

The University of North Carolina at Chapel Hill
Faculty Athletics Committee
Minutes of Meeting: November 10, 2015

Present: **Committee Members:** Lissa Broome, Carol Folt, Daryhl Johnson, Josefa Lindquist, Layna Mosley, Andy Perrin, Joy Renner, Deborah Stroman, Kim Strom-Gottfried

Liaisons from the Student-Athlete Advisory Council: Ezra Baeli-Wang, Lexi Cappalli

Advisors: Michelle Brown (Director, ASPSA), Vince Ille (Athletics)

Guests: Debbi Clarke (Liaison from the Process Review Group), David Doochin (DTH), Chris Faison (CCSAC – Minority Male Mentoring and Engagement), Jim Gregory (Media Relations), Ray Gronberg (Durham Herald-Sun), Quinton Smith (Graduate Assistant)

I. Introductions, Preliminary Matters, and Updates on Continuing Projects

Committee members and guests introduced themselves. Professor Josefa Lindquist, Department of Romance Studies has joined FAC as the replacement for Marc Cohen who resigned his position on FAC.

The minutes of the October meeting were approved.

The campus listening session will be held on Wednesday, November 18 from 11-1:30 in Wilson Library.

The resolution on Special Talent Admissions will be before the Faculty Council at its meeting on November 13. The FAC is comfortable with the response to the resolution prepared by the Advisory Committee on Undergraduate Admissions. The Advisory Committee will now receive regular reports from the Special Talent Committee regarding special talent admissions.

Debbi Clarke reported that the apsa.unc.edu website is now up and running. The Working Group, whose compilation of academic processes related to student-athletes is contained on the website, is being replaced by new Process Review Group. This group has seven members who served on the Working Group, three new faculty members, 2 student-athletes, and one or two students from the student body. The kick-off meeting for the Process Review Group will be on December 9. Professor Renner asked the topic experts to review the portions of the APSA website relevant to their topics and make any suggestions to Debbi about issues that the Process Review Group should prioritize related to those subjects. Debbi emphasized that the processes outlined in the website will be prioritized with the idea of being continuously reviewed and improved, where appropriate.

The Committee on University Government will consider the proposed modifications to FAC's charge and to the increasing the committee's membership by three new members.

The FAC Subgroup to conduct campus discussions on athletics will have two members from FAC. It will likely have a stand-alone website where readings and materials relevant to various discussion topics can be archived along with videotapes of the campus discussions.

Lissa Broome said she will meet with the Academic Topic Experts (Layna Mosley and Debbie Stroman) along with Michelle Brown to consider metrics that should be included in a comprehensive annual report on student-athlete academic performance. She handed out the data that she currently reports on an annual basis to the Faculty Council, updated with the most recent GSR information. It was suggested that Chris Derickson and Debbi Clarke be added to this discussion and that data be reported in a way that would protect the privacy of students. The proposed reporting template should then be vetted with Steve Farmer from Admissions and with FAC.

II. NCAA Legislative Items

Professor Lissa Broome referred to her written report (attached). The committee then provided feedback to Professor Broome on several proposed NCAA legislative items.

Autonomy Agenda (65 Schools from the Power 5 Conferences – one school, one vote)

- 2015-18: Agents Prior to Full-Time Enrollment in Baseball – It was noted that this will likely pass and is similar to a situation where a student may have gone pro in one sport and had an agent, but may still pursue a different sport as a collegian.
- 2015-19: Promotion of Non-Athletically Related Business – This would treat student-athletes the same way that other students are treated. Some FAC members were disturbed that keeping the current prohibition makes it seem like the NCAA/institution “owns” the student-athlete.
- 2015-25: Travel Day Not Considered a Day Off – There may be unintended consequences if this passes in limiting practice for certain teams during the heart of their season. Do we have enough information about time demands on student-athletes at this point to consider this -26 and -27?

