

**RAWLINGS PANEL ON INTERCOLLEGIATE ATHLETICS AT THE  
UNIVERSITY OF NORTH CAROLINA at CHAPEL HILL**

August 29, 2013

Chancellor Carol L. Folt  
University of North Carolina, Chapel Hill  
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Chapel Hill, NC 27599-9100

Dear Carol,

I am pleased to convey to you the report of the Panel on Intercollegiate Athletics at the University of North Carolina at Chapel Hill. Our panel was charged with making “recommendations on steps Carolina can take to improve the complex maze of athletics,” and recommendations that would “provide ideas to other universities that are willing to tackle, what most agree is, a challenging issue for all of higher education.” We have tried to fulfill both parts of that charge.

In doing so, we brought to bear our own experiences with intercollegiate athletics at a number of universities across the country, and we benefited from many presentations faculty, staff and students made at the open forum we held at Chapel Hill on April 19, 2013. We also read reports written about UNC-CH athletics and academics by both internal and external groups, including a report by an Ad Hoc Committee on Athletics at UNC-CH of December 1989, the Hartlyn-Andrews Review of Courses in African and Afro-American Studies, dated May 2012, the Faculty Executive Committee Report of July 2012, the Baker Tilly Review of Policies and Procedures, dated December 2012, Governor Martin’s Academic Anomalies Review Report of Findings, dated December 2012, and an update of Governor Martin’s Report with addendum completed in January 2013.

Our charge did not call for a detailed assessment of the policies and procedures now in place at UNC-CH, and we did not undertake such an assessment. We offer in our report principles for good governance and management of intercollegiate athletics both at UNC-CH and at universities across the country. In some cases, UNC-CH may already have espoused these principles through its policies and procedures. We emphasize throughout our report the importance of fully implementing such policies and monitoring them through regular review and audit.

We applaud the steps taken by UNC-CH to review candidly and in detail the problems that have occurred in the past several years in this domain, and to address them forthrightly. We also hope that UNC-CH will consider taking a leading role in addressing the need for reform of intercollegiate athletics nationally. As a prominent public research university with a major athletics program, UNC-CH is in an excellent position to do so.

Yours sincerely,

Jim Delany

Patricia Goodson

Robert Malekoff

Amy Perko

Hunter Rawlings, Chair

## **RAWLINGS PANEL ON INTERCOLLEGIATE ATHLETICS AT THE UNIVERSITY OF NORTH CAROLINA at CHAPEL HILL**

### **Statement by Hunter Rawlings on the release of the report of the Rawlings Panel on Intercollegiate Athletics at the University of North Carolina at Chapel Hill**

Today our panel is releasing its report requested by then-Chancellor Holden Thorp in March of this year. We wish to thank the many members of the UNC-CH community who participated in the public forum we held on April 19 to discuss issues of academics and athletics at Chapel Hill. We also appreciate the cooperation and help given to us by the Chancellor's and Athletics Director's offices at Chapel Hill throughout our work.

We address in this report academic/athletics issues not only at UNC-CH, one of the country's strongest research universities, but at universities throughout the United States, all of which are grappling with the rewards and risks of conducting major athletics programs in the current era. We recognize the difficulties inherent in maintaining the right balance between academic values and big-time athletics, and we offer recommendations designed to help universities find that balance.

The fundamental premise for our recommendations is that institutions of higher learning exist primarily to teach students and to conduct research; all else, including athletics, is secondary. American research universities, among which UNC-CH is a prominent leader, are now the best in the world, and they derive their stature from the quality of teaching and research they conduct. It is possible, we believe, to maintain that quality while also offering intercollegiate athletics programs that are themselves of high quality and integrity and visibility, but this combination of academic and athletic excellence requires strong values and rigorous oversight by university administrators and faculty.

We hope this report will be of assistance to UNC-CH and other universities as they confront these challenges, and we make our recommendations in that spirit.

September 3, 2013

# **RAWLINGS PANEL ON INTERCOLLEGIATE ATHLETICS AT THE UNIVERSITY OF NORTH CAROLINA at CHAPEL HILL**

## **REPORT OF THE RAWLINGS PANEL ON INTERCOLLEGIATE ATHLETICS AT THE UNIVERSITY OF NORTH CAROLINA at CHAPEL HILL**

In March of 2013 Chancellor Holden Thorp sent the following official charge to this panel:

### **Panel on the Role of Athletics in the Life of the University**

At the recommendation of the Faculty Executive Committee of the University of North Carolina at Chapel Hill, Chancellor Holden Thorp has asked a panel of distinguished leaders in higher education and athletics to make recommendations about the role of athletics in the life of the University.

The issues that UNC-Chapel Hill faced are not unique, and it is our hope that other universities can benefit from the work of this panel. We want to affirm the important role that athletics plays in the life of the University, but also to acknowledge that the relationship is complicated and requires continued vigilance to remain healthy. The panel is charged to make recommendations on steps Carolina can take to improve the complex maze of athletics. Recommendations should also provide ideas to other universities that are willing to tackle, what most agree is, a challenging issue for all of higher education.

