

The University of North Carolina at Chapel Hill
Faculty Athletics Committee
Minutes of Retreat: June 9, 2015

Present: **Committee Members:** Lissa Broome, Marc Cohen, Beverly Foster, Layna Mosley, Andy Perrin, Joy Renner, John Stephens, Deborah Stroman

Incoming Committee Member: Daryhl Johnson

Advisors: Michelle Brown (Director, ASPSA), Bubba Cunningham (Director of Athletics)

Guests: Debbi Clarke (Provost's Working Group), Paul Krause (Chancellor's Office), Karen Moon (Communications and Public Affairs),

I. Preparation

Introductions. Committee members and guests introduced themselves. Daryhl Johnson was elected to the committee as of July 1. He is an Assistant Professor of Surgery and Associate Trauma Medical Director. He was a student-athlete at Southern University where he played football. The Chancellor is in D.C. Benton Moss is participating in an internship in New York City before he begins his professional baseball career. Two SAAC liaisons will be named by August (from sports with different seasons to help ensure that one SAAC member will normally be able to attend FAC meetings).

Minutes. Corrections to the May minutes should be sent to Lissa Broome.

August Retreat. The August retreat will be on August 13 from 1-4:30. Lissa Broome and Andy Perrin will not be able to attend. John Stephens may be out as well. Debbi Clarke will not be present. The purpose of this meeting is to review any unfinished business from 2014-15 and to develop a work plan for the committee for 2015-16.

II. Processes

FAR Review. Joy Renner is chairing a committee that is reviewing Lissa Broome in her role as FAR. Professor Renner described the comprehensive process which solicited input on Professor Broome's work from those inside, as well as outside, UNC. About twenty electronic comments were received from UNC faculty. Several FARs from other ACC schools were interviewed and commented that Professor Broome had helped encourage FARs to speak up more in ACC meetings and was herself an important voice. Professor Broome also met with the committee and answered its questions. The committee has had its final meeting as a group. The committee's report will be submitted to Chancellor Folt in June and she will decide whether Professor Broome should continue in the FAR role. The FAR is appointed by the Chancellor for an indefinite term and every five years there is a review of the FAR, such as the one currently

ongoing (in fact, this is the first such FAR review to occur). The review committee also discussed whether there should be a term limit, but concluded that longevity in the role increased the impact of the FAR at the conference level and at the NCAA. FAC discussed whether there should be some tangible support for the FAR role (release time, administrative support, and/or salary support) as well as similar support for the chair of FAC.

Update from the FAR on ACC and NCAA Issues. Professor Broome's update is attached.

Integrity Working Group. Joy Renner is a member of this new University Working Group. Members of the committee are discussing how issues regarding integrity are raised in their units. Professor Renner is sharing the policy that FAC employed this year to investigate issues related to athletes.

Procedures and Policies Working Group. Debbi Clarke is working with this group. A consulting firm will be hired to help with this group's efforts. The group is also seeking more members from the faculty who do not also have administrative appointments.

NCAA Notice of Allegations and SACS. The University's response to the Notice of Allegations must be received by August 18. Professor Renner asked which FAC members would be willing to assist in any review the Chancellor might request from FAC of the response to the NOA. Deb Stroman, Daryhl Johnson, Layna Mosley, John Stephens, and Bev Foster volunteered. Many of the documents (the FIs –factual information) referenced in the Notice of Allegations are posted on Carolina Commitment and many of them had already been made public as part of the Cadwalader investigation. The SACS board meeting is scheduled for June 10.

III. Resolutions Presented to Faculty Council

FAC discussed four resolutions presented this spring to Faculty Council by Professor Jay Smith. Professor Renner will report FAC's discussion regarding each resolution to Faculty Council this fall.

Resolution 2015-3 On Admissions Standards for Student-Athletes. The proposed resolution is that :

The University should eliminate the admission of Tier 1 candidates (i.e., those athletic recruits whose first semester GPA's are expected to fall below 2.3.) At the same time, the University should take all possible steps to broaden the diversity of the undergraduate student body independently of the admission of Tier 1 athletes.

