

**Faculty Board on Athletics
Meeting of June 25, 2020
1:00-2:00 pm—via Zoom**

Members Present: Patricia Bellia (Chair), Corey Angst, Jaimie Bleck, Brian Coughlin for Erin Hoffmann Harding, Patrick Holmes, Sean Kelsey, Susan Ohmer, Richard Pierce, Aaron Striegel, Jack Swarbrick, Kevin Vaughan

Members Excused: Ann Firth, Lauren Hanna, Randy Kozel, F. Clark Power

Athletics Liaisons: Jody Sadler, Angie Torain

Guests: Ciara O'Halloran, Sport Operations and Olympic Facility Program Director; Heidi Uebelhor, Associate Athletics Director; Claire Leatherwood Slebonick, Assistant Athletics Director and Recorder

1. Opening Prayer

Professor Patricia Bellia called the meeting to order at 1:02 pm and offered the opening prayer.

2. Minutes of Meeting of April 24, 2020

Professor Susan Ohmer moved to approve the minutes of the meeting of April 24, 2020, and Professor Corey Angst seconded the motion. The Board voted to approve the minutes.

3. Reports of *Ex Officio* Members or Liaisons

Athletics Department / Industry Updates. Professor Bellia invited Mr. Jack Swarbrick to provide an update on the Department of Athletics and the intercollegiate athletics industry. Mr. Swarbrick commented on the challenges of the time and shared the general framework with which the Athletics Department leadership is making pandemic-related decisions. He provided various details surrounding how the department is working with campus colleagues, governmental officials, and industry peers as well as how the department shifted its management structure to respond to the pandemic. Mr. Swarbrick shared that department is now organized around five working groups: (1) Return to Competition – Football, led by Ron Powlus; (2) Return to Competition – All Other Sports, led by Jody Sadler; (3) Return to Work, led by Angie Torain; (4) Business Operations, led by Mario Morris; and (5) Fan Engagement and Event Management, led by Rob Kelly.

Mr. Swarbrick discussed the first return of some football student-athletes to campus and various elements of related processes, including COVID-19 and antibody testing protocols and initial results. He shared that the next set of student-athletes to return would be members of the volleyball team, followed by members of the women's basketball team.

Mr. Swarbrick announced that he named Ms. Angie Torain to the newly constituted role of Senior Associate Athletics Director for Culture, Diversity and Engagement. He commented on components of the role and its relationship to the diversity and inclusion efforts of the Athletics department. Mr. Swarbrick encouraged the Board to explore the Athletics department's new staNDtogether website, found at www.und.com/standtogether/, which focuses on amplifying the voices of Notre Dame student-athletes, staff, and alums on matters of racial justice.

Replying to a question from Professor Bellia regarding the application of University travel restrictions to athletics, Mr. Swarbrick acknowledged the challenge athletic travel poses to the well-being of student-athletes, athletics staff and broader campus community. He shared that Athletics is taking steps to reduce travel and exposure risk and detailed some of those plans.

Professor Ohmer questioned Athletics' advertising ticket sales for football games and the resulting likelihood that some students attend those away games. Mr. Swarbrick addressed her concerns and discussed the protocols in place to protect the health and safety of those affiliated with the football program. Mr. Swarbrick acknowledged the challenge of managing mass communications during this rapidly evolving time and stated that no decision has yet been made regarding spectators', including students', ability to attend athletic contests.

In response to a question from Professor Richard Pierce, Ms. Torain provided additional details regarding her new role and its priorities. Mr. Swarbrick added that Athletics has identified several areas of focus within this area. Professor Bellia noted that the Board could invite Ms. Torain to give a report on these efforts at a future meeting.

In response to a question from Professor Aaron Striegel regarding student-athlete access to campus facilities for workouts, Mr. Swarbrick commented on the necessary diligence in developing protocols to safely reopen campus facilities while acknowledging the risk to student-athletes should they decide to use non-campus facilities. He stated that the department is urging student-athletes to exercise extreme caution in these circumstances.

