportunity, including the timing of the request, and the other considerations, such as funding and compliance questions, besides the Board's approval that are affecting the decision on whether or not Notre Dame golf will participate. Mr. Kelly described the uniqueness of this opportunity, including the ability to play in a premier event on St. Andrews Links, the exposure for the program as the tournament will be broadcast on the Golf Channel, and the chance to engage in educational opportunities around the event itself.

Mr. Kelly invited questions from the Board on the event itself and referenced that Mr. Handrigan and Ms. Holt would take questions on their plans to address the missed class. Mr. Kelly shared that various parties affiliated with this event are trying to build a business summit around this event and, in response to a question from Professor Bellia, commented that the University's student-athletes could attend this business summit when not practicing and competing.

Mr. Kelly emphasized that addressing the necessary class misses is the area of most focus, so he invited Mr. Handrigan and Ms. Holt to share their plans to participate in the event while minimizing missed classes and academic disruption. Ms. Holt stated that, per NCAA rules, golf is allowed to have twenty-four days of competition between the fall and spring semesters and that her goal is always to figure out how to make the most of those competition days while minimizing the impact on class misses. She shared that her program added an event in the fall, even during a compressed schedule that sees the program finishing competition by the first of November, allowing the student-athletes a full six weeks to focus on their academic work. This added fall event, while resulting in five Monday-Wednesday-Friday class misses and four Tuesday-Thursday misses in the fall, removes a potential competition date from the spring

semester. Ms. Holt noted that three of those six competitions are within a four-hour drive, which minimizes the team's academic disruption.

Professor Bellia shared that unlike some of the University's sports in which the conference requirements dictate the majority of the schedule, golf does not have that constraint, leaving the development of the schedule to the coaching staffs. She reminded the Board of the general Faculty Board on Athletics policy on the allowable class misses and the Chair's discretion in this area. Professor Bellia noted that the addition of the Chair's discretion to the policy more than a decade ago was prompted by the challenges experienced by the golf coaching staffs in their attempts to develop a competitive schedule.

Mr. Handrigan commented that most golf courses do not want to schedule collegiate tournaments on the weekend because it dampens their primary business. The need to schedule collegiate tournaments outside of the weekend has a negative impact on missed class. He shared that, in response to the golf staff's questioning whether it would be possible to conduct the St. Andrews tournament during Notre Dame's spring break, the tournament organizers answered in the negative. Mr. Handrigan explained that the men's golf team would need five Monday-Wednesday-Friday class misses and five Tuesday-Thursday class misses in order to participate in this tournament and complete the rest of their spring competition schedule. He noted that golf staffs see participation in this tournament as more of a well-rounded educational benefit for the student-athletes than as a competitive benefit for the teams. Ms. Holt explained that these class misses would be spread out throughout the course of the semester, rather than being concentrated at one point in the semester. Professor Bellia added that there is typically little or no post-season class miss for golf. The women's NCAA tournament can overlap with final examinations, but the men's tournament typically takes place after finals.

Professor Bellia thanked Mr. Handrigan, Ms. Holt, and Mr. Kelly for their presentation and excused them from the meeting.

A general discussion ensued, with Professor Kevin Vaughan noting that the team GPAs for both the men's and women's golf teams are usually at the very top of the teams. Mr. Holmes responded that the women's team is consistently at the top along with most of the men's golf student-athletes. He shared that Mr. Handrigan is very supportive of his student-athlete's academic success. Professor Sean Kelsey offered a possible framework to consider the question: because the golf teams traditionally do not incur significant post-season misses, their overall class miss picture with the additional absences would not be significantly different from that of other teams. Professor Bellia agreed that this proposed framework was a valid way to consider the request and offered several examples from other teams. She also reiterated Ms. Holt's statement that class misses would be spread out during the entire semester. Professor Susan Ohmer stated that she prefers having the class misses spread evenly throughout the spring semester to either having them concentrated at one point in the semester. Professor Angst asked if it would be possible to counsel affected students not to take the 1.5 credit classes that are offered within a compressed seven-week period during the time they would be away from campus because of the more significant impact of the misses on a shortened class schedule. Several Board members discussed this element, with Mr. Holmes sharing that his staff has discussed how the teams, with support from the ASSA office, can best manage the academic

disruption caused by this trip. He commented that his counselors support the teams participating in this tournament.

The Board unanimously voted to approve the request with the conditions as included in the golf staffs' submitted memo, with a vote of ten to approve with zero opposing or abstaining.

7. Adjournment

Prior to adjourning, Professor Bellia commented on documents included in the meeting materials relating to academic integrity issues that were circulated by the NCAA. Professor Bellia shared her frustration with the potential impact of these documents on the University's institutional academic autonomy. She remarked that the Academic Integrity Subcommittee could oversee an assessment by Ms. Uebelhor and Mr. Holmes of current practices and risks, and then come back to the Board with any further recommendations.

Profess Bellia previewed that the first meeting of the spring term will likely be in February. After wishing the Board a Merry Christmas and happy holidays, Professor Bellia adjourned the meeting at 2:13 pm.