Professor Layna Mosley who chairs the Committee on Special Talent Admissions said that on average Tier 1 students present more risk of failure than other students. The question is, how much risk are we willing to take? Aside from whether it is legally problematic to draw a bright line admissions threshold, we should consider that increasing the number of Tier 2 student-athletes also presents risks. Nine Tier 1 students matriculated in Fall 2014. Recent Tier 1 students have come from 14 different sports.

Following discussion, a consensus emerged around a statement that includes the following elements:

- FAC is pleased with the process being used by Admissions and the Committee on Special Talent to review students in three Tiers and to minimize the number of students who fall into Tier 1.
- At the same time, FAC is also supportive of providing opportunities for students to attend college if, following a holistic review, by the Committee on Special Talent and the Office of Admissions, we believe the Tier 1 candidate can succeed and proceed to graduation from UNC.

Resolutions 2015-4. On Fully Integrating All Academic Support Services. The proposed resolution is that:

Because we the faculty want athletes to have academic experiences comparable to those of other students, the University should fully integrate all academic support services (e.g., advising, tutoring, and other activities), thus ensuring that athletic-academic support services no longer stand apart from the regular academic support complex.

The committee noted that tutoring of student-athletes is subject to NCAA regulation. The time commitments associated with athletics also mean that much of the tutoring and academic support need to be offered at night. There are also efficiencies in having the academic support program located centrally to athletic facilities. The advising of student-athletes has already been decentralized with academic advisors from Steele Building interacting with student-athletes more frequently. This resolution was referred by Faculty Council to the Student-Athlete Academic Initiative Working Group which has drafted a response to the resolution. The FAC voted not to recommend this resolution and to adopt the Working Group's rationale (attached).

Resolution 2015-5. On Composition of the Faculty Athletics Committee. The proposed resolution is that:

The Committee on University Government is requested to prepare a proposed Faculty Code amendment to ensure that a majority of the elected members of the Faculty Athletic Committee come from the College of Arts and Sciences, the source of most undergraduate teaching and the place where athletes most commonly engage with faculty.

Professor Renner reported that this resolution had also been discussed by the Faculty Committee on University Government, which had determined that 70-80% of FAC members over recent years taught undergraduates and noted that representation from across the University was important to all committees to bring different perspectives to bear. Further, the Nominating Committee provides a process to ensure that there is a balanced slate of candidates and understands the composition of the committee since the FAC Chair is a member of the Nominating Committee and can communicate any specific needs for representatives from various areas. FAC members also noted that it is possible

to know student-athletes and learn about their concerns through the team liaison role and the SAAC focus groups; teaching undergraduate student-athletes is not required for a faculty member to understand and appreciate issues related to student-athlete welfare. Moreover, there is a slate of candidates presented to the voting faculty that allows choice among candidates and that choice could be made based on undergraduate teaching assignments by those faculty for whom that was an important criteria. The FAC voted not to recommend this resolution.

Resolution 2015-6. On a Task Force to Examine the Implications of Impending Changes in College Sports. The proposed resolution is that:

Building upon the work of the Betts committee of 1989 and the Rawlings Report of 2013, both of which contained wise and prescient recommendations, the chair of the faculty is requested to appoint an ad hoc faculty task force to examine the academic and other implications of the changes coming to college sports – Big Five autonomy, the prospect of player unionization, enhanced compensation for athletes, new threats to the non-revenue sports and to propose appropriate responses to protect the University’s academic integrity and the academic interests of athletes.

During its discussion of this resolution, FAC members noted that these subjects are already on FAC’s agenda and that FAC is poised to discuss more deeply over the coming year some of the issues encompassed within the resolution and will seek input from the broader faculty through FAC’s faculty forums. FAC voted to propose to Faculty Council that some or all of the topics mentioned in the resolution be addressed by FAC beginning in Fall 2015 with input sought from the faculty as a whole.

