

July 15, 1999

MEMORANDUM

TO: Regents' Professor Tom Clayton
Professor Carl Adams
Nick Barbatsis, University Grievance Officer (*Hackett*)
Professor Mary Jo Kane
Professor Judith Martin
Professor W. Phillips Shively
Mr. Michael Sweeney
Ms. Barbara Van Drasek

FROM: Fred L. Morrison, Senate Consultative Committee Chair

SUBJECT: Special University Senate Committee on Student Academic Integrity

On behalf of the Senate Consultative Committee, I am asking you to serve as a special Senate committee to review our policies and procedures regarding student academic integrity and to make recommendations for action by the University Senate. I am asking Professor Clayton to serve as chair. Thank you for agreeing accept this important assignment. To maintain our intellectual credibility, we must insist on academic integrity and take the necessary steps to support it.

There are three principal assignments for this task force. The first two are general:

- 1. To review the policies and standards regarding student academic integrity and make recommendations for improvement of University policies.* The task force should examine the standards in the Code of Student Conduct and in the various college policies. Should a uniform University-wide policy be adopted? Should a uniform policy apply to undergraduates, graduate, and professional students equally, or are there circumstances requiring special policies for some of these groups? Should more explicit standards be adopted regarding plagiarism, use of materials obtained from other sources and services, such as the Internet, etc.? How should these policies be

communicated to students?

2. To review the procedures for enforcement of the student academic integrity standards. How should these policies be enforced and what penalties should be applied? Should the faculty member who believes that misconduct has occurred be responsible for enforcement or should that function be turned over to a college or central office? Do faculty members have a duty to report and pursue perceived violations of academic conduct standards? How should a faculty member treat material that the faculty member believes was submitted in violation of the standards? What sort of processes are appropriate for decisions of these cases? What kinds of penalties should be applied?

These two tasks apply to the University generally. Although the recent allegations regarding the athletic program are clearly a stimulus for this undertaking, the inquiry need not focus on those allegations or on particular issues surrounding the athletic program. Those inquiries are being made separately. All students are increasingly exposed to opportunities to use material and techniques that are inappropriate by traditional academic standards. We need to state our standards clearly for the sake of all students and to have effective measures to bring about compliance.

The third task is more directly related to the recent allegations. It is:

3. To make recommendations regarding the appropriate relationship (if any) between the Athletic Departments and the special academic assistance program for student athletes. Concern has been expressed that the administrative relationship of this program to the Athletic Departments may have enhanced the possibility of inappropriate conduct by students. Are other administrative structures preferable? Should limits be imposed on contacts between coaches or other administrators and individual faculty members with regard to student performance?

Since the answers to these questions may depend on information developed in the internal investigation of the allegations, you may not be able to give a definitive recommendation to these questions until you are able to see the report of that investigation. You may, however, be able to make some preliminary observations before that report is available.

This is a task force of the University Senate. In preparing your recommendations, I ask that you work closely with Vice Provost Craig Swan of the Office of the Executive Vice President (with regard to undergraduate students) and with Associate Dean Victor Bloomfield of the Graduate School (with regard to graduate and professional students), so that we can involve the administration in our recommendation processes at an early stage. You should also solicit the views of individuals on the coordinate campuses.

After speaking with several of you, it appears that it will not be possible to convene the committee until shortly before term begins in Labor Day week. Nevertheless, I would

like to ask you to have a preliminary report (for discussion only) to the Senate Consultative Committee by early October, so that we can discuss the underlying issues informally at the Senate meeting on October 21. If you can submit a final report by December 15, we would be able to place it on the agenda for Senate action at a meeting early in the second semester.

Gary Engstrand of the Senate Office will provide staff assistance to your task force. You may contact him at 612-626-0884 or garye@umn.edu.

You should be aware that another group is examining related issues. A task force is looking the issues of sexual misconduct procedures, and will be making recommendations. Mr. Barbatsis is also a member of that group and may be able to help in coordinating your activities.

Again, let me thank you for taking on this responsibility. You are making a major contribution to the future of the University.

cc: President Mark Yudof
Executive Vice President and Provost Robert Bruininks
Chief of Staff Tonya Brown
Vice Provost Craig Swan
Associate Dean Victor Bloomfield
Dr. Gary Engstrand
Members of the Senate Consultative Committee

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University Senate

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November 1, 1999

Professor Fred Morrison, Chair
Senate Consultative Committee
385 Law Center

Dear Fred:

I attach Part I of the report of the Special Senate Committee on Student Academic Integrity. This part of the report responds to the third charge in your letter of appointment of 15 July 1999:

3. To make recommendations regarding the appropriate relationship (if any) between the Athletic Departments and the special academic assistance program for student athletes. Concern has been expressed that the administrative relationship of this program to the Athletic Departments may have enhanced the possibility of inappropriate conduct by students. Are other administrative structures preferable? Should limits be imposed on contacts between coaches or other administrators and individual faculty members with regard to student performance?

I note that the news media are saying that the report of the investigators has already been provided to President Yudof. While we doubt whether the contents of that report bear directly on our report to you, we are prepared to review our recommendations if you wish us to do so in light of the report to the President.

I will join the Senate Consultative Committee on November 4 to discuss the report.

Cordially,

Tom Clayton

Tom Clayton, Chair
Special Senate Committee on
Student Academic Integrity

cc: President Mark Yudof

Special Senate Committee on Student Academic Integrity
November 1, 1999

Executive Summary

1. Academic Counseling and Student Services for Intercollegiate Athletics should report to the office of the Provost.
2. The Vice Presidency now concerned with Student Development and Athletics in future should be concerned solely with Student Development.
3. The Athletic Directors should report to a senior central administrative officer who reports directly to the President and could be assigned ad-hoc, a person with authority, institutional support, and unquestionable integrity.
4. The Director of Compliance should report to the Auditor.
5. Coaches are responsible for students' athletic performance and their public behavior as athletes, for recruiting academically capable students for their teams, and for fostering a culture of academic progress as well as of athletic success.
6. Coaches' contracts should include significant incentives for improving the academic performance of the students on their teams.
7. Academic Counseling and Student Services for Intercollegiate Athletics should be responsible for counseling and special tutoring, and for integrating their activities as far as possible with department and collegiate advising and instructional programs.
8. Students in athletics, like other students, are responsible for their own academic performance and personal conduct.
9. Departments and colleges should be responsible for assuming as much responsibility for students in athletics as they do for other students, but no instructor should ever regard it as part of his or her responsibility to help maintain athletes' eligibility.
10. The faculty is responsible for enforcing the University's academic standards and for reporting infractions.
11. Any contact between athletics and admissions must be limited to written exchanges.
12. All contact between athletic officials and faculty members, teaching assistants, or civil service staff must be through academic counselors.
13. Athletic officials, including coaches, should be encouraged to share in the activities of the wider University community as far as they can and wish to.