Replying to a question from Professor Striegel on the extension of the academic day and its impact on practice times, Mr. Swarbrick acknowledged the added challenge, particularly when coupled with Athletics' space being used to host classes. Professor Bellia shared relevant details from her work on the Advisory Committee on the Academic Code and Policy, noted Athletics' willingness to adjust to the new academic schedule, and commented on the pending communication of new class times and student schedules.

Mr. Swarbrick discussed COVID-19 testing plans for student-athletes and staff as well as a host of additional measures beyond testing designed to help Athletics detect potential problems, such as daily symptom surveys and contact tracing. Ms. Jody Sadler discussed the general framework for COVID-19 detection for the majority of Notre Dame's varsity programs. Mr. Swarbrick replied to a question from Professor Sean Kelsey that Athletics is not, due to the lack of conclusive science on the topic, placing great reliance on antibody testing at this time. Mr. Brian Coughlin confirmed that this is consistent with the current approach by Student Affairs staff.

Updated Drug Testing Program for Student-Athlete Policy. Professor Bellia introduced an updated Drug Testing Program for Student-Athlete Policy (Policy) and provided some background on the Policy. She explained that the authority to make amendments to the Policy resides with the Drug Testing Oversight Committee (DTOC) with the final approval of any changes resting with Rev. John I. Jenkins, CSC, University of Notre Dame President. Professor Bellia noted that Ms. Ann Firth and Professor Kevin Vaughan both serve as members of DTOC with Ms. Firth also serving as Chair of DTOC. Professor Bellia commented that DTOC recently raised a number of questions related to sanctions for positive marijuana use in part due to the significant changes in the related national landscape. She invited Professor Vaughan, as Ms. Firth was unable to attend the Board's meeting, to speak to DTOC's work on this front.

Professor Vaughan discussed DTOC's work on this topic, detailing DTOC's process and findings. He noted that the sanctions for marijuana use in the policy were incongruous with peer institutions. Professor Bellia described the benchmarking efforts on sanctions for marijuana use among institutional peers and its finding: since the previous benchmarking efforts conducted several years ago, the national landscape has shifted to less punitive and more educational responses to positive tests for marijuana. Professor Bellia highlighted a key change in the Policy, which relaxes the sanction for the second positive test to require fewer missed contests coupled with an extended probationary period. She noted that DTOC recommended this change and that Fr. Jenkins approved it.

In response to a question from Professor Angst regarding the contours of probation, Professors Bellia and Vaughan responded that student-athletes on probation would be subject to increased frequency of testing and counseling.

4. Chair's Announcements

Academic Update. In addition to information shared earlier in the meeting, Professor Bellia discussed efforts to transition the Summer Bridge experience to a virtual platform and the work of Ms. Samira Payne, Program Director for Student-Athlete Transition Programs, to make this endeavor a success. Professor Bellia reported on the status of the program and participating student-athletes as well as some of the unique challenges faced by members of this group. Mr. Patrick Holmes praised Ms. Payne's efforts and the initial reports from the program.

Fall 2020 University On-Campus Residency Requirement. Professor Bellia referenced Ms. Erin Hoffmann Harding's email to students regarding the relaxation of the Fall 2020 housing requirement and reminded the Board that its policy requiring on-campus housing for at least six semesters sunsetted at the end of the 2019-20 academic year. Professor Bellia noted that student-athletes will operate as all other students in regard to selecting their housing for the coming year. Replying to a question from Professor Striegel, Ms. Heidi Uebelhor answered that Compliance needs to capture housing information for student-athletes to monitor for violations of NCAA rules.