IV. Charge of the Committee

The Faculty Code provides that:

The Faculty Athletics Committee is concerned with informing the faculty and advising the chancellor on any aspect of athletics, including, but not limited to, the academic experience for varsity athletes, athletic opportunities for members of the University community, and the general conduct and operation of the University’s athletic program.

Faculty Code § 4-7[b].

The committee had the following comments about each element of the current charge:

- Informing the faculty --
 - The committee also “represents” the faculty.
- Advising the chancellor --
 - This should stay.
- Academic experience for varsity athletes --

- Committee members suggested that the “University experience” also be added so as to include parts of the University experience outside of the classroom.
- Athletic opportunities for members of the University community --
 - Committee members felt that this portion of the charge should be dropped and was more appropriately in the ambit of the Faculty Welfare Committee.
- General conduct and operation of the University’s athletic program --
 - This should stay.

A draft of a new charge, incorporating the discussion above, is set forth below:

The Faculty Athletics Committee is concerned with informing and representing the faculty and advising the chancellor on any aspect of athletics, including, but not limited to, the academic experience and University experience for varsity athletes, and the general conduct and operation of the University’s athletic program.

V. FAC Directions and Functions

Team Liaisons. Team liaisons should try to meet with students, coaches, and also the academic counselor(s) for the team. Some members expressed concern about the time commitment this might require. One solution is to allow each liaison to determine the appropriate time commitment with the liaison being able to assist the FAC chair when any particular issues or questions arise with respect to a specific team.

Department Liaisons. FAC agreed that these were not necessary so long as FAC continues to have open forums each semester and special forums when necessary to respond to particular events. If a department chair requested that a FAC member participate in a department meeting, then Professor Renner would contact a member of FAC to fulfill that request.

Faculty Listening Sessions (or Open Forums). These should be continued. At least one should be held each semester and special forums should be scheduled if necessary to respond to particular events or to discuss some of the general issues surrounding intercollegiate athletics alluded to in the Resolution to Faculty Council discussed earlier.

SAAC Focus Groups. These should be continued on an annual basis.

Other Committees. FAC currently is represented on other related committees – Substance Abuse Policy Review Committee, ASPSA Advisory Committee, the Committee on Special Talent Admissions, and the Student-Athlete Academic Initiative Working Group. The FAR is an *ex officio* member of each of these committees. FAC representatives (often the FAC chair) have been appointed to other committees. It might be appropriate for one of the Advising Topic Experts to be the FAC representative to the ASPSA Advisory Committee. Professor Renner asked whether FAC should have an *ex officio* seat on the Committee on Special Talent Admissions.

Post-Working Group. The Working Group's report is in the process of being posted onto a website. It will be necessary, however, to revise and improve policies and to keep the website updated to reflect any new initiatives. FAC will clearly need to coordinate with whatever body takes this project on. The Agenda broke down the academic processes into the following general categories:

Admissions

- 1.0 Recruitment
- 2.0 Admissions
- 3.0 Financial Aid

Advising

- 4.0 Orientation and Summer Programs
- 5.0 Enrollment and Advising
- 6.0 Registration
- 19.0 Supporting Non-Participant Student-Athletes

Academics

- 7.0 Academic Support for Student-Athletes
- 9.0 Class Attendance and Travel
- 10.0 Resources for Student-Athletes with Disabilities
- 12.0 Academic Performance Monitoring
- 17.0 Honor Court

Student-Athlete Experience

- 11.0 Eligibility and Compliance
- 13.0 Communications and Recognition
- 15.0 Facility Use and Programming
- 16.0 Housing and Residential Education
- 18.0 Student-Athlete Development
- 20.0 Student-Athlete Feedback and Alumni Tracking

General

- 8.0 Faculty Relations and Governance
- 14.0 Budgeting

Professor Renner noted that the issues that FAC and the Working Group both thought should have the highest priority were time commitments of student-athletes, admissions, and academic support for student-athletes. It is anticipated that a post-Working Group team would work closely with FAC and that data, questions, and concerns would be shared freely between both groups.