Report of the Special Senate Committee
on Student Academic Integrity
(Part I: Athletics)

November 1, 1999

Tom Clayton, Chair
Betty Hackett
Mary Jo Kane
Judith Martin
W. Phillips Shively
Michael Sweeney
Barbara VanDrasek

The Special Senate Committee on Student Academic Integrity was appointed by letter dated 15 July 1999 from the Chair of the Senate Consultative Committee, Fred Morrison; and given three charges, two concerned with all students in the University, the third with students in athletics and the athletic programs of the Twin Cities Campus in particular. We addressed the third charge first because it seemed most pressing and most readily addressed by itself:

3. *To make recommendations regarding the appropriate relationship (if any) between the Athletic Departments and the special academic assistance program for students who are athletes.* Concern has been expressed that the administrative relationship of this program to the Athletic Departments may have enhanced the possibility of inappropriate conduct by students. [a] Are other administrative structures preferable? [b] Should limits be imposed on contacts between coaches or other administrators and individual faculty members with regard to student performance?

On this charge we met seven times and consulted extensively by email between meetings. We are gratefully indebted to the persons we interviewed for sharing their expertise and experience with us: John Blanchard, Director of Academic Counseling and Student Services; McKinley Boston, Jr., Vice President for Student Development and Athletics; Norman Chervany, faculty representative for the men's athletic program; Mark C. Dienhart, Director of Men's Intercollegiate Athletics; Elayne Donahue, retired Director of Academic Counseling; Christopher Schoemann, Director, Athletic Compliance Office; Kathryn Sedo, Chair, Assembly Committee on Intercollegiate Athletics; Burton Shapiro, Chair, Ad-Hoc Committee on Intercollegiate Athletics, 1991-92; and Michael Wade, Director of the School of Kinesiology and Leisure Studies.

A number of members of the committee are long-term supporters of the University's athletic programs in general and of one or more individual programs in particular, including basketball. So far from being a source of conflict of interest or an obstacle to our progress as an academic body, this enthusiasm intensified our desire not only to serve the best interests of the University at large but to enhance as far as we could the University experience of our students who are recruited into athletic programs, and to recommend practices tending constructively and firmly toward both ends.

Some of the issues concerned here were addressed effectively and well in 1991-92 by the ad-hoc committee chaired by Burton Shapiro, which conveyed its findings and recommendations on 16 December 1992 in a report attached as Appendix III to the present report. This committee proposed important and valuable amendments to the Assembly bylaws concerning the Assembly Committee on Intercollegiate Athletics. With 92 in favor and only one opposed, the amendments failed for lack of a quorum (96) at a time when there was no provision for votes to be taken at a second meeting to compensate for lack of a quorum at the first, the case at present. No further Assembly action was taken on the amendments or the report.

Along with making the thirteen recommendations of our report, we now propose related amendments, duly revised to accommodate recent and current circumstances, for consideration and action (Appendix I), and present our entire report on Charge 3 for adoption. The change of name recommended makes clear the special focus of the reconstituted body as the Faculty Academic Oversight Committee for Intercollegiate Athletics. We have proposed a simplified bylaw with provisions similar to those of other Assembly and Senate Committees. In addition, we recommend, for action by Assembly resolution, a more detailed outline of the charge to the newly-constituted committee, attached as Appendix II.

Attached as Appendix IV is a set of resolutions made at a conference on university athletics held at Drake University on 21-22 October 1999 and attended by representatives of the University of Minnesota and of other institutions. Although these go well beyond the committee's charges, the members endorse the spirit and for the most part the substance of all twelve resolutions, and recommend them for further consideration and action by appropriate bodies of faculty governance.

PRINCIPLES AND OBSERVATIONS

"There are two ways to have a great university. It must have either a great football team or a great president," said Robert Maynard Hutchins, who banished big-time competitive sports from the University of Chicago and became a great president. Chicago was a private university, however, and it is doubtful whether any land-grant university has ever seriously considered doing such a thing or will consider it in the foreseeable future. The kind of problem that surfaced last spring at the University of Minnesota has been around the U.S. for at least a century, and the U.S. Commissioner of Education reported in 1908 that "the powerlessness of our educational leaders to originate, and their failure to adopt, effectual means for evolving order out of the athletic and gymnastic chaos over which they nominally preside, constitutes one of the marvels of our time." Since then, of course, the major college sports have become bigger and bigger attractions at the box office and in expectations, and some universities have achieved perennial success in one or more. All competing institutions aspire to the same success, but all cannot achieve it any more than all the children in Lake Wobegon can really be "above average."

We were made fully aware that Minnesota has special recruiting problems due to climate, a small recruiting base, and in some sports lack of a perennially winning program. In basketball, for example, a university like Duke is ahead of us in all of these, and Michigan in all but one. Because the best athletes who also are good students usually receive multiple scholarship offers, many of them are dissuaded by these deficits from attending the University of Minnesota. Moreover, a few of the athletes ready to come to Minnesota have been seriously underprepared if not downright unqualified for university studies, and some have

had difficulty staying eligible, let alone graduating. It has accordingly been impossible for Minnesota to have top teams perennially, no matter who the coaches are, and we have had some very good ones. At the same time, the pressure to win is relentless, and the monetary stakes are high: no revenues, no revenue-sports, and vice-versa (it is not always understood that sports revenues do not go into general University funds, they maintain the athletic programs). The considerations that shrink the pool of prospects raise the specter of special incentives and accommodation, which tend toward violations of regulation that eventually erupt into the open, as they did in last spring's upheaval. Compounding this problem, as several of the committee's guests pointed out, is the fact that it is precisely these least-well-prepared students who often can make the difference between a winning and a losing season, and between a coach's keeping or losing his or her job.

As an almost inevitable consequence of the scramble to advance in the rankings, academic abuses in athletic programs are intermittent if not continuous in some universities; and are endemic to the sport, community, and culture in which such competition is institutionalized. It would be impossible to weed out every vestige of such abuses without taking one of two actions: eliminating the competition and the programs engaged in it, or making changes drastic enough to replace quasi-professional performance with truly amateur competition. Neither would probably be tolerated by the parties with the greatest interest in them. Thus the perennial problem is probably insoluble to the satisfaction of all parties concerned, but genuine and significant improvements can be made, nevertheless, and our recommendations are intended to facilitate them.

For the foreseeable future, presumably, the University will continue to recruit the best athletes it can and, as far as possible, the best students in the same persons. But partly because of NCAA regulations that permit students recruited into athletics to be admitted with somewhat lower qualifications than other students', we shall almost certainly continue to bring in some academically at-risk students. The members of the committee are very much concerned to insure that these students get all the academic counseling, tutoring, and other help the University affords its students, and that they be integrated as much as they can be into the routine academic and social life of students across the University as a whole. It is the individual student's responsibility to insure his or her academic progress, whether or not he or she participates in athletics, but the full encouragement of the athletic staff, the academic counselors and tutors, *and* the unit and college advisors is necessary to assist and direct students in athletics on their academic way.

The University cannot tolerate resort to illicit and cynical means of insuring eligibility at all costs to any concerned. If effective for the playing season, such means may bring happiness to coaches, fans, and other interested parties, and success and fame for a short time to a few students in athletics, but in the long run it is a disabling influence exerted by the very institution that purports to educate and nurture. Lavishing praise on students for sports

performance alone and letting them be lionized as though nothing else mattered but athletic success hardly teaches them life skills, nor does it encourage them to value academic success, much less learning for its own sake. All who work with these students have a real responsibility not only to maximize their athletic performance but also to contribute in every way possible to their success as University students and their maturation and development as educated and responsible adult citizens capable of supporting themselves in productive and satisfying careers—not only as athletes—and contributing to society in their turn.

