

**Faculty Board on Athletics**  
**Meeting of Wednesday, May 8, 2019**  
**12:30-2:00 pm—2108 Eck Hall of Law**

**Members Present:** Patricia Bellia (Chair), Corey Angst, Erin Hoffmann Harding, Patrick Holmes, Dan Kelly, Sean Kelsey, Mary Ann McDowell, Susan Ohmer, F. Clark Power, Aaron Striegel, Jack Swarbrick, Kevin Vaughan

**Members Excused:** Jaimie Bleck, Ann Firth, Cameasha Turner

**Athletics Liaisons:** Missy Conboy, Mike Harrity, Angie Torain

**Guests:** Brandon Roach, Associate General Counsel; Heidi Uebelhor, Assistant Athletics Director; Claire Leatherwood Slebonick, Assistant Athletics Director and Recorder

**1. Opening Prayer**

Professor Patricia Bellia called the meeting to order at 12:31 pm and offered the opening prayer.

**2. Minutes of Meeting of the April 12, 2019**

The Board unanimously approved the minutes of the April 12, 2019.

**3. Chair's Announcements**

*Schedules.* Professor Bellia announced that she approved class miss changes for women's lacrosse and rowing, both due to a weather delay; for softball, switching a class miss from a Friday to a Monday to accommodate an ESPN telecast; and for men's lacrosse, women's lacrosse, and men's tennis for post-season competition.

**4. Report on Legal Landscape of College Athletics**

- *In Re: NCAA Grant-in-Aid Cap Antitrust Litigation v. NCAA and Jenkins v. NCAA*
- Operation Varsity Blues

*In Re: NCAA Grant-in-Aid Cap Antitrust Litigation v. NCAA and Jenkins v. NCAA.* Professor Bellia introduced Mr. Brandon Roach, Associate General Counsel. Mr. Roach thanked the Board for the invitation to present on pending litigation relevant to collegiate athletics. He then provided a brief explanation and overview of the status of several categories of cases currently before courts across the country, including antitrust litigation challenging the amateurism model, concussion and other personal injury litigation, and a new type of name, image, and likeness litigation concerning the use of student-athlete images in connection with corporate sponsorships. Mr. Roach then took questions from the group, which led to an extended discussion of the various issues presented by the cases.

*Operation Varsity Blues.* Mr. Roach briefly sketched the facts of this investigation, using it as background for a discussion on the University's audit of its own processes. Mr. Roach answered questions from the Board, which led to a broader conversation on the national context of this issue.

## **5. Academic Reports**

Professor Bellia asked Mr. Patrick Holmes to present various Academic Reports to the Board. Mr. Holmes thanked Professor Bellia and the Board for its time.

Mr. Holmes described a technological tool used by the Office of Academic Services for Student-Athletes (ASSA) to provide detailed analysis on the academic outcomes of the student-athlete population, noting that it enables direct year-to-year comparisons. Mr. Holmes explained the various elements of the report and the selected characteristics identified for comparison, providing relevant details and context. Mr. Holmes took several questions from the Board, which led to an in-depth discussion regarding the methodology of how the tool generates different facets of the report and the appropriate way to interpret the report's information. Mr. Holmes shared how his office uses the report.

The Board and liaisons asked several questions of Mr. Holmes, leading Mr. Holmes to share more on how the tool uses information in its calculations, that he generates a second report after spring grades are final, and that there is consistent communication regarding these outcomes between ASSA and Admissions. In response to a question from Professor F. Clark Power, Professor Bellia commented that it would be interesting to have the Academic Integrity Subcommittee meet with undergraduate deans to discuss this report.

## **6. Report of Academic Integrity Subcommittee**

Professor Bellia invited Professor Kelly to discuss the new process, designed to implement policy changes the Board previously adopted, to track those student-athletes using a fourth year of eligibility in a fifth year of academic study. Professor Kelly described the bifurcated process for students pursuing degrees (undergraduate or graduate) and students in non-degree status. Professor Kelly discussed the Academic Integrity Subcommittee's delegation to approve those petitions that are routine and summarized the Subcommittee's recent approvals.

Professor Bellia reminded the Board that the Board's new policy applies to transfer students and that those petitions are due on July 1.

Members of the Board asked several questions and discussed the process in more detail.

## **7. Adjournment**

Prior to adjourning, Professor Bellia noted the change in the Board's membership for the upcoming year and received a delegation from the Board to conduct business on its behalf over the summer. Professor Bellia adjourned the meeting at 1:59 pm.