VI. Resources

Project Management Software. Professor Renner noted that it was important for FAC to stay on top of all of the committee's good ideas and initiatives. She and Debbi Clarke (working with the

Student-Athlete Academic Initiative Working Group) are now set up on WorkZone project management software. The software will send reminders regarding project tasks. It is being paid for and supported by the Provost's office.

Staff Support. Professor Renner said that Debbi Clarke (consultant with the Working Group) might also be able to provide support for the committee especially in helping to pull data and prepare reports. The committee discussed whether this presented a conflict of interest (or the appearance of a conflict), since Clarke's support was coming from the Provost's Office rather than the Office of Faculty Governance.

Support for the Chair of FAC and the FAR. The committee considered whether a vice chair of FAC or FAR-in waiting would be valuable positions, but did not reach a consensus.

Meetings with Head Coaches. Professor Renner excused Bubba Cunningham to discuss FAC's meeting with head coaches. This meeting occurred in December 2014 for the first time and FAC and the coaches seem eager for it to continue. A question has been raised about whether at least part of the meeting should be between the coaches and FAC members without members of the athletics administration present. The committee concluded that there might be some value in having such an "executive session" to close the meeting with the coaches.

VII. Time Commitment Survey

Professor Renner expressed her disappointment that the time commitment survey that Benton Moss helped prepare was not sent out to student-athletes this year, but she appreciated that the University is defending several lawsuits brought by former student-athletes. She hopes she will be able to get permission to use the survey instrument with a few student-athletes to try to understand the time commitment issues better. She also noted that the ACC was asking its member institutions to survey student-athletes on similar topics this summer. Although UNC will not participate in that survey, we will benefit from learning about concerns raised at other ACC schools.

The meeting adjourned at 4:30.

Minutes respectfully submitted by Lissa Broome

Attachments

FAR Update on NCAA and ACC Issues

Working Group Response to Faculty Council Resolution 2015-4

**Update to FAC from the Faculty Athletics Representative
June 9, 2015**

1. NCAA
 - a. Notice of Allegations received on May 20, 2015, and redacted version with Factual Information available at Carolina Commitment website, <http://carolinacommitment.unc.edu/>
 - b. UNC's Response to the NOA due by August 18, 2015.
 - c. A Pre-hearing conference and the Enforcement Staff's reply to UNC's response will occur within 60 days of the submission of UNC's response
 - d. Hearing Panel from the Committee on Infractions will then be identified
 - e. In-person hearing before the Committee on Infractions Panel will occur
 - f. Notice to parties of decision will be delivered
 - g. Any appeal must be filed within 15 calendar days of the release of the public infractions decision
2. ACC – May meeting
 - a. Intraconference transfer rule
 - i. Allow athletics aid in first year
 - ii. Retain loss of a year of eligibility
 - iii. Clarifies waiver standards
 - b. Committee on Autonomy added to the ACC by-laws
 - i. Former 5-5-5 Committee
 - ii. 18 voting members (1 from each school plus 3 SAs)
 - iii. Of 15 school reps, must be at least 3 Presidents/Chancellors, 3 ADs, 3 FARs, 3 SWAs
 - iv. 3-year term with the possibility of one reappointment (will stagger)
 - c. S-A Role in ACC Governance approved
 - i. 2 SAs from ACC SAAC added to these committees: Sportsmanship, Awards, Equity, Student-Athlete Welfare
 - ii. 3 Autonomy + Chair and Vice Chair of ACC SAAC attend October and May meetings, as well as December legislative meeting and April legislative teleconference
 - d. Agreement to conduct a time demands survey of student-athletes in ACC schools
 - i. Purpose of the survey is to determine the themes the conference would like to address with autonomy legislation or shared governance legislation and to inform perspectives on proposals on this subject that may come from other conferences.
 - ii. Based on a subset of the NCAA's 2015 GOALS survey (Growth, Opportunities, Aspirations, and Learning of Students in College)
 - iii. To be compiled by NCAA for ACC. No individual responses will be identifiable and sport by institution level data will not be reported.