The committee believes that a student's being academically at risk upon admission is not necessarily an insurmountable problem. Many students in athletics throughout the history of the University have managed both sport and study, sometimes with ease; moreover, many have graduated from the University who without an athletic scholarship would never have had the opportunity to attend a college or university. The problem arises with students who are found to be at the University for the *sole* purpose of competing in intercollegiate athletics. The extreme efforts required to keep this handful of people eligible tend inevitably in the direction of irregularities. Cases of this kind not only embarrass the University administration and coaches, but reflect unearned discredit upon the great majority of athletes who had nothing to do with the irregularities.

We wish also to note that it is not only students in athletics who may be involved in misbehavior. We heard allusions made to faculty members, at Minnesota and elsewhere, who readily give what seem to be inappropriately high grades, often prematurely, for very modest--and sometimes no--academic work. We were informed likewise that administrators do not always have immaculate hands when it comes to athletic matters. We were not charged to examine faculty or administrator misbehavior, but we do suggest that when sanctions are levied, whether for academic misconduct or other unacceptable behavior, the guilty faculty members and administrators receive penalties commensurate with their misconduct.

We cannot offer a comprehensively detailed program of prescriptions, practices, and personnel to do the jobs that need to be done, but the jobs *can* be done, and our recommendations, if adopted, should go some way to seeing that they are. We were reminded repeatedly by the persons we interviewed--and we entirely agree--that the integrity of the individual counts for almost everything, and the institutional relationship of offices to each other for little by comparison. If great care is not exercised to insure this integrity in everyone recruited for any position or hired for any job, sooner or later weaknesses will develop and proliferate, and eventually cause a breakdown in any system. But some structural relationships seem better able to sustain the integrity of everyone than others do, and we recommend accordingly.

RECOMMENDATIONS

If the Shapiro Report had been adopted by the Assembly and implemented by the administration in 1992, there might have been fewer problems in the men's athletic department of the kind we were appointed to address seven years later. Note especially the eighth (of 12) "comments and recommendations": "All athletic academic counseling staff and tutors should be hired by and responsible to the Athletic Academic Counseling Office (AACO). *We have been made aware that there have been attempts by some individuals in athletics to hire individuals for counseling and tutoring outside the purview of this office; we strongly abjure this practice and urge that it be prohibited,*" etc. (p. 4, italics added). The unfortunate practices that surfaced in the spring of 1999 were apparently in prospect if not in progress in 1992. Elayne Donahue opposed the change, but little or nothing was done in any other quarter in response to this obvious danger signal.

The answer to questions [a] and [b] of our third charge—

- [a] Are other administrative structures preferable?
- [b] Should limits be imposed on contacts between coaches or other administrators and individual faculty members with regard to student performance?

—is "yes." Replacing the office of Vice President for Student Affairs with the office of Vice President for Student Development *and Athletics* in 1996, and appointing to the office the then-Director of Men's Athletics, seem in retrospect to have been ill-advised. The Director of Academic Counseling thus reported to an office perceived by some as more concerned with athletic programs and performance than with general student development, and it appeared that academic counseling was effectively subordinated to athletics and the integrity of academic oversight compromised. This model may have offered a higher-level precedent if not actual authority for the basketball program to have its own academic staff report to the coach or his representative rather than to Academic Counseling. The changes in administrative structure proposed here will divide and redirect responsibilities where they can be discharged with greater effectiveness and integrity, and discourage potentially improper "contacts between coaches or other administrators and individual faculty members with regard to student performance," which should also be limited by University rule.

We were reminded repeatedly by our interviewees that faculty governance and vigilance are crucial to the proper functioning of our athletic programs as University activities, as opposed to an autonomous revenue-earning sports enterprise. The Shapiro report's second recommendation said much the same thing in 1992:

It must be clearly understood by all that ACIA is an independent faculty body responsible to the Assembly Steering Committee and the

Twin Cities Campus Assembly; it is not responsible to the departments of intercollegiate athletics or to the University administration, but it advises both on the conduct of athletics. If ACIA is not performing its duties, the Assembly Steering Committee and the Assembly must bear the responsibility for correcting problems. The relationship between ACIA and the governance system should be strengthened; it may, for example, be appropriate for the Assembly Steering Committee to meet twice per year with the chair (and members) of ACIA.

We were reminded also that the president not only has the ultimate responsibility for the integrity and academic responsibility of the athletic programs but must actively exercise that authority, delegating responsibilities as necessary and desirable to persons unquestionably able to discharge them honestly and effectively. The committee has noted with approval President Yudof's recent initiatives, and he has our full support in advocating suspension of athletic scholarships as a program penalty for students in athletics' becoming ineligible or leaving the University because of poor grades, which would make coaches responsible for their players' academic performance as well as their athletic performance. With the help of the persons we interviewed, we glimpsed the possibility of a successful and superior athletic program much better integrated into the University as a whole. If there is firm leadership from the top down in implementing our recommendations, we have good reason to anticipate an exemplary future in intercollegiate athletics that other universities can look to as a model.

We make the following recommendations, accordingly.

Recommendation 1. Academic Counseling and Student Services for Intercollegiate Athletics should report to the office of the Provost.

The committee believes that the Academic Counseling office should report to an academic office, just as counseling offices in the colleges report to the deans. We heard testimony about how disconnected from the academic enterprise the Academic Counseling office believed itself to be, and such a situation is not appropriate or healthy for an office charged with aiding students in their educational work. The Academic Counseling office in the past reported to the Provost's office, but we were told that the link did not function effectively. So the Provost should appoint a person responsible for this reporting line who takes the responsibility seriously and ensures that the Director of Academic Counseling has access as needed and a peer group of administrators with whom he or she can regularly interact.

In this connection we wholeheartedly endorse the Shapiro Report's recommendation (#8) that all academic counseling for students in athletics be maintained in a single office under the Director of Academic Counseling and Student Services. Under no circumstances should

there be separate counseling and advising provided by and under the auspices of an individual sport or coach. We have seen ample evidence that such an arrangement can eventuate in disaster.

Recommendation 2. The Vice Presidency now concerned with Student Development and Athletics should in the future be concerned solely with Student Development.

Recommendation 3. The Athletic Directors should report to a senior central administrative officer who reports directly to the President and could be assigned ad-hoc, a person with authority, institutional support, and unquestionable integrity.

While the reporting line for the athletic departments was not an explicit item in our charge, we believe that academic integrity in athletics is bound to be affected by the specific position as well as by the person to whom the Athletic Directors report. It is that officer who sets the overall tone and must make the "hard decisions."

We are concerned especially because the typical person who comes to be a Vice President for Student Affairs may not have the temperament or training to deal with the issues that arise in a Division I intercollegiate-athletic program, especially in the revenue-producing sports. Often such persons come from Student Personnel or Counseling Psychology, fields that do not ordinarily equip their graduates to face the hard-driving, bottom-line-oriented, extraordinary competitiveness of Division I intercollegiate athletics. Candidates will have to be chosen very carefully, with special emphasis on the unusual challenges of this kind of position.