### **Panel Membership:**

Hunter Rawlings, Chair. President of the Association of American Universities (AAU)

Amy Perko. Executive Director of the Knight Commission on Intercollegiate Athletics

Jim Delany. Commissioner of the Big Ten athletic conference

Robert Malekoff. Associate Professor and Chair of the Sport Studies Department at Guilford College

Patricia Timmons-Goodson. Former Associate Justice of the North Carolina Supreme Court

## Introduction

The decision to call for this panel followed several years of well-publicized scandals in the intercollegiate athletics programs at UNC-CH, and extensive investigations of those scandals by internal and external committees. Unfortunately, such problems are now common across the landscape of universities engaging in Division I athletics, and a number of those universities have suffered extensive damage to their reputation as a result. Presidents and chancellors, coaches and athletic directors have been forced to retire or resign, and institutional integrity has come into question.

As a result, the panel believes its charge calls for substantial recommendations. We make our recommendations primarily to the administration and faculty of UNC-CH, but we are fully cognizant of the national context for this report, and we make several suggestions we hope other universities will note and consider. We are convinced that, because of its academic stature and athletic success, UNC-CH can take a leading role in improving the domain of intercollegiate athletics nationwide, first by establishing model programs that incorporate new approaches, and second by catalyzing change among peer institutions.

We note, for example, that UNC-CH's Athletics Department has published a forward-looking strategic plan entitled "Carolina Leads." In that plan, the Department aspires, among other things, to "align our operations to fulfill the mission of the University," to "achieve a top 3 academic finish in the conference and a top 10 finish nationally in each sport," to "define and respect the importance of athletics within public research universities," and to "operate in a transparent manner so that the university community is informed about decisions that are made within Carolina Athletics." These are worthy objectives that demonstrate the Athletics Department's recognition of its role within the broader university community.

In addition, we have learned that the new university leadership is bringing a fresh perspective to evaluating academic support systems for student/athletes. The Provost James W. Dean Jr. and the Athletics Director Bubba Cunningham will lead a campus working group that will develop a rigorous and transparent set of processes and metrics for this evaluation and for fostering academic success for all student/athletes during their time at UNC-CH.

We also note a [report](#) written in 1989 by an Ad Hoc Committee on Athletics at UNC-CH composed of faculty members. This report called for a number of reforms in intercollegiate athletics such as reducing the number of competitive events engaged in by teams, limiting the time required of students in their sports to a maximum of 30 hours per week, eliminating spring football practice, making freshmen ineligible for varsity competition, limiting varsity eligibility to three years, and making coaches accountable for the regular academic progress of their student-athletes. In addition, the report recommended that "the Educational Foundation at UNC-CH (known as the Rams Club) present its annual budget to the chancellor for his review

and endorsement,” and that the “financial statements and budgets of the Educational Foundation should be open to the public.”

A few of these recommendations for national reform have been partially implemented over the ensuing 23 years, most have not been adopted at all, and in some cases universities and the NCAA have moved in the opposite direction. Many of the problems now afflicting intercollegiate athletics across the country stem from failure to adopt such reforms.

It is also critical to recognize current challenges in the national intercollegiate athletics environment for programs like UNC-CH. This environment includes a potential class-action lawsuit that claims that athletes should have greater access to generated revenues. It is an environment in which the ACC along with other leading conferences, has called for major changes in the NCAA structure, its governance and its operations, and an environment in which landmark media deals by the ACC and four other conferences have created a revenue-generating capacity that rivals that of major professional sports leagues. The environment creates even greater pressure for UNC-CH and other leading universities to consider new approaches that will improve the integrity and operation of intercollegiate athletics. This panel hopes that UNC-CH and other leading universities in the U.S. will give consideration to the recommendations contained in this report as a means of addressing the problems and risks inherent in intercollegiate athletics in 2013.

### Premises for Recommendations

We base our recommendations upon the following premises:

Institutions of higher learning exist primarily to discover and to disseminate knowledge; winning sporting events is peripheral to those basic missions. As a result, a university’s athletics program must fit within the context of its core missions, and in no way violate them. Herein lies the principal challenge of intercollegiate athletics, since an institution’s desire to win must always be balanced against the core interests of the institution as a whole. Maintain the integrity of the fundamental missions, and the model works. Fail to maintain integrity and the potential exists for the model to fail, and to cause serious damage to the institution.

“Student/athletes” are students first, athletes second. Students admitted to the university should, without exception, be capable of earning a degree at the university. It is every student’s responsibility to work hard academically to earn a degree; it is the university’s responsibility to assist all students, particularly less-well-prepared students, in that endeavor. Given the serious risks to their integrity and reputation posed by big-time college athletics, universities must maintain close oversight over their intercollegiate athletics programs.

Administrators and coaches should have clear lines of responsibility and authority in the conduct of those programs, and universities should regularly monitor and audit their athletics programs and the performance of all persons who are engaged in administering them.