**Resolution 2015-4.
On Fully Integrating All Academic Support Services**

“Because we the faculty want athletes to have academic experiences comparable to those of other students, the University should fully integrate all academic support services (e.g., advising, tutoring, and other activities), thus ensuring that athletic-academic support services no longer stand apart from the regular academic support complex.”

Submitted by Professor Jay Smith (History)

05-12-15 DRAFT

Response to the Resolution from the Student-Athlete Academic Initiative Working Group

The Working Group’s efforts have been guided by the following principles:

- UNC is committed to providing a rigorous and meaningful education to every student. UNC also is committed to supporting and encouraging students so that they participate fully in the life of the campus, prepare themselves well for life after college, and develop their potential to the greatest extent possible.
- All students should be permitted and encouraged to take full advantage of the rich menu of educational opportunities at UNC and to pursue educational experiences appropriate to their interests, ambitions, and capabilities.
- Everyone offered admission to UNC must have demonstrated the capacity to benefit fully from a UNC education and earn a UNC degree. Every candidate must be evaluated rigorously, individually, and comprehensively.
- Academic integrity is inviolable. It is never acceptable for any person or unit to compromise, or allow to be compromised, the integrity of the education, research, or service missions of the University.
- Respect for students – for their achievements and potential, and above all for their humanity – also is inviolable.
- The policies and processes governing student-athletes' academic lives at UNC should be fully transparent and documented.

With these principles in mind, we respectfully respond to this resolution.

We concur with the sentiment of the resolution: that all student-athletes should have academic experiences that are comparable to those of other students at the University. However we do not believe that merging student-athlete-specific resources such as the Academic Support Program for Student Athletes (ASPSA) into more general university advising and support resources will constitute progress toward that goal.

UNC strives to provide a broad array of academic opportunities, including academic support, to all students. Just as many schools, departments, and administrative units work together to provide academic opportunities, many also work together to provide academic support. This decentralized but cooperative model allows the University to provide each student with support based on his or her specific needs so that the student can be successful; it also allows the University to reach students where they are and where they feel most comfortable. At the same time, all students, including student-athletes, have access to a broad range of services offered across campus.

For student-athletes, advising services in the College of Arts and Sciences and the professional schools provide core academic planning and advising independent of athletics-specific concerns. These include:

- In-depth knowledge of the UNC curriculum;
- Transactional authority for University Policies (e.g., declaration of major and clearance for graduation);
- Advisors addressing any personal challenges that may impede a student-athlete's academic performance (e.g., students may choose to share information with advisors about issues such as medical, psychological, financial, family, etc.); and
- Advisors working strategically with students to plan their academic futures.

Meanwhile, the Academic Support Program for Student Athletes (ASPSA) provides specific counseling and support for student-athletes, including:

- Tutorial assistance;
- My Academic Plan (MAP);
- UNC and NCAA Eligibility;
- Department of Athletics Compliance policies;
- Scholarships/awards; and
- Recruiting (coordinated with coaching staff).

Both the ASPSA and Advising services in the College of Arts and Sciences and the Professional Schools provide general academic support to student-athletes:

- Student guidance and schedule planning;
- Course planning;
- Major selection;
- Degree progress tracking;
- Academic planning and discussion of strategies to address academic challenges; and
- Connection with campus resources (Learning Center, Writing Center, Peer Tutors).

The ASPSA in this sense parallels other academic support provided to specific student groups, such as Carolina Covenant Scholars, Morehead Cain Scholars, and Chancellor's Science Scholars. The Working Group's view is that this two-pronged model provides the best opportunity for student athletes to have access to the full range of opportunities at the University as well as the specific support they need due to the demands of the student-athlete life.

