

The University of North Carolina at Chapel Hill
Faculty Athletics Committee
Minutes of Meeting: September 16, 2014

Present: **Committee Members:** Lissa Broome, Marc Cohen, Carol Folt, Layna Mosley, Andy Perrin, Joy Renner, John Stephens, Deborah Stroman, Kimberly Strom-Gottfried

Athletic Department Personnel: Bubba Cunningham, Vince Ille

Other Advisers: Michelle Brown, Benton Moss

Guests: Bruce Cairns (Department of Surgery and Faculty Chair), Debbi Clarke (Provost's Working Group), Chris Faison (CCSAC – Minority Male Mentoring & Engagement), Cameron Robert (DTH), Zac Selmon (Athletics), Mark Wood (DTH)

I. Introduction to the 2014-15 Committee

Committee members and guests introduced themselves. Benton Moss is a senior on the baseball team and will be attending FAC meetings this year as the liaison to the Student-Athlete Advisory Council (SAAC). He is double majoring in Business Administration and Economics.

FAC Chair, Professor Joy Renner, reported that this summer she and Professor Broome met with Ken Wainstein and his team to raise questions from FAC members. Professor Renner also met with Andrew Powell, the Student Body President, and Kyle Villemain, the Vice President, to discuss issues relating to integrating all students into the life of our University. Andrew Powell has appointed Allen Champagne, a football player, to serve as a liaison with student government.

II. Preparation

The committee decided to hold two open forums for faculty and other community members. The first forum will be October 15 from 9-10:30, moderated by John Stephens; the second forum will be October 21 from 3-4:30, moderated by Kim Strom-Gottfried. Professor Renner will find locations – one near the medical campus and one on the central campus. She will reach out to the retired faculty group, use the Daily Tar Heel to announce the forum times and locations, and use the Faculty Governance website and listervs to disseminate information about these events.

III. Activity

The committee also hopes to engage in outreach to departments and schools about the role of FAC and to relay information and gather input from faculty across the University that may inform FAC's work and the work of others related to our student-athletes. Professor Renner will match up FAC members with the schools and departments. Committee members should let her know if there are particular departments or schools that they are interested in serving.

The committee discussed several ways to reach out to departments and schools, including an email to Deans, Directors, and Chairs listing the liaisons and inviting faculty to contact them. Others believed attending a faculty meeting to introduce the liaison concept might be helpful. A third suggestion was for the liaison to meet with the department chair and ask the chair to distribute the liaison's contact information.

If someone does reach out with a concern about a student-athlete's academic conduct or performance, the liaison should inform Michelle Brown so we will have one central repository of issues that have been raised. If the concern is broader than academics, then the liaison may consider consulting the topic experts in the area or asking that the item be put on the agenda for an upcoming FAC meeting.

IV. Report of the Faculty Athletics Representative

Professor Lissa Broome referred to her written report which is attached and was posted on Sakai prior to the meeting. Complete Carolina provides financial assistance to former student-athletes to return and complete their degrees. Other students who are seeking to return to school also have the opportunity to work with admissions and financial aid. It is important to disseminate the ACC Honor Roll press release to students who are named in the Honor Roll. In addition, Bubba Cunningham would like to reach out to students and their parents to congratulate them on important academic achievements. After reviewing the APR/GSR/FGFR chart that accompanies her report to Faculty Council, Professor Broome noted that the NCAA will be releasing the most recent GSR information in a few weeks.

V. Report of the Athletics Director

Bubba Cunningham presented a PowerPoint outlining some of the significant changes in the landscape of intercollegiate athletics that had occurred since the committee last met. These developments included the *O'Bannon* litigation (cost of attendance and trust fund for name, image, and likeness revenue), *Jenkins* litigation (to permit schools to bid in an open market for student-athletes), and NCAA governance restructuring which includes the ability for 65 schools in the Power 5 conference (including the ACC) to have autonomy from the other Division I schools on a subset of issues, including adding the full cost of attendance to the student-athlete full grant-in-aid. There will be a significant financial component to meeting the full cost of attendance and the other potential changes.

The ACC is monitoring these governance issues through a 5-5-5 committee with one representative from each school for a total of 5 FARs, 5 ADs, and 5 Presidents. The committee is focusing on guiding principles. There are three possible models – a Professional model, the Collegiate model, and an Ivy League Model where aid is based on need. At present, courts are taking the lead in pushing the model towards a Professional model that is less concerned with competitive equity and may have the effect of funneling more resources to a smaller number of student-athletes. The autonomy structure provides an opportunity to consider principles that should guide the model for intercollegiate athletics.