We follow the Shapiro committee in believing that the president should decide whom the Athletic Directors report to; that is, among his colleagues the person best able to exercise the authority required. The right person might be a senior faculty member, perhaps one with previous administrative experience, who commands the respect of both faculty members and administrators, and has the strength of character and the ability that such a position requires. He or she could be appointed "special assistant to the president" or given some other title congenial to the president. Whether the person be a current central officer or one appointed specially for the purpose, the choice will be crucial for enhancing the role of athletics on the campus as well as the integrity of the athletic programs. The committee strongly believes that even if the structural changes recommended here are implemented, there will be no truly significant change unless all in charge of athletics are and are recognized as persons of unimpeachable integrity.

Recommendation 4. The Director of Compliance should report to the Auditor.

The Director of Compliance can be in an awkward position. He or she must maintain cordial working relations with the Athletic Directors, coaches, and students who participate in athletics, in order to assist the programs in adhering to applicable NCAA, Big Ten, and University rules. At the same time, he or she must be prepared to investigate alleged or potential infractions and report the findings to appropriate University authorities. In the latter case, the Director of Compliance could conceivably be pressured, however subtly, to minimize problems. We believe that such a possibility could best be avoided by the Director's having an external source of authority, the office of the Auditor, whose major responsibility is to ensure that the University conduct its affairs in accordance with ethical standards and rules.

Recommendation 5: Coaches should be held responsible for students' athletic performance and their public behavior as athletes, for recruiting academically capable students for their teams, and for fostering a culture that promotes academic progress as well as athletic success.

As is clear in (8) below, we believe that students, whether in athletics or not, must be the agents primarily responsible for their own academic performance. Coaches obviously are responsible for coaching and training in the sport, and for insisting that students acting in their capacity as athletes maintain appropriate public decorum; but they must also be responsible for setting the tone--*for creating the culture*--in which students who participate in athletics understand clearly that their academic work is no less important than their sport. They establish rules about practice and other sport-related activities, with sanctions imposed if their students fail to observe them; in our judgment they should play a leading role also in relation to academic matters, not by directly interceding but by conveying the necessary constructive attitude toward academic studies.

Recommendation 6: We note that there are clauses in at least some coaches' contracts that include incentives for improving the academic performance of the students on their teams. We endorse that practice and urge that incentives be made greater than they are at present.

Recommendation 7: Academic Counseling and Student Services should be responsible for counseling and special tutoring, and for integrating its activities as far as possible with department and collegiate advising and instructional programs.

We are concerned because in the minds of some it is more important to "keep the players eligible" (under NCAA and Big Ten rules) than it is to promote their academic progress toward graduation, with the accompanying attitude that "we got them here, now you keep them eligible." Some of the students may themselves share this view. The result, we were informed, is that students in athletics may have a hodge-podge of courses and credits

that, when it comes time for them to be admitted to a major, do not constitute adequate preparation for admission.

The committee is emphatically of the view that this attitude and still more these practices are inappropriate. They undermine the efforts of Academic Counseling to promote the necessary goals of anyone who is a student. We recognize that Academic Counseling may play a more significant part in advising some students in athletics about their academic programs than the college advising offices do in advising students who are not athletes. To the extent that that is true, we recommend that the Director, and the officer he reports to in the Provost's office, make clear that the mission of Academic Counseling is to promote academic progress toward graduation, not "keep them eligible" as such.

Recommendation 8. Students in athletics, like other students, are responsible for their own academic performance and personal conduct.

Students who participate in athletics must be responsible for their academic performance, but counselors and coaches should give them regular encouragement. They must likewise be responsible for their own behavior, and if they misbehave they must expect to face the same consequences as other students do who misbehave.

Recommendation 9. Departments and colleges should be responsible for assuming as much responsibility for students in athletics as they do for other students, but no instructor should ever regard it as part of his or her responsibility to help maintain a student's athletic eligibility.

Like all other students, students in athletics should have support from their academic departments and colleges, in effect a level of alertness in addition to that of Academic Counseling.

Recommendation 10. The faculty is responsible for enforcing the University's academic standards and reporting infractions.

Questions about deficient academic performance or misconduct should be addressed for students in athletics as for all other students. In particular, a faculty member should never attempt to "work out" a problem with a student who is involved in athletics by contacting the coach directly. Contact should be initiated only through the academic counseling office.

Recommendation 11. Athletic officials should be enjoined from attempting to influence anyone with responsibility for admissions to show special favor to prospective students who may participate in intercollegiate athletics. Any contact between athletics and admissions must be limited to written exchanges.

Recommendation 12. Athletic officials should be enjoined from attempting to influence others outside the athletic programs—whether faculty members, teaching assistants, or civil service personnel—to show to students in athletics special favor that is not shown to other students. All contact must be through academic counselors.

First, coaches and other staff members in the athletic programs should not directly contact faculty members or other instructors about the academic standing or progress of a student in a course. No matter how innocent the intent, there is likely to be a perception of pressure. Any contact concerning students who are in athletics should be initiated only by academic counselors. Second, although coaches and others in athletics should have the right and prerogative to explain their views about a student to those who make admissions decisions, no member of either athletic department should communicate with anyone in the admissions office about a particular student except in writing.

Recommendation 13. Athletic officials, including coaches, should be encouraged to share in the activities of the wider University community as far as they can and wish to.

Excepting the cases noted under 11 and 12, we believe that it is very important to integrate the coaches and other staff in our athletic programs into the larger academic community of the University of which they are members. On a number of occasions the committee heard about how isolated these people are, and how disconnected some feel from the University. If the University expects them to act like members of an academic community as well as of a community of sport, then it should do whatever it can to help them become integrated into the wider academic community. It must be recognized, of course, that leisure for extra-programmatic activity is at a premium during certain times of the year.

APPENDIX I

MOTION:

To amend Article III, Section 4, of the bylaws of the Twin Cities Campus Assembly, as follows (language to be deleted is ~~struck out~~; language to be added is underlined):

4. INTERCOLLEGIATE ATHLETICS COMMITTEE ~~FACULTY ACADEMIC~~ OVERSIGHT COMMITTEE FOR INTERCOLLEGIATE ATHLETICS

The Twin Cities Campus Assembly delegates to the ~~Intercollegiate Athletics Committee Faculty Academic Oversight Committee for Intercollegiate Athletics~~ faculty control of intercollegiate athletics. This delegation includes the formulation, adoption, and supervision of appropriate policy. ~~The Twin Cities Faculty Assembly may only strike down a policy passed by the Intercollegiate Athletics Committee if the Steering Committee specifically singles out the policy after it has been passed, and brings it forward to the Faculty Assembly for specific debate and vote, with the motion framed as "Shall the Faculty Assembly disapprove of the following policy adopted by the Intercollegiate Athletics Committee: ...?"~~

Membership

The ~~Intercollegiate Athletics Committee Faculty Academic Oversight Committee for Intercollegiate Athletics~~ shall be composed of 12 faculty/academic professional members and other ex officio representation as specified by vote of the Assembly. The 2 faculty representatives to the Big Ten and NCAA shall serve as ex officio members. Three students shall serve as ex officio members, to be appointed in a manner prescribed by the committee. 8 faculty/academic professional members, including the 2 ex officio voting faculty representatives to the Big Ten and NCAA; 3 students; 3 alumni representatives of the University (2 of whom shall have voting privileges as determined by the committee each year); one civil service staff member; and other ex officio representation as specified by vote of the Assembly.