The ASPSA reports directly to the Office of the Executive Vice Chancellor and Provost and is uniquely positioned to collaborate with faculty, the Department of Athletics and the campus

community to support student-athletes. The ASPSA helps student-athletes explore their academic interests and abilities. The ASPSA staff, all educators who have a minimum masters degree in education, psychology, counseling or related field, guides and supports student-athletes throughout their career at Carolina.

Academic services are provided in the Loudermilk Center for Excellence in a timely and efficient manner thanks to its central location on campus and its proximity to athletic offices and practice and conditioning facilities. Loudermilk is open and fully staffed at times when many other campus offices are closed:

Mon-Thur 8AM - 10PM

Friday 8AM - 5PM

Sunday 6-10PM

The Academic Advising Program is located in the Steele Building but also maintains a satellite office in Loudermilk to provide further times and locations specifically for student-athlete academic advising:

- Monday, Wednesday, Thursday, Friday: 10:00am – 3:00pm
- Tuesday: 11:00am – 3:00pm
- Monday Evening: 6pm – 8pm
- Thursday Evening: 6pm – 8pm

In addition to advising office hours in the Steele Building and Loudermilk, the Academic Advising Program also provides advising hours for all students in Hardin Residence Hall each weekday afternoon and evening.

In summary, the Working Group supports the continued delivery of specific academic support services to student-athletes. This is part of our promise and commitment to support them in their academic endeavors as they represent the University in varsity sports. All services are offered in tandem with services provided by other campus offices and departments; athletes utilize services across campus as well as in Loudermilk. Additionally, the Loudermilk Center provides a place for athletes from 28 different teams to meet and interact with the shared purpose of being immersed in their studies. In focus groups and exit surveys, UNC athletes consistently describe a strong sense of belonging to the “Carolina Family.” The Loudermilk Center represents a physical space where this sense of community prevails.

- The ASPSA is open on evenings and weekends to accommodate student-athletes’ academic schedules, and playing and practice schedules
- ASPSA Academic Counselors monitor NCAA eligibility and have special training in that and other NCAA rule considerations
- Counselors have a working relationship with coaches so they may inform coaches when academic performance issues are occurring and may work together with coaches to reinforce the importance of academics
- Funds provided by the Department of Athletics permit more support per student-athlete than is available to other students.
- NCAA By-Laws require that adequate academic support be provided for student-athletes. See below from the NCAA Manual:

16.3.1 Mandatory.

16.3.1.1 Academic Counseling/Support Services. Member institutions shall make general academic counseling and tutoring services available to all student-athletes. Such counseling and tutoring services may be provided by the department of athletics or the institution's non-athletics student support services. In addition, an institution, conference or the NCAA may finance other academic support, career counseling or personal development services that support the success of student-athletes. *(Adopted: 1/10/91 effective 8/1/91, Revised: 4/25/02 effective 8/1/02, 5/9/06, 1/19/13 effective 8/1/13)*

22.2.2.2 Academic Support. Members of the Association have the responsibility to conduct intercollegiate athletics programs in a manner designed to protect and enhance the educational experience of student-athletes and to assure proper emphasis on educational objectives. Consistent with this responsibility, the institution shall demonstrate that: *(Revised: 3/10/04, 4/27/06, 1/8/07 effective 8/1/08 beginning with the third athletics certification cycle, 3/11/09, 4/28/11)*

- (a) Adequate academic support services are available for student-athletes;
- (b) Student-athletes are encouraged and assisted in reaching attainable academic goals of their own choosing;
- (c) When it is determined that individual student-athletes have special academic needs, these needs are addressed either through institutional programming or through student-athlete support services;
- (d) The support services are evaluated and approved at least once every four years by appropriate academic authorities outside the department of intercollegiate athletics (e.g., faculty members or academic administrators of the institution);
- (e) There is a commitment to the fair and equitable treatment of student-athletes, in support of their academic endeavors; and
- (f) Academic improvement plans developed during the previous self-study have been implemented. Following initial campus approval of an academic-improvement plan, if the plan is modified or not fully implemented, the institution shall provide a written explanation prepared and approved by appropriate institutional authorities.