A significant aspect of the changes in NCAA governance is the incorporation of student-athletes as voting members of the NCAA Division I Board of Directors and the Council. The importance of our local SAAC will also be elevated through more direct interaction by the SAAC liaison, Benton Moss, and more intentional discussion with SAAC of all ACC and NCAA governance issues.

VI. Closed Session

Upon motion, a second, and a unanimous vote, the committee went into closed session in order to prevent the disclosure of information that is privileged or confidential relating to an incident involving members of the football team. At the conclusion of the discussion, upon motion, a second and a unanimous vote, the committee returned to open session.

VII. Remarks from the Chancellor

Chancellor Carol Folt noted the importance of the Working Group's efforts over the past year. She said we should expect to receive Ken Wainstein's findings sometime this fall. She stressed that the Wainstein report would not contain recommendations, but that his findings might inform additional things we may want to put into place as we respond to his report. The University has provided Mr. Wainstein with a number of documents and is working to consider ways to appropriately make available those documents that were important to the investigation.

Chancellor Folt also noted that the NCAA reopened its prior investigation this summer and that most likely it will not conclude its work until sometime after the Wainstein report is released.

Chancellor Folt's biggest concern is how the Wainstein report will affect the student-athletes on our campus today. Some have been the subject of unfair finger pointing and targeting. She hopes that FAC will be able to assist her in helping the University community and the faculty move forward following the report.

Within the first week after Complete Carolina was announced, Chancellor Folt was heartened to report, that we heard from 40-45 former student-athletes interested in finishing their degrees. The financial aid that will be offered by the Athletics Department to those eligible to finish their studies will be based on the amount of financial aid the student-athlete received in his or her first year at Carolina.

The Chancellor met recently with coaches and with SAAC to learn what each group hoped the University would say about athletics and student-athletes in the wake of the Wainstein report. She remarked that the Wainstein report will largely be about the past. We need to recognize what we have done to improve as a University since those events took place, and we need to turn to the future to move forward with any needed additional reforms or improvements.

Professor Deborah Stroman noted that in the face of the racial issues in Ferguson, Missouri she was promoting an initiative called, "Take 10." Its purpose is to encourage everyone to take 10 minutes to talk to someone who doesn't look like them. She is especially concerned that some of the statements being made about UNC student-athletes are centered on black male student-athletes.

VIII. Review

Professor Renner asked the committee to review the Working Group documents and provide comments. The topics the committee will be taking up next include communication between faculty and student-athletes, understanding, and healthy culture development.

The meeting adjourned at 5:30.

The next meeting is October 14, 2014.

Minutes respectfully submitted by Lissa Broome

**Update from the Faculty Athletics Representative
September 16, 2014**

1. I will present my Annual Report to Faculty Council this Friday, September 19. A copy of the report is posted on the Sakai site under Reports.
 - a. Page 3 of the report has a chart with APR/GSR/FGR info on it. The new information on that chart is the APR for 2012-13 for four teams and the chart below that which shows a comparison for 2012-13 in GSR, FGR and APR among 5 ACC schools (UNC, NC State and UVA on the public side and Duke and Wake Forest on the private side).
 - b. Below the report is a noteworthy statistic that for 2012-13 six of our teams were in the top 10% for their sport in APR (Women's Fencing, Women's Golf, Gymnastics, Rowing, Volleyball, and Women's Tennis). Women's Fencing and Women's Golf have been in the top 10% each of the 9 years the APR has been reported, and Volleyball has received this recognition in 8 out of the 9 years.

2. The University announced at the end of June that it had received a verbal notice of inquiry from the NCAA that it is reopening its earlier examination of academic irregularities, <http://carolinacommittment.unc.edu/updates/statement-from-university-of-north-carolina-athletic-director-bubba-cunningham/>. The NCAA has determined that additional people with information and others who were previously uncooperative might now be willing to speak with the enforcement staff.