The proposals related to time demands may not address some of the more serious issues that student-athletes face. For instance, Lexi reviewed her typical in-season day as a gymnast and counted up to 7 hours of time spent. She also noted that this time commitment means that some teams cannot undertake some majors. One person asked whether gymnasts were spending 7 hours a day on their sport 15 years ago. On the other hand, it was noted that student-athletes are typically at the peak of their athletic skills during their college years. If it is natural that they would want to devote time to their sport, is there another way to free up their time, for instance by providing scholarship support for students to be in school for five years to use up their four years of eligibility rather than focusing on how the 20 hours per week of countable athletically related activity is computed? It was also noted that a few coaches institute measures that are seen by students as punitive if they miss practice to attend a class. There are also distinct differences between how class/practice time conflicts are handled between team and individual

sports. Our focus groups with SAAC members last year also suggested thinking about ways to make the athletic time more efficient.

Council Agenda (ACC Council Representative will cast a weighted vote representing ACC schools)

- 2015-66: Academic Misconduct – This proposal is intended to take academic misconduct issues out of the extra benefit analysis. Concern was expressed about the undefined terms associated with “impermissible academic assistance” and the NCAA consequence of an instructor not using the honor system (which happens frequently) if the student happened to be a student-athlete.

III. Time Commitments

Professor Renner distributed the section of the GOALS survey that was pulled out and distributed this fall by the NCAA Division I SAAC to student-athletes. One question on this survey instrument that we may want to add to our exit survey and focus group questions is, “Were time demands for your sport accurately described to you during the recruiting process at your current school?” It would also be important to understand how prospective student-athletes are educated about the academic expectations for students at UNC.

Dr. Michelle Brown noted that time management is discussed at some of the academic workshops held for incoming student-athletes during the summer.

The meeting adjourned at 5:30.

Minutes respectfully submitted by Lissa Broome

Attachments

FAR NCAA and ACC Update

**Update to FAC from the Faculty Athletics Representative
November 8, 2015**

1. NCAA
 - a. Autonomy Proposals will be voted on at the NCAA Annual Convention on January 15, 2016.
 - i. One school, one vote (Power 5 Conferences, including the ACC)
 - ii. ACC will discuss at December 5, 2015, legislative meeting
 - iii. Proposals posted on Sakai
 1. Items to discuss: 2015-18, -25, -26, -27
 2. Others?
 - b. Council (Shared) Governance Legislation
 - i. Our ACC representative on the Council, Miami Athletic Director Blake James, casts the ACC's (weighted) vote
 - ii. ACC will discuss at December 5, 2015, legislative meeting
 - iii. To be considered by the Council at the Annual Convention in January
 1. 2015-32 – MBB deadline to remove name from draft
 2. 2015-81 – Football Conference Championship game
 - iv. Remaining proposals to be considered by the Council at its April meeting
 1. 2015-66 – Academic Misconduct
 2. 2015-34 – 5-year Rule Exception for Study Abroad or Internship
 3. 2015-72, -72, -75 – Weekly hour limits when out of season and amount of skill instruction
 4. Others?
 - c. NCAA Institutional Performance Program (IPP)
 - i. Will work with Academic Topic group members and Michelle Brown on sharing aspects of this report on academic performance with FAC and consider other metrics which we may wish to use on a comprehensive annual academic report
 - d. National SAAC distributing student-athlete time demands survey
 - e. Awaiting NCAA GOALS survey info and comparison to ACC mini-survey using the time demands questions
2. ACC
 - a. Legislative Meeting on December 5
3. Ninth Circuit's decision in O'Bannon v. NCAA (September 30, 2015)
 - a. NCAA's rules are not exempt from antitrust scrutiny and must be analyzed under the "rule of reason"
 - i. NCAA rules restricting an athletic grant in aid (the "price" paid to recruits to attend college) to tuition, fees, room, board, and books has significant anticompetitive effects
 1. The panel found that the NCAA established that this rule might be justified by two "procompetitive" purposes
 - a. Integrating academics with athletics

- b. Preserving the popularity of the NCAA's product by promoting its current understanding of amateurism
- 2. However, there is a less restrictive alternative to the current NCAA rule which is allowing NCAA members to provide scholarships to student-athletes up to the full cost of attendance
 - ii. The other remedy proposed by the District Court – to allow student-athletes to be paid cash compensation of up to \$5,000 per year in deferred compensation -- was found erroneous
- b. Neither side has indicated yet whether it will apply for certiorari to the Supreme Court