~~Faculty/academic professional and student~~ members shall be nominated by the ~~Committee on Committees Faculty Assembly Steering Committee in consultation with (1) the Committee on Committees and (2) the president of the University and with the approval of the Assembly.~~ Faculty/academic professional members shall serve one term of three years that may be renewed by the ~~Committee on Committees Faculty Assembly Steering Committee~~ for one additional three-year term.

The faculty representatives ~~to external athletic governing bodies~~ shall be nominated according to procedures approved by the ~~Faculty Academic Oversight Committee for Intercollegiate Athletics and the president of the University.~~

~~Alumni members shall be appointed by the president in consultation with the director of alumni relations and shall include one representative from each of the men's and women's athletic alumni groups.~~

~~The civil service member shall be appointed by the president in consultation with the Civil Service Committee.~~

~~Chair~~

~~The chair of the Faculty Academic Oversight Committee for Intercollegiate Athletics shall be a faculty member of the committee and shall be designated by the Faculty Assembly Steering Committee, in consultation with the president, and shall have at least one year's experience as a committee member.~~

~~Staff~~

~~The president shall ensure that the committee receives staffing and an office to hold its records. Such staffing shall consist of the appointment of a staff position responsible to the chair of the committee. Duties of the staff person shall be those ascribed by the committee in consultation with the president.~~

~~Duties and Responsibilities~~

~~Policy Setting~~

- ~~a. To promote high standards in intercollegiate athletics; to ensure as much as possible that intercollegiate athletics do not interfere with the academic responsibilities of student athletes and, when this cannot be completely accomplished, to ensure that student athletes be given a fair opportunity to complete their education.~~
- ~~b. To initiate, review, and vote on all legislative matters pertaining to rules and regulations; policies and procedures controlling the eligibility of students for participation in intercollegiate athletics; and such other policies and procedures as it deems necessary and appropriate to govern the conduct of intercollegiate athletics programs on the Twin Cities campus.~~
- ~~c. To direct the faculty representatives for intercollegiate athletics with respect to positions on issues these faculty representatives consider at meetings of the Big Ten, NCAA, WCHA, and of any successor or other athletic governing organizations of which the University of Minnesota, Twin Cities, is a member, recognizing, however, the ultimate authority of the president to specify final directions to these representatives.~~
- ~~d. To review and make recommendations to the president on the performance of the faculty representatives for intercollegiate athletics and to participate in the selection of faculty representatives when vacancies occur.~~
- ~~e. To devise policies governing the granting of awards for student athlete participation in the Twin Cities intercollegiate athletics programs.~~

~~Administrative~~

- a. To debate and approve or disapprove of any schedules of varsity and junior varsity events of the Twin Cities campus.
- b. To conduct on a team by team basis, an in-depth, annual review of the academic progress and performance of all Twin Cities campus student athletes participating in intercollegiate athletics. This review will be conducted with the participation of the faculty members of the committee, the director of academic counseling for intercollegiate athletics, and with the coaches and their staffs, according to policy determined by the committee. Further, the reports which result from these academic audits shall be considered in the annual evaluations of all head coaches.
- c. To be given the opportunity to participate in the search for and evaluation of the intercollegiate athletic directors, the director of academic counseling for intercollegiate athletics, and the compliance officer when such searches or evaluations take place. In addition, the committee shall be given the opportunity to participate in searches for all head coaches and such other administrators in the departments of athletics as may be prescribed by policy adopted by the committee.

Judicial

- a. To determine the eligibility for participation in intercollegiate athletics of student athletes who are alleged to have violated any rules of athletic governing organizations, and to determine, within the limits permitted by those rules, the appropriate sanction if it is determined that the violation(s) occurred.
- b. To retain final authority over the determination of eligibility of a student for participation in intercollegiate athletics irrespective of the cause or locus of any dispute which casts doubt on his or her eligibility.

Advisory and Consulting

- a. To advise the president and central administration and the directors of intercollegiate athletics and the director of academic counseling for intercollegiate athletics on all policies affecting personnel, budget, and facilities relating to the intercollegiate athletic programs of the Twin Cities campus.
- b. To consult with the Recreational Sports Committee and other such committees concerning items of common concern.

Reporting

- a. To make timely reports to the Twin Cities Campus Assembly and to the wider University community on items of importance with respect to its governance of intercollegiate athletics. Such reports shall consist of, but not be limited to, composite team statistics of semester grade reports for intercollegiate teams; reports on graduation rates of student athletes by team and year; other data of relevance to the conduct of intercollegiate athletics on the Twin Cities campus, such as admissions qualifications of recruits by team, ethnic make-up of the body of student athletes, and reports of discussions or essays which would be of interest to the Twin Cities Campus Assembly and to the wider University community.

~~b. To ensure that the chair of the committee or his or her designee shall be present at the meetings of the Twin Cities Campus Assembly and shall be afforded time to report and shall be ready to respond to questions concerning published reports of the committee or other items of interest to Assembly members.~~

~~c. To report all policy adoptions and changes to the Assembly Steering Committee.~~

~~d. To submit an annual report to the Twin Cities Campus Assembly.~~

General

~~Notwithstanding any other provisions to the contrary in these bylaws, to promulgate any such policies and to take any such actions that it deems necessary and appropriate to ensure that intercollegiate athletics are conducted in a fashion suitable for the students, faculty, and staff of the University of Minnesota, for the University of Minnesota generally, and for the people of the State of Minnesota. It is to be understood that this is a plenary grant of authority subject only to review by the Faculty Assembly and to the final responsibility of the president and the regents for the governance of the University.~~

Duties and Responsibilities

a. To promote high academic standards in intercollegiate athletics and to ensure that students who participate in intercollegiate athletics have the opportunity to complete their education.

b. To review and approve or disapprove schedules of athletic teams.

c. To review each term the academic performance and progress of students participating in intercollegiate athletics and take appropriate action if individuals or programs are contributing to fraudulent academic performance, to establish a process by which such reviews occur and involve other individuals (such as athletic director, coach, counselor) the committee deems appropriate, and to report annually to the Assembly on the academic performance of students participating in intercollegiate athletics; to this end, the University shall make available to the committee the academic major, courses, instructor, and internal transcript for each student in athletics every term.

d. To receive regularly reports about the status of rules compliance in the departments of intercollegiate athletics.

e. To consult with and advise the president and other administrative or athletic officers as it sees fit on all matters related to intercollegiate athletics.

f. To recommend to the Assembly and to the administration such policies, and to take such actions, as it deems appropriate to ensure that intercollegiate athletics are conducted in a fashion suitable for the students, faculty, and staff of the University of Minnesota and for the people of the State of Minnesota.

g. To submit an annual report to the Assembly.