3. In August the NCAA Division I Board of Directors adopted a new governance model. One aspect of this model is the opportunity for five conferences (ACC, Big 10, SEC, PAC 12, Big 12) to have autonomy and pass legislation related to a specific set of issues. Items are to be added to the autonomy agenda by October 1, comments will be received, and legislation arising out of these agenda items will be presented in December to be discussed and voted upon at the January 2015 NCAA Convention in special sessions for the five conferences. In addition, nominations are being accepted for a reconstituted Council, which will be the primary legislative body for Division I underneath the NCAA Division I Board of Directors (which is primarily composed of college presidents). The ACC will have a conference nominee to the Council and an ACC President will represent ACC institutions on the NCAA Division I Board of Directors.
 - a. Student-athletes will have voting representation on the Division I Board of Directors, the Council, and in the autonomy structure.
 - b. We have had conversations about how to reach out to student-athletes and include their voices on our campus and in the ACC.
 - i. Student-athletes (meetings organized through SAAC) provided feedback on the Working Groups work and have attended many of the Working Group meetings this summer.
 - ii. A student-athlete will begin attending FAC meetings this fall.

4. In August, Judge Wilken from the federal district court for the Northern District of California issued her decision in O'Bannon v. NCAA. There were two important holdings:
 - a. The NCAA may cap the compensation paid to student-athletes but this cap cannot be set below the cost of attendance. The current grant in aid is on most campuses a lesser sum than full cost of attendance and is measured by tuition, fees, room, board, and books.
 - b. The NCAA may not prevent member schools from depositing a share of licensing revenue in trust for FBS football and Division I basketball recruits, payable when they leave school of their eligibility expires.
 - i. The NCAA may set a cap on the amount that may be held in trust, but it is prohibited from setting a cap less than \$5,000 (in 2014 dollars) per year that the student-athlete remains academically eligible to compete.
 - ii. Schools may elect to offer lower amounts, but may not unlawfully conspire with each other in setting those amounts.
 - iii. The NCAA may adopt rules to ensure that no school offers a recruit a greater share of licensing revenue than it offers any other recruit in the same class and on the same team.
 - iv. The amount that may be placed in trust may vary from year to year.
5. Layna Mosley has graciously agreed to be the UNC representative to the Coalition on Intercollegiate Athletics (COIA), a role I previously held.
6. The University announced Complete Carolina to provide financial assistance to student-athletes who are returning to Carolina to complete their degree, <http://unc.edu/campus-updates/complete-carolina-strengthens-commitment-to-former-student-athletes-undergraduate-education/>.
7. The Student-Athlete Academic Initiative Working Group met throughout the summer and received feedback from various groups about the first half of its work.
8. I will be attending the Division I-A FAR Conference in Dallas September 21-22. Program highlights include:
 - A panel including Ohio State AD Gene Smith, MAC Commissioner Jon Steinbrecher, and Big 12 Commissioner Bob Bowlsby will provide their perspectives on the NCAA Division I Governance Redesign.
 - Individual speakers include NCAA President Mark Emmert and Kansas State University President Kirk Schulz, who serves on the NCAA Division I Board of Directors and was one of the seven members of the Governance Redesign Committee.

- Dr. Charles Samuels, Director of the Centre for Sleep and Human Performance in Calgary, Alberta will address the issue of sleep and its relevance and impact on student-athletes.
 - A panel will focus on the topic of Religion and Intercollegiate Sport in America. The panel features Jeff Scholes and Raphael Sassower from the University of Colorado, Colorado Springs, who are the authors of *Religion & Sports in American Culture*, and also includes SAAC representative Jori Jasper, a softball student-athlete from the University of Hawaii, and Professor Ron Rychlak, the FAR at Mississippi, who also is an advisor to the Holy See's delegation to the United Nations and recently was named to the SEC Executive Committee.
 - Labor Law attorney Art Carter, who is also an adjunct professor of law at SMU, will provide a talk entitled NLRA 101, to provide a brief overview of the nuts and bolts of the National Labor Relations Act in connection with the Northwestern case.
- A media panel featuring Dennis Dodd from CBSSports.com, Debbie Altonelli from diverse media outlets including ESPN, CBS, and Fox Sports Net, and Brad Wolverton from the Chronicle of Higher Education, will offer their unique perspectives on intercollegiate athletics.
- Dr. Brian Hainline, the NCAA's Chief Medical Officer will be back to discuss his ongoing goals for the NCAA Sport Science Institute on issues ranging from concussions, to substance abuse, to other issues pertaining to our student-athletes' physical and mental development and wellness.
- And, Tom Paskus from NCAA Research and Dave Clough, FAR at the University of Colorado, Boulder, will present on the topic, "Myths and Realities about Intercollegiate Athletics – What Research Tells Us."
9. The ACC Fall Meetings will take place on October 8-9 at Duke University. The agenda has not yet been circulated.

Lissa Broome