5. Sports Scheduling

Professor Bellia introduced Ms. Ciara O'Halloran, Sports Operations and Olympic Facility Program Director and coordinator of the schedule approval process within the Athletics Department, and various schedule-related challenges due to the impact of COVID-19. Professor Bellia noted several potential issues regarding the Board's existing scheduling guidelines, should Notre Dame move forward with fall varsity athletic competition, including the quantity of class misses due to the loss of fall break and the shifting of the academic term as well as potential regular-season games scheduled during the final examination window. She also noted potential issues surrounding Welcome Weekend.

Professor Bellia proposed the creation of guidelines, endorsed by the Board, to address these and other potential scheduling issues for Fall 2020, including working with the college deans to expand the existing exam period mechanization for COVID-19-related circumstances this fall. With no objections, Professor Bellia promised to circulate said guidelines to the Board as soon as possible. [The Board subsequently approved the guidelines, attached as Appendix A, by email vote.]

6. Adjournment

Professor Bellia wished the Board good health and luck and adjourned the meeting at 2:03 pm.

APPENDIX A

Faculty Board on Athletics Fall 2020 Schedule Approval Guidelines

With special attention to the rhythm of the academic year, the Faculty Board on Athletics (Board) establishes guidelines for approval of all intercollegiate athletics schedules, votes on all proposed schedules, and assesses and revises procedures for resolving prospective conflicts between final examinations and post-season championship events. The baseline expectation is that each athletics program will build its regular season schedule so that student-athletes miss no more than three classes in the Monday/Wednesday or Monday/Wednesday/Friday sequence and no more than three classes in the Tuesday/Thursday sequence. The Board has authorized its chair to approve on its behalf any schedule falling clearly within Board guidelines. Given special circumstances consistent with the Board's desire to enable coaches to build competitive schedules, the Board also gives its chair the discretion to approve up to two additional class misses for a given semester. Other baseline expectations include that each athletics program will seek special approval for contests falling on University reading days and will avoid regular season competition during the final examination week.

The Covid-19 pandemic has prompted significant changes to the University's fall 2020 academic calendar, including an earlier start date, the elimination of fall break, an earlier undergraduate final examination period, and a different final examination period for some graduate programs. The pandemic may also cause adjustments to conference and non-conference athletics schedules and changes in the travel paradigms teams typically use. To facilitate the process of approving fall 2020 athletics schedules, the Board agrees as follows:

- (1) Whenever possible, teams should attempt to meet the typical guidelines limiting class misses for regular season competition to three classes in the Monday/Wednesday or Monday/Wednesday/Friday sequence and three classes in the Tuesday/Thursday sequence.
- (2) Beyond the authority already delegated to the chair to approve schedules within that fall clearly within Board guidelines and to approve up to two additional class misses to enable coaches to build competitive schedules, the Board gives the chair discretion to approve up to two more class misses for reasons specifically attributable to alterations to the Fall 2020 academic calendar, adjustments to competition schedules, or shifts in team travel paradigms (e.g., substituting bus travel for airline travel).
- (3) As part of the schedule submission process, teams should include a memorandum that fully details why any class misses for regular season competition above three classes for the Monday/Wednesday or Monday/Wednesday/Friday sequence and three classes for the Tuesday/Thursday sequence are necessary, including the impact of Covid-19 related-changes to their proposed schedules.
- (4) Reading day competitions are subject to current Board approval rules and limitations.
- (5) Every effort should be made to reschedule regular season competition that falls during the undergraduate final examination period (November 16-20). For competition that cannot be rescheduled (e.g., because of contractual commitments or conference obligations) or that falls during the examination period for graduate programs, the Board and the deans of the affected colleges and schools will apply the protocol that ordinarily applies to post-season competition falling during the examination window.
- (6) The chair retains the authority to refer any schedule to the full Board for approval. The chair shall report the disposition of any scheduling request, including how any approved schedule aligns with the

Board's scheduling requirements and limitations, to the Board for inclusion in the Board's official minutes.

(7) Student-athletes should work closely with instructors to minimize the impact of class misses associated with athletics travel, including by taking advantage of dual delivery options in accordance with instructors' policies, whenever travel and competition schedules allow.