It is particularly important for universities to develop and maintain financial policies in intercollegiate athletics that serve the best interests of the entire university. Given the enormous athletics revenues now coming to universities that engage in big-time athletics, and given the recent, repeated reductions in state support for their academic missions, universities need to give serious thought to academic vs. athletics priorities, that is, to developing the right financial balance between them.

Though many academic and athletics leaders see the need for reform in intercollegiate athletics, actual moves to reform are stifled on individual campuses by fear of incurring competitive disadvantages in athletics. Under these circumstances, like-minded institutions with similar academic standards need to form associations that enable discussion of creative solutions to the problems and risks posed by intercollegiate athletics.

Our report contains the following sections:

- I. [Oversight and Management](#)
- II. [Financial Priorities](#)
- III. [Network of Peers](#)
- IV. [Treatment of student/athletes in admissions, eligibility, and time commitments](#)
- V. [Mandatory education program for coaches](#)
- VI. [Enhancing the UNC-CH's leadership team's knowledge of intercollegiate athletics](#)

We list our recommendations in two places in this report: separately in each section of the report, as they arise; together in a large list at the end of the report, for the reader's convenience.

### **I: Oversight and Management: A Framework for Protecting Institutional Integrity— Establishing Pillars of Institutional Control**

The desire to win, in and of itself, creates pressure and incentives, and intercollegiate athletics—at its fundamental level—is built on the desire by institutions of higher learning to compete against each other and win. The desire to win is not, in and of itself, a bad thing. In a sense it is why the enterprise of intercollegiate athletics exists—Harvard and Yale presumably rowed against each other in 1852 to see who would win the race.

As we have emphasized above, however, universities exist primarily to discover and to disseminate knowledge, that is, to conduct research and to teach students; winning sporting events is peripheral to those basic missions. As a result, a university's athletics program must fit within the context of its core missions, and in no way violate them.

To be sure, the practicality of maintaining academic and institutional integrity when an institution desires to win is complex and difficult. Moreover, the presence and value of certain variables greatly affect this complexity: variables such as the size and selectivity of an institution, its funding sources, competitive goals, and level of public interest. Accordingly, each institution's approach must be unique, though there are commonalities among challenges to universities that make unified policies and actions desirable, as we suggest later in this report.

Generally speaking, the governance, decision-making process, and lines of authority in professional sports are straightforward and well-defined. There is typically an owner who sets a clear course as to how a franchise will operate, and there are few—if any—questions about who is in charge, what the goals are, and who is responsible for making decisions in a given domain.

By contrast, the governance of intercollegiate athletics is far more complex. As a starting point, unlike in professional sports, the core purpose of the university is not athletics. Secondly, in intercollegiate athletics there are many "owners:" the university itself, as represented by the President or Chancellor, the governing board, and the faculty; the student body of the university; the alumni; donors; the coaches; in public universities, the Governor and Legislature of the state; finally, the "fans," often a large and highly interested, if diverse, group. To one degree or another, all these individuals and groups feel "ownership" of a university's athletic program.

Institutional governance structures vary widely and are generally complex at large universities. The concept of shared governance is crucial to universities in matters of academic and administrative governance because it enables the faculty, for example, to control most academic decision-making, and because it enables the governing board, the administration, and the faculty to consult with one another on a wide range of university policies. But shared governance can contribute to a lack of clarity in conducting athletic programs because it disperses and dilutes decision-making and sometimes leaves responsibility and accountability unclear or uncertain.

Because of lack of clarity or control, decisions in intercollegiate athletics can result from undue influence by individuals who provide advice and have an interest, but who clearly have neither authority nor responsibility. Such individuals often exercise undue influence stemming from politics, philanthropy, or coaching tenure, and even when acting with good intentions, they can effectively usurp and undermine the delegation and appropriate alignment of authority and responsibility. Unfortunately, experience has shown that such misalignment and undue

influence can have disastrous consequences for universities. Even short of disaster, the erosion of proper control can certainly lead to compromising institutional integrity.

### **Recommendations:**

In the interest of preventing such erosion, UNC-CH should insure that it implements specific policies designed to preserve tight institutional control of intercollegiate athletics. Adopting policies will not guarantee perfection, since sometimes the right officers make bad decisions; however, by defining the proper role for managing allocation of control, authority, and responsibility, if a problem emerges, the institution can determine whether or not the procedures intended to protect its control of intercollegiate athletics were observed, and where and how the problem occurred. Below are specific recommendations for such a policy.