COMMENT:

This motion implements the bylaw changes recommended by the Special Senate Committee on Student Academic Integrity, appointed by Senate Consultative Committee chair Professor Fred Morrison on July 15, 1999.

The proposed change sharply abbreviates the very long existing bylaw. Rather than having such detailed provisions in a bylaw, the committee recommends a more general charge, along lines that parallel the charges contained in bylaw provisions for other committees of the Assembly and Senate. In order to provide additional guidance to the Faculty Academic Oversight Committee for Intercollegiate Athletics, the committee is recommending to the Assembly a resolution that sets forth in more detail the expectations for the Faculty Academic Oversight Committee for Intercollegiate Athletics. Such detail, however, need not be enshrined in the bylaws, but can serve as a directive to the committee in the exercise of its responsibilities.

This recommendation parallels closely the recommendation made by the Shapiro Committee in 1992, in that it recommends replacement of the existing Assembly Committee on Intercollegiate Athletics, with its diverse membership and responsibilities, with an all-faculty (voting) committee whose charge is focused on academic matters. The committee believes, as did the Shapiro Committee, that such a focus is the appropriate role for an Assembly committee. Because the members of the Faculty Academic Oversight Committee on Intercollegiate Athletics will be examining individual student records, and perhaps making recommendations that concern individual students or staff members, the committee does not believe it appropriate for other individuals serve except in an advisory capacity. We recognize that student, civil service, and alumni members may be dismayed at this recommendation, but we believe firmly that the matters that should come to the committee are normally and typically within the purview of the faculty in the governance of the University.

We recommend that the locus of authority for appointing the members of the committee be shifted from the Committee on Committees to the Faculty Assembly Steering Committee (the Twin Cities members of the Faculty Consultative Committee), in consultation with the President. We make this recommendation not because we have reason to believe the Committee on Committees has done an inadequate job, but because over the last twenty-five or thirty years there have been repeated and significant incidents in athletics that have attracted a great deal of public attention. We concur with the views of Professor Morrison, chair of the Faculty Consultative Committee, and President Yudof, that the members of this committee need to be chosen with great care, because it is one of the only committees, if not the only committee of the Senate or Assembly that comes under recurrent criticism whenever anything goes awry in athletics (whether or not the criticism is justified, and we suspect that in the vast majority of cases the criticism is unjustified). We make this recommendation because we believe the committee needs the unqualified confidence of the president and the senior faculty as it carries out the tasks with which it is charged. It will, at times, perhaps be required to make controversial decisions that may provoke public criticism, and the routine process of appointing Senate and Assembly committees does not prepare faculty members for that role.

The reference to staffing has been removed from the bylaw as unnecessary because all Senate and Twin Cities Campus Assembly committees are routinely provided staff support by the Senate office.

The committee concurs with the Shapiro Committee in recommending that the faculty representatives not have a vote. If they are charged to carry out the wishes of the faculty, expressed through the committee, they should not themselves be deciding what the faculty wish.

The committee recommends enlarging the faculty/academic professional membership of the committee. Testimony to the committee made it clear that if the Faculty Academic Oversight Committee for Intercollegiate Athletics is to carry out effectively its responsibilities for academic oversight and auditing of athletic teams, eight faculty members are not enough. Professor Shapiro, who participated in a meeting of the Special Committee, agreed that increasing the number from eight to twelve made good sense.

Testimony to the committee suggested that the presence of students who are athletes has been helpful to ACIA as it has deliberated on various issues, but we do not believe it appropriate for students to have a vote on a faculty oversight committee.

MOTION:

Amend Article III, Section 2, of the Rules of the Twin Cities Campus Assembly as follows (language to be deleted is ~~struck out~~; language to be added is underlined):

- Faculty Academic Oversight for Intercollegiate Athletics--2 Faculty Representatives (voting); Director of Men's Intercollegiate Athletics; Director of Women's Intercollegiate Athletics; Director of Academic Counseling and Student Services-Intercollegiate Athletics; Director of Compliance; administrative officer responsible for Intercollegiate Athletics

COMMENT:

Faculty representatives no longer vote, in accordance with the provisions of the recommended bylaw change; minor changes in titles of the other ex officio members of the committee are also made.

APPENDIX II

MOTION:

That the Assembly adopt by resolution the following Amplified Charge to the Faculty Academic Oversight Committee for Intercollegiate Athletics:

Policy-Setting

- a. To promote high academic standards in intercollegiate athletics; to ensure as much as possible that intercollegiate athletics do not interfere with the academic responsibilities of students who participate in athletics and, when this cannot be completely accomplished, to ensure that those students be given a reasonable opportunity to complete their education.
- b. To promote the operation of athletic programs that comply with the spirit and the letter of all applicable external governing organization (e.g., NCAA, Big Ten) rules and all applicable University rules.
- c. To initiate, review, and vote on: all legislative matters pertaining to rules and regulations; policies and procedures controlling the eligibility of students for participation in intercollegiate athletics; and such other policies and procedures as it deems necessary and appropriate to govern the conduct of intercollegiate athletics programs on the Twin Cities campus.
- d. To direct the faculty representatives for intercollegiate athletics with respect to positions on issues that these faculty representatives consider at meetings of the Big Ten, NCAA, WCHA, and of any successor or other athletic governing organizations of which the University of Minnesota, Twin Cities, is a member, recognizing, however, the ultimate authority of the president to specify final directions to these representatives.
- e. To review and make recommendations to the president on the performance of the faculty representatives for intercollegiate athletics and to participate in the selection of faculty representatives when vacancies occur.
- f. To devise policies governing the granting of awards based in any part on academic performance for students who participate in the Twin Cities intercollegiate athletics programs.

Administrative

- a. To periodically review the academic progress and performance of all Twin Cities campus students participating in intercollegiate athletics, including academic reviews of all teams to ensure that they are making adequate progress, with emphasis on teams that fall below established indicators for satisfactory academic performance. These reviews will be conducted with the participation of members of the committee, the director of academic

counseling and student services for intercollegiate athletics, and with the coaches and their staffs, according to policy determined by the committee.

- b. To advise the directors of athletics on the performance of the coach, based on the academic reviews conducted under the preceding provision (a).
- c. To participate in the search for and evaluation of the intercollegiate athletic directors, the director of academic counseling and student services-intercollegiate athletics, and the director of compliance when such searches or evaluations take place. The committee shall be given the opportunity to participate in searches for all head coaches and such other administrators in the departments of intercollegiate athletics as may be prescribed by policy adopted by the committee.
- d. To review reports to external governance bodies which pertain to compliance.

Judicial

- a. To monitor the process for determining academic eligibility of students for intercollegiate athletic competition and athletically-related financial aid.
- b. To review, with the director of athletics, compliance issues and sanctions placed upon individuals and/or programs as a result of NCAA, Big Ten, WCHA, or University rules violations.
- c. To exercise oversight regarding the determination of a student's eligibility for participation in intercollegiate athletics irrespective of the cause or locus of any dispute which casts doubt on his or her eligibility.

Advisory and Consulting

- a. To advise the president and central administration and the directors of intercollegiate athletics, the director of academic counseling and student services-intercollegiate athletics, and the director of compliance on all policies affecting personnel, budget, and facilities relating to the intercollegiate athletic programs of the Twin Cities campus.
- b. To review annually, in cooperation with the Senate Committee on Finance and Planning, the budgets of the departments of intercollegiate athletics, of the office of academic counseling and student services-intercollegiate athletics, and of the compliance office. This review should occur prior to the approval of the budget by the central administration. The committee should establish a review process in consultation with the Senate Committee on Finance and Planning.
- c. To consult with other University committees concerning items of common concern.

Reporting

- a. To make regular reports to the Twin Cities Campus Assembly and to the wider University community on items of importance with respect to its governance of intercollegiate athletics.
- b. To ensure that the chair of the committee or his or her designee shall be present at the meetings of the Twin Cities Campus Assembly and shall be afforded time to report and shall be ready to respond to questions concerning published reports of the committee or other items of interest to Assembly members.

APPENDIX III

Report of the ad hoc Committee
on Intercollegiate Athletics

December 16, 1992

Burton L. Shapiro, Chair
Laura Koch
Candace Kruttschnitt
Ronald Phillips
Michael Steffes
Charlotte Striebel
Michael Wade

Report of the ad hoc Committee on Intercollegiate Athletics
December 16, 1992

The ad hoc Committee on Intercollegiate Athletics was appointed and charged by the Twin Cities Assembly Steering Committee on April 26, 1991. The Steering Committee established the ad hoc Committee because of concerns, expressed through the Twin Cities Campus Assembly and by faculty individually, that faculty governance of athletics was not functioning well. Thus the charge to the ad hoc Committee, in brief, was to advise the Assembly Steering Committee, and then the Assembly and the administration, about ways in which faculty control of athletics could be strengthened.

Because of a misunderstanding about our charge with the faculty members of the Assembly Committee on Intercollegiate Athletics (ACIA), the ad hoc Committee did not begin meeting until November, 1991. The two student members were unable to attend the meetings, so this report does not bear their names.

The Committee has met eleven times and interviewed President Nils Hasselmo, Senior Vice President Robert Erickson, Dean Robert Stein, Professor Jo-Ida Hansen, Professor Byron Egeland, Professor Ted Labuza, Professor Robert Serfass, Professor Deon Stuthman, Dr. McKinley Boston, Ms. Chris Voelz, and Dr. Elayne Donahue. In addition, the Committee was provided with a number of materials related to the governance of athletics, including relevant ACIA policies, Big Ten and NCAA documents, and the Knight Commission Report.

The Committee, following these interviews, review of materials, and deliberation, offers the comments and recommendations which follow. We can readily find major difficulties with college sports, but many of these problems are national in scope. There are, however, local problems which the ad hoc Committee has tried to address; we have developed a set of statements and recommendations which we believe will be practical and helpful to the faculty, the student-athletes, and the University.

One fundamental issue that the ad hoc Committee tried to come to grips with is the meaning of the term "faculty control of athletics." The charter language of the Big Ten Conference, which remains in the "membership" clause of Chapter 2 of its organization and procedure, includes the proviso that "only a University having full and complete faculty control of its intercollegiate athletic programs may hold membership in the Conference. . . . While the Conference recognizes that final authority over all units of the member universities, including the faculties, rests in their governing bodies--trustees or regents--a member university becomes ineligible for membership in the Conference if it fails to respect the control, which it has delegated the University agency, for the University's intercollegiate athletics program." (The NCAA, by comparison, identifies the President as the locus of final authority for intercollegiate athletics.) The ad hoc Committee wishes to strongly affirm the principle of faculty control and to affirm the responsibilities of ACIA. It is ACIA that serves as the mechanism for faculty control at the University of Minnesota, Twin Cities, and faculty control will only be effective to the extent that ACIA is strong and effective.

In our judgment, the biggest contribution that this report makes to the practice of faculty governance of athletics is to clarify functions and responsibilities: the Faculty are in charge of academic matters and that should be the primary focus of their activities. The changes we propose

will permit the faculty to deal with those matters with which they are most familiar and know most about; ACIA need only become involved in other matters to the extent they impinge on academic issues.

Our comments and recommendations are as follows.

1. Revise the bylaws chartering ACIA to make it an exclusively faculty body which deals primarily with academic standards, compliance issues, and ethics and equality issues.
2. It must be clearly understood by all that ACIA is an independent faculty body responsible to the Assembly Steering Committee and the Twin Cities Campus Assembly; it is not responsible to the departments of intercollegiate athletics or to the University administration, but it advises both on the conduct of athletics. If ACIA is not performing its duties, the Assembly Steering Committee and the Assembly must bear the responsibility for correcting problems. The relationship between ACIA and the governance system should be strengthened; it may, for example, be appropriate for the Assembly Steering Committee to meet twice per year with the chair (and members) of ACIA.
3. The ad hoc Committee also found that ACIA, within the limits of the available faculty time and resources, has been actively striving to uphold and carry out "faculty control" of athletics. It is our hope that the changes we have proposed will permit ACIA better to carry out its responsibilities with less stress for its members.
4. The "ACIA Policy on the Selection and Responsibilities of the Faculty Representatives for the Department[s] of Intercollegiate Athletics" contains the following language:

The Faculty Representatives for the two intercollegiate athletic departments have, as their principal duty, the representation of the University of Minnesota--Twin Cities at all the athletic governing organizations of which the institution is a member. In fulfilling that responsibility, as well as performing other duties enumerated in this policy, the faculty representatives act at the direction of the University faculty as given voice through the deliberations and instructions of ACIA. . . .

The NCAA definition of institutional control of athletics differ[s] from that of the Big Ten Conference in that it recognizes the chief executive officer . . . as the locus of final authority. . . . In order that the University of Minnesota--Twin Cities faculty representative[s] not be put in the position of having split accountability (to ACIA in Big Ten matters and to the President in NCAA matters), he or she is established by this policy to have a single responsibility regardless of the group or entity to which he or she is representing the University: to ACIA. . . .

The Faculty Representative is appointed by the President for a term of six years. An evaluation of the performance of the Faculty Representative will be conducted during the third year of the term. If the performance is unsatisfactory, the individual may be removed. If the Faculty Representative elects to serve a second six-year term, the Search Committee will review the performance of the individual and communicate its recommendation to ACIA and the President.

The ad hoc Committee is concerned that ACIA may not be asserting its proper role with respect to the activities of the faculty representatives. ACIA must carry out its own policies

(approved by the President) with respect to the selection, direction, and evaluation of the faculty representatives; if it does not do so, too much authority may become vested in the faculty representatives--thus diluting real faculty control.

5. The Committee is impressed with the steps that have been taken to ensure budgetary controls over the departments (especially men's athletics). The Committee strongly endorses the separation of the expenditure budgets from the revenue budgets as well as the move to an all-funds budget. The Committee concurs that expenditure budgets should not be linked to income and that any surpluses of income over expenditures should be used at the direction of the central officers (preferably in consultation with the Senate Committee on Finance and Planning and ACIA, through whatever joint consulting mechanism the committees might devise).