Regarding athletics governance, UNC-CH should:

1. Insure that the chancellor, subject to the general oversight of the governing board, system administration, or both, has ultimate authority, responsibility, and accountability for the administration of intercollegiate athletics, and state in writing any exceptions to this authority, responsibility, and accountability.
2. Insure that the chancellor has delegated authority, responsibility, and accountability for the administration of the athletics department to the athletics director, and state any exceptions to that delegation.
3. Clarify the role and responsibility of any other institutional officer or board or committee that has responsibility for issues relating to intercollegiate athletics, or that plays an advisory role in intercollegiate athletics. Faculty committees in particular should have clearly-defined charges, roles and responsibilities.
4. Establish written procedures to insure that those with authority and responsibility to govern the athletics programs of the institution are able to do so without improper influence from others within or outside the institution.
5. The UNC-CH Board of Trustees has a fiduciary duty to oversee all university financial activities. This oversight responsibility is delegated to the Chancellor. Insure that the Chancellor or her designee serves on the Educational Foundation's (Rams Club) Executive Board and has the opportunity to review and endorse the organization's annual budget and any proposed major funding initiatives. We note that at times members of the Board of Trustees have simultaneously served on the Educational Foundation Executive Board. While there may be valid reason for dual appointments of this nature, there is also potential for a conflict of interest, or at least the appearance of

such a conflict. UNC trustees simultaneously serving on these boards must hold their fiduciary responsibility to the university as primary.

Regarding athletics operations, UNC-CH should:

1. Insure that the unit that provides academic support services for student/athletes operates without any undue influence by athletics officials and staff, including coaching staff.
2. Insure that the unit that enforces compliance with the rules and regulations of the institution, conference, and/or NCAA has sufficient independence from athletics staff to meet its responsibilities properly.
3. Insure that the admissions process for student/athletes is essentially the same as that for other applicants with special talents; that the same office that admits other undergraduate applicants to the institution also has final decision-making authority for the admission of student/athletes; and that all communications regarding prospective student/athletes between the athletics department staff and the admissions office are routed through the athletics director or his/her designee(s). Assure that, in the final analysis, one individual or office is responsible for the admission of student/athletes.
4. Insure that student/athletes are subject to general disciplinary rules and codes of conduct applicable to other students at the institution, including the same procedures and sanctions; assure as well that all athletics department policies are applicable specifically to all student/athletes, and that all communications regarding student-athletes between athletics department staff and student disciplinary staff are routed through the athletics director or his/her designee(s).
5. Establish standards and expectations relating to the medical services provided student/athletes that specify, at a minimum, that coaches a) have no hiring or other supervisory role with regard to medical or athletic training staff who work with their own teams, and b) may not attempt to influence any member of the medical or athletic training staff regarding the medical treatment of a student/athlete.

Finally and importantly, these policies and procedures should include rigorous mechanisms by which their effectiveness is regularly monitored, maintained, and enhanced as needed.

Accordingly, UNC-CH should:

1. Establish an annual internal audit and an external audit every four years to test adherence to these measures.

2. Provide a method for staff to report to an external party (e.g., institutional legal counsel or institutional compliance officer) if delegations are compromised by individuals attempting to exercise undue influence contrary to documents of delegation intended to protect institutional control of intercollegiate athletics.

## II: Financial Priorities: The Case for a New Financial Approach for Division I College Sports

Over the past three decades revenue generation and corresponding expenditures have been driven by Division I institutions' desire to compete and build institutional brand in a technology-driven, free-market, television environment where fan enthusiasm and followership continue to grow for college sports. In this environment, certain institutions and conferences have developed advantages because of demographics, prior success and tradition, and, as a result, have effectively addressed the costs associated with providing equitable opportunities for participation in highly competitive Division I athletics to a large number of college students.

Other less well-positioned Division I conferences and institutions have had to draw significantly on institutional subsidies because external or market-driven revenue has not been sufficient to meet the costs associated with participating at the NCAA Division I level.

Whether institutions are in the high- or low- resource category, they run the risk of misaligning their academic and athletic spending priorities.

Our study of the data for Division I institutions indicates that these trends are not sustainable. The committee has discussed whether or not national or conference policy can be developed to constrain established spending at both high- and low- resource institutions in order to assure improved alignment of academic and athletic spending; and if so, how.

This issue has been studied and discussed by many others, but not yet resolved. The NCAA has attempted to understand it through research and the publication of its "dash board indicators" and the Knight Commission on Intercollegiate Athletics has conducted studies with the help of university presidents, athletics administrators and legal and financial experts in an effort to identify innovative approaches to the problem. In short, decision makers on campus, at the conference level, and at the national level have studied, but not adopted or experimented with any of these potentially constraining policy innovations.

We offer the following analysis and menu of options for consideration by all leaders in intercollegiate athletics at both low- resource and high- resource institutions, in an effort to reignite a discussion on this set of challenges.

We believe that Boards of Trustees, presidents, commissioners, athletics directors, and the public more generally, should focus on the objective of bringing greater alignment between athletic and academic expenditures at the institutional level as a way of preserving the virtues and benefits of intercollegiate athletics and teaching and research on each of our campuses.

To that end, we urge university leaders to review the committee's UNC-CH-specific recommendations below, as well as the concepts and proposed policies for national reform that follow:

**Recommendations:**

1. UNC-CH should revise the athletics department budget report to clearly delineate the spending that supports student/athletes' educational, professional or career development (e.g., scholarships costs, summer school, career counseling, cost of attendance or other educational expenses not covered by a scholarship) as compared with other operating costs (staff salaries, recruiting, team travel).
2. UNC-CH should make institutional financial data more transparent to the public by publishing NCAA financial reports; the athletics department budget, which may differ from the NCAA reports (because of the items listed in the previous recommendation); and additional financial data about long-term athletics debt and rates of change in athletics and academic spending.
3. UNC-CH should commit to maintaining responsible spending patterns, regardless of whether or not a different national regulatory approach is adopted.
4. UNC-CH should also consider taking a leadership position within the ACC, a specially selected network of peers, and the NCAA to promote broader changes to the financial model for Division I college sports.

The following concepts should be considered:

1. Conferences and/or the NCAA can establish spending caps on specific sports for all team operating expenses. Case law has not addressed a total cap on team operating expenses but legal experts believe the preservation of athletics programs would serve as a pro-competitive justification for such a measure.
2. The NCAA and conferences can explore ways to expand college athletes' educational benefits. Current NCAA rules allow universities to provide financial aid to athletes returning to school to complete their undergraduate degree; however, institutions are not permitted to provide additional aid beyond the completion of the undergraduate degree unless the athlete has eligibility remaining. Rule changes that allow universities

to provide financial assistance to former scholarship athletes for graduate or continuing education should be considered. Funds for this additional aid could be drawn from athletically-generated revenues.

3. As recommended by the Knight Commission, conferences and/or the NCAA can create financial incentives based on athletic-to-academic spending ratios to discourage excessive spending on athletics and/or spending growth rates for athletics that are disproportionate with rates of change for academics. Such concepts can serve to more closely align the athletics enterprise to the academic enterprise.

For example, an athletic-to-academic spending metric can be created to serve as a “soft legal spending cap” or to trigger an incentive when the metric or specified metric range is achieved.

Similarly, an “athletics subsidy cap” or an athletics subsidy-to-academic spending ratio can be created to discourage institutions from diverting excessive amounts of academic funding to athletics.

4. Also as recommended by the Knight Commission, the revenue distribution formulas for the FBS College Football Playoff and NCAA Division I Basketball Tournament can be revised to insure that educational and developmental outcomes are valued and that athletics success is not overemphasized.

### III. A Network of Peers

Universities face similar challenges in fostering an appropriate balance among academics, athletics, and student life. Leading research universities should collaborate in finding solutions to the problems posed by the need to develop and maintain such balance in a competitive environment. There is great pressure to win in intercollegiate athletics, and the competition in the Atlantic Coast Conference (ACC) is of the highest caliber. Indeed, in many sports being competitive in the ACC requires being able to perform at a level consistent with the very best teams in the nation.

While UNC-CH will continue to pursue a high degree of competitive success on the playing field, it aspires to do so without compromising its institutional identity as a world class public university devoted to serving as “a center for research, scholarship, creativity” and to “improving society and solving the world’s greatest problems.” This represents a delicate balancing act, one that is difficult, if not impossible, to achieve alone.

There is much that can be gained from others who face (or have faced) the same or similar challenges. Although there is only one University of North Carolina at Chapel Hill there are other institutions throughout the country that share attributes of size, student selectivity, funding sources, research mission, reach, and of course, competitive goals in intercollegiate athletics. Further, these other institutions, among other pressures, are subject to comparable levels of public interest and scrutiny. In other words, there are other universities that face the same or similar challenges in endeavoring to maintain an appropriate equilibrium among academics, athletics, and student life. In addition, because of the seminal role select universities like UNC-CH play in higher education, these institutions are appropriately held to a higher standard and share a special responsibility to play a leadership role in addressing important challenges of this nature.

**Recommendation:** UNC-CH should develop a formal consortium of like-minded universities with similar academic standards that will enable discussion of creative solutions to the problems and risks posed by intercollegiate athletics.

This consortium could offer the following:

- A multitude of information- and data-sharing opportunities. Periodic meetings and other communications could allow ideas and best practices to be shared regarding issues such as departmental oversight and compliance, “special admit” policies and procedures, academic support, first-year student transition to college, funding practices, etc. Ideally, this information sharing would encourage participating institutions to evaluate and improve existing policies and procedures.
- A unified force to influence the development and support of legislation that would reinforce the appropriate balance needed for college sports to flourish in an educational setting.
- An incentive to allow participating institutions to gain from not having to “act alone.” Because of the highly competitive nature of intercollegiate athletics, it is extraordinarily difficult for an individual university to implement policies and procedures that might be more restrictive than others. On the contrary, the pressure is on administrators to give their coaches/teams “a chance” by always endeavoring to “keep up with the Joneses.” One potential benefit of a consortium of this nature would be that member schools would be empowered to consider strategies and practices that would embrace appropriate balance.