Primary responsibility for review of financial issues associated with intercollegiate athletics should rest with the Senate Committee on Finance and Planning. The ad hoc Committee recommends that the Committee on Finance and Planning promulgate a statement to advise the administration on how surpluses and deficits in the intercollegiate athletics programs should be addressed.

6. The ad hoc Committee endorses the recently-initiated practice of building clauses into the contracts of athletic directors and head coaches which provide incentives for reducing costs and improving both athletic and academic performance.

7. The intercollegiate athletics programs should not report directly to the President. The Committee believes that the President has (should have) insufficient time to pay attention to the routine administrative needs of the departments. The Athletic Directors should report elsewhere in central administration, to the best individual the President can identify for the job; the ad hoc Committee makes no recommendation about which individual or central officer would be most appropriate.

The ad hoc Committee recognizes, however, that presidential responsibilities for athletics, both at the level of the Big Ten and the NCAA, require some presidential involvement in the governance of athletics. It is our judgment that at present ACIA acts nearly in a vacuum with respect to the President. A strong, independent, and effective ACIA will express its views to the President and ensure that the faculty voice on athletic issues is heard. We are doubtful that such communication occurs at present.

8. All athletic academic counseling staff and tutors should be hired by and responsible to the Athletic Academic Counseling Office (AACO). The ad hoc Committee has been made aware that there have been attempts by some individuals in athletics to hire individuals for counseling and tutoring outside the purview of this office; we strongly abjure this practice and urge that it be prohibited.

The ad hoc Committee recognizes, and agrees, that primary academic counseling ought to be provided by the academic units--either the college or the major department. We also recognize, however, that the larger colleges especially are seriously understaffed for academic advising. The AACO should be the sole liaison between academic major departments and the intercollegiate athletic programs; we encourage the AACO staff to work as closely as possible with academic units.

The ad hoc Committee strongly commends the AACO staff and believes it serves as a model to which the rest of the University could aspire with profit. The treatment of students at risk, and the principles the AACO office has articulated for advising students, seem to us practices which should be employed across the University.

9. In addition to its procedures for reviews of the academic performance of student-athletes (the "audits"), ACIA should develop a clear statement of a) the sanctions which are to be levied when a team fails to meet satisfactory academic standards, and b) the rewards to be achieved when such standards are exceeded. Appropriate steps must be taken to ensure that student-athletes are afforded the opportunity to improve their academic standing, which might include withholding them from practice and competition.

We are persuaded, after considerable discussion of this point, that faculty involvement in some kind of auditing or review procedure is both necessary and desirable. It is the faculty who are responsible for upholding academic standards, and although the AACO staff can do much in the way of providing and synthesizing the information required for an audit, ultimately it is the faculty who bear the responsibility for evaluating the information and reaching conclusions about the appropriate steps to be taken when teams fail academically.

10. The ad hoc Committee is concerned that student-athletes' lives are too tightly regulated and that they are not permitted to lead lives similar to those of other non-athlete students. In general, student-athletes should be treated like all other students and should be permitted to lead as normal a "student life" as possible. On the other hand, we also recognize that as representatives of the University, student-athletes can and should be held to a higher standard of behavior than those who do not serve in a representative capacity. (We note, too, that this same logic applies to other students who represent the University in various kinds of non-athletic events.)

We recommend that ACIA take action in the following areas:

- Develop a statement on ethical behavior and appropriate conduct and how the issues associated therewith should be the subject of continuing activity in the departments of intercollegiate athletics;
- Establish or clarify the responsibilities of the coaching staff and the department administrators in emphasizing the importance of ethical behavior to student-athletes.
- Develop a statement on how misconduct on the part of student-athletes should be considered when reviews of coaches are being conducted (because it is the coaches who are responsible for recruiting the student-athletes who make up the teams).

11. The ad hoc Committee recommends that the practice of providing season tickets to ACIA members cease. The ad hoc Committee does accept the proposition, however, that ACIA members should be familiar with the conduct and atmosphere of events and should be afforded the opportunity to view those events. We recommend that some season passes for each sport be available to be shared among Committee members.

12. The ad hoc Committee was informed repeatedly that there were insufficient faculty members on ACIA to perform the tasks required. We believe that by adding two faculty to ACIA

(for a total of 8), those burdens can be lightened and the tasks performed. We urge, however, that ACIA consider carefully whether it has delegated appropriate tasks to its staff.

While we do not believe that the Athletic Academic Counseling Office should be considered "staff" to ACIA, the ad hoc Committee nonetheless finds that the AACO should be the principal source of information useful to ACIA members. We wish to acknowledge and strongly endorse the healthy and active relationship between the AACO and ACIA, because the AACO has significant responsibility for advising ACIA on the development and implementation of its policies. This working relationship must continue.

APPENDIX IV

Recommendations

Drake Conference
"College Sports Corruption: The Way Out"
October 21-22, 1999

Whereas the bureaucracy of the NCAA and its member institutions have aided and abetted the growth of commercialism and professionalism in college sports, and whereas these trends have had a detrimental impact on academic standards, as well as on faculty control of their classrooms:

1. Faculty should aggressively challenge the NCAA's claim that big-time college athletes are amateurs and focus on addressing the special educational needs of athletes in the college sport industry.
2. Whereas there is ample statistical and anecdotal evidence to show that faculties have abdicated their role in preserving academic integrity in the face of competing athletic interests, we propose the creation of a task-force to outline steps faculty can take in restoring primacy to the academic mission of higher education.
3. All academic counseling, advising, and support programs shall be located outside the department of athletics.
4. The University shall disclose the academic major, academic advisor, courses, course GPA, and instructor for each student in the university. No disclosure of individual grades will occur.
5. A review of the length of season, as well as the commitment during the off season, shall occur for every sport to determine whether or not demands are being placed on the students that are inconsistent with pursuit of satisfactory academic progress. Initial attention shall be given to the wisdom of post season conference tournaments.
6. No mandatory student activity fee shall be used to support inter-collegiate athletics.
7. All institutions shall file an annual financial report in accordance with standard accounting principles [the Cooper's and Lybrand model]. The report must include:
 - The salary and income from all sources for the athletic director and all coaches
 - The total income for athletics from all sources, including student fees and private donations.
 - The total expenditures for the current year by category
 - The total expenditure commitments made for future years for guaranteed contracts, bond payments, etc.

8. The faculty shall appoint the faculty representative for athletics and a majority of the faculty athletic committees. The faculty representative and members of faculty athletic committees shall not accept any perks from the intercollegiate athletic department. The faculty representative and members of faculty athletic committees shall be accountable to the faculty council or senate and to no other bodies or persons.
9. We support the SEC proposal (developed at Vanderbilt) that links athletes' academic success to the number of athletic scholarships an institution can award annually. An athlete who leaves a college or university for any reason must be in good academic standing upon departure, or else the institution will lose that scholarship until the time that the student would have graduated normally based upon a four-year graduation cycle.
10. An independent faculty committee to review the academic performance of student athletes shall be appointed.
11. Any monies from apparel companies should be paid to the university and not to any coach.
12. Whenever possible, universities return college sport to its amateur moorings by adopting need-based financial aide.