### **Potential Consortium Activities and Initiatives**

How the consortium chose to conduct its business would, of course, be determined by membership, but the following activities/initiatives might merit consideration:

- There could be periodic meetings for the purposes of exchanging ideas and best practices and discussing solutions to common challenges. These meetings could include institutional “teams” (ex. athletic director, senior women’s administrator, faculty athletic representative, director of academic services, director of compliance, department chief financial officer), with the group meeting both as a whole and in positional sub-groups. In addition, there might be opportunities for annual discussions at national professional meetings.
- The group should appoint a consortium leadership team charged with scheduling, logistics, and the development of agendas. In addition to information sharing and policy discussions, meetings could include presentations from experts who would share up to date best practices.
- There may be opportunities to encourage student/athlete participation in consortium activities. While there is currently a good deal of discussion as to whether or not college athletes should be monetarily compensated, it would be helpful to hear from students about various aspects of their undergraduate experience and what might be done to improve upon it in a variety of ways. In addition, the development of student focused educational programming could be of benefit.
- The development of an action agenda could insure that the consortium does more than simply talk. Specific data gathering/sharing and associated policy development discussions would have great potential. As previously noted, if properly focused, the consortium could serve as an influential lobbying body in support of national legislation that promotes a healthy balance between academics and athletics.

### **Precedent for a Consortium**

In 2011 representatives from five highly selective private universities (Boston College, Duke, Northwestern, Stanford, Wake Forest) met over two days in Winston-Salem, North Carolina to discuss issues related to the conduct of their athletic programs and to consider future collaborative opportunities. Each school was represented by its department’s athletic director, senior women’s administrator, faculty athletic representative, director of academic services, director of compliance, and chief financial officer.

All the groups listed above were afforded time to meet with their peers to discuss challenges and best practices in their respective areas. At the end of the meetings each group made a brief presentation to the athletics directors on some of the ideas generated/discussed. Since the Winston- Salem meetings the group’s athletics directors have reconvened at a national conference to continue best practice discussions, and the other positional groups have informally maintained periodic contact.

#### IV. Admissions, Eligibility, and Time Commitment for Student/Athletes

UNC-CH is a highly selective institution with an exceptional student body and, as such, must maintain a high standard for all students academically.

##### **Recommendations:**

1. UNC-CH should insure that the quantitative academic performance of “special admits” in athletics is representative of the performance of “special admits” in other categories of admission.

While standardized test scores and secondary school transcripts may not tell the whole story as to whether or not students are prepared for the academic challenges they will encounter in Chapel Hill, they are important indicators. It is also instructive to note that the NCAA initial eligibility standard should not be regarded as an automatic proxy for admission, since there is no evidence that this threshold serves as an accurate predictor of academic success at UNC-CH.

2. Qualitative assessments of “at-risk” prospective athletes should be conducted by admissions officials during the recruitment process.

In addition to insuring that recruited athletes’ academic indicators are representative of the UNC-CH student body, consideration of attitudinal characteristics may also be helpful when evaluating students for admission. Specifically, the university should look to attract young men and women who want to grow intellectually and personally, and to earn a degree, not athletes who view their academic responsibilities and pursuits as a necessary nuisance. It may be helpful to implement special procedures whereby at-risk prospective athletes meet in-person with a committee of faculty members and admissions officials. Other processes that aim to provide greater accountability during the recruiting process should be considered.

3. As stated in the recommendation for a framework for protecting institutional integrity, the final decision-making authority for the admission of student/athletes must reside with the academic and admissions officials who make decisions for all other students.
4. UNC-CH should consider requiring a “year of readiness” for student/athletes admitted under the “special admissions” category, and consider advocating for this reform nationally. During this year, these students would be ineligible to participate in varsity competition (though they would retain four years of athletic eligibility) and would have limited practice participation.

This “year of readiness” should include a robust academic remediation program and not courses with shorter-term eligibility considerations in mind. Certainly cases can be made to give some at-risk students an opportunity to attend college, but only if they are also afforded the time and resources to succeed academically. Implementation of this “year of readiness” will likely lead to positive academic outcomes that are in concert with the institution’s status as a national leader in public higher education.

5. In the interest of further improving academic outcomes for all students participating on intercollegiate teams, UNC-CH should consider reducing the number of hours student/athletes devote to sports activities, both locally and on conference/national levels.

In 1991 - in an effort to encourage a more appropriate balance between academics and athletics - the NCAA membership adopted a rule mandating that students could spend no more than 20 hours per week on required intercollegiate athletic activities. Despite the legislation’s noble intentions, in a 2010 survey Division I football and men’s basketball players reported spending far more time collectively on required and “voluntary” sport-related activities (43.3 and 39 hours respectively). In both sports, athletes testified to spending slightly more time on their sport than on academic pursuits.

While this excessive time commitment is a concern for all students participating on intercollegiate teams, it is particularly detrimental to “special admits” who in almost all cases require more time to devote to their studies. Indeed, requiring academically-challenged students to spend 40 hours per week on their sport may help them compete on the athletic field, but will likely hinder them from succeeding in the classroom.

#### V. Mandatory Education Program for Coaches

**Recommendation:** UNC-CH and/or the Atlantic Coast Conference should develop a mandatory education program for coaches. Ideally such a program would serve as a national model.

Given the highly competitive nature of contemporary intercollegiate athletics, coaches are under great pressure to win and are increasingly viewed as being separated from the educational mission of their universities – a perspective that often heightens campus tensions over the role of athletics in the academy.

Coaches are highly focused when preparing their players and teams for competition, but too often a less deliberate approach is the norm when considering the broader development of students participating on athletic teams. This is perhaps understandable since outside of the

requirement of successful completion of an NCAA administered test on recruiting rules, college coaches receive little or no formal training in how they might best support students in a broader sense. There are no requirements with regard to educational degree, professional association certificate or license. It should also be noted that today's Division I coach is less likely to have been trained as a physical educator than those who preceded him/her in the profession.

While coaches associations offer professional development opportunities, these programs are generally focused on game strategy and tactics - not on the overall educational development of students participating on college sports teams. The NCAA and some sports associations have developed programs that touch on these broader issues, but participation is not required and enrollment has been limited.

A coaches' education program is needed to improve the relationship between college sports and the educational missions of universities. UNC-CH is positioned well to take a leadership role for this initiative since such a program is perfectly aligned with its athletics program's values of responsibility, innovation, service and excellence.

Coaches have vast influence on the students under their tutelage, and the potential for them to play a positive role cannot be overstated. A member of the coaching staff is often the first person from the university in contact with a prospective student and these individuals play a critical role in the college selection process.

### **Potential Components of a Mandatory Coaches' Education Program**

A campus-based mandatory coaches' education program could incorporate the following:

- a) broad knowledge of the university's academic, research and public service missions, with an emphasis on understanding the degree requirements and academic time demands. In UNC-CH's case, an understanding of the unique nature of UNC-CH's standing among its academic peers and knowledge of the academic profiles of the student body is critical;
- b) coaching ethics;
- c) athlete physical and emotional safety;
- d) knowledge of university resources and staff who handle student life issues generally;
- e) effective communication techniques;
- f) child safety issues: basic knowledge and certification in this area should be required for any coach who offers camps and clinics for kids and youth on the university's campus. (Some youth sports associations require such certification for any coach.)

## VI: Enhancing the UNC-CH Leadership Team’s Knowledge of Intercollegiate Athletics

**Recommendation:** Within the first 12 months of its administration, UNC-CH’s executive leadership (chancellor, provost, legal counsel and other senior administration with athletics oversight) should seek advice from senior leadership at selected peer institutions concerning their oversight responsibilities for college athletics. This information sharing could be done independently or as part of the recommended relationship with a “network of peers.”

There is no doubt that competitive athletics plays a prominent role at the University of North Carolina at Chapel Hill and other major public universities. Fielding successful intercollegiate teams – particularly in highly visible sports like football and men’s basketball – is important to a variety of constituencies, often including influential alumni/ae and trustees. In no small part due to technological advances, today even more people closely – even fanatically - follow their favorite teams and athletics plays a larger role in the public eye than ever before.

University presidents and chancellors and other senior administrators often come to their positions with limited knowledge of the inner workings of the contemporary and ever-evolving domain of intercollegiate athletics. Despite this limited background, these leaders are expected to make vital decisions about the conduct and role of sports both on their own campus and on a national level. Often these decisions involve the allocation of millions of dollars.

Although university CEOs must delegate responsibility for the operation of athletics to the athletics director, the CEO must provide leadership to ensure that the athletics department operates in concert with the mission and values of the institution.

In his remarks to the Rawlings Panel, outgoing UNC-CH Chancellor Holden Thorp candidly lamented the lack of preparation he had to provide adequate leadership for the athletics department. He is not alone. We are all well aware of the damage that can be done to a university’s reputation due to athletic related scandal. University leaders need to be armed with the tools to prevent these crises, but also to effectively deal with them should they arise.

Currently, the NCAA conducts a brief orientation for new presidents but this program does not adequately cover the full range of issues and challenges faced by presidents at institutions with major college football and/or basketball programs. Ideally an expanded program that covers the types of topics suggested below would exist for new and aspiring leaders of Division I programs. Until such an offering is available, university leaders can take advantage of the collegial relationships among peer institutions to enhance their knowledge and consider best practices utilized by others.

## Potential Athletics Oversight Topics

- Boards of Trustees roles and responsibilities for athletics; best practices; and how presidents and boards should work together.
- Providing oversight for athletics director and understanding the roles and responsibilities of the athletics department.
- Best practices in admissions, faculty oversight and organizational structure to ensure academic integrity.
- Financial trends in college sports and important dashboard indicators to monitor.
- Understanding the relationships among the institution, its conference, and broadcast partners.
- Media relations and how to handle an athletics department crisis.
- Relationships with high-profile coaches.

**LIST OF RECOMMENDATIONS OF THE RAWLINGS PANEL ON INTERCOLLEGIATE ATHLETICS AT THE UNIVERSITY OF NORTH CAROLINA at CHAPEL HILL**

1. Insure that the chancellor, subject to the general oversight of the governing board, system administration, or both, has ultimate authority, responsibility, and accountability for the administration of intercollegiate athletics, and state in writing any exceptions to this authority, responsibility, and accountability.
2. Insure that the chancellor has delegated authority, responsibility, and accountability for the administration of the athletics department to the athletics director, and state any exceptions to that delegation.
3. Clarify the role and responsibility of any other institutional officer or board or committee that has responsibility for issues relating to intercollegiate athletics, or that plays an advisory role in intercollegiate athletics. Faculty committees in particular should have clearly-defined charges, roles and responsibilities.
4. Establish procedures to insure that those with authority and responsibility to govern the athletics programs of the institution are able to do so without improper influence from others within or outside the institution.
5. The UNC-CH Board of Trustees has a fiduciary duty to oversee all university financial activities. This oversight responsibility is delegated to the Chancellor. Insure that the Chancellor or her designee serves on the Educational Foundation's (Rams Club) Executive Board and has the opportunity to review and endorse the organization's annual budget and any proposed major funding initiatives. We note that at times members of the Board of Trustees have simultaneously served on the Educational Foundation Executive Board. While there may be valid reason for dual appointments of this nature, there is also potential for a conflict of interest, or at least the appearance of such a conflict. UNC trustees simultaneously serving on these boards must hold their fiduciary responsibility to the university as primary.
6. Insure that the unit that provides academic support services for student/athletes operates without any undue influence by athletics officials and staff, including coaching staff.
7. Insure that the unit that enforces compliance with the rules and regulations of the institution, conference, and/or NCAA has sufficient independence from athletics staff to meet its responsibilities properly.
8. Insure that the admissions process for student/athletes is essentially the same as that for other applicants with special talents; that the same office that admits other undergraduate applicants to the institution also has final decision-making authority for

the admission of student/athletes; and that all communications regarding prospective student/athletes between the athletics department staff and the admissions office are routed through the athletics director or his/her designee(s). Assure that, in the final analysis, one individual or office is responsible for the admission of student/athletes.

9. Insure that student/athletes are subject to general disciplinary rules and codes of conduct applicable to other students at the institution, including the same procedures and sanctions; assure as well that all athletics department policies are applicable specifically to all student/athletes, and that all communications regarding student/athletes between athletics department staff and student disciplinary staff are routed through the athletics director or his/her designee(s).
10. Establish standards and expectations relating to the medical services provided student/athletes that specify, at a minimum, that coaches a) have no hiring or other supervisory role with regard to medical or athletic training staff who work with their own teams, and b) may not attempt to influence any member of the medical or athletic training staff regarding the medical treatment of a student-athlete.
11. Establish an annual internal audit and an external audit every four years to test adherence to these measures.
12. Provide a method for staff to report to an external party (e.g., institutional legal counsel or institutional compliance officer) if delegations are compromised by individuals attempting to exercise undue influence contrary to documents of delegation intended to protect institutional control of intercollegiate athletics.
13. UNC-CH should revise the athletics department budget report to clearly delineate the spending that supports student/athletes' educational, professional or career development (e.g., scholarships costs, summer school, career counseling, cost of attendance or other educational expenses not covered by a scholarship) as compared with other operating costs (staff salaries, recruiting, team travel).
14. UNC-CH should make institutional financial data more transparent to the public by publishing NCAA financial reports; the athletics department budget, which may differ from the NCAA reports (because of the items listed in the previous recommendation); and additional financial data about long-term athletics debt and rates of change in athletics and academic spending.
15. UNC-CH should commit to maintaining responsible spending patterns, regardless of whether or not a different national regulatory approach is adopted.

16. UNC-CH should also consider taking a leadership position within the ACC, a specially selected network of peers, and the NCAA to promote broader changes to the financial model for Division I college sports.
17. Conferences and/or the NCAA can establish spending caps on specific sports for all team operating expenses. Case law has not addressed a total cap on team operating expenses but legal experts believe the preservation of athletics programs would serve as a pro-competitive justification for such a measure.
18. The NCAA and conferences can explore ways to expand college athletes' educational benefits. Current NCAA rules allow universities to provide financial aid to athletes returning to school to complete their undergraduate degree; however, institutions are not permitted to provide additional aid beyond the completion of the undergraduate degree unless the athlete has eligibility remaining. Rule changes that allow universities to provide financial assistance to former scholarship athletes for graduate or continuing education should be considered. Funds for this additional aid could be drawn from athletically-generated revenues.
19. As recommended by the Knight Commission, conferences and/or the NCAA can create financial incentives based on athletic-to-academic spending ratios to discourage excessive spending on athletics and/or spending growth rates for athletics that are disproportionate with rates of change for academics. Such concepts can serve to more closely align the athletics enterprise to the academic enterprise.
20. Also as recommended by the Knight Commission, the revenue distribution formulas for the FBS College Football Playoff and NCAA Division I Basketball Tournament can be revised to insure that educational and developmental outcomes are valued and that athletics success is not overemphasized.
21. UNC-CH should develop a formal consortium of like-minded universities with similar academic standards that will enable discussion of creative solutions to the problems and risks posed by intercollegiate athletics.
22. UNC-CH should insure that the quantitative academic performance of "special admits" in athletics is representative of the performance of "special admits" in other categories of admission.
23. Qualitative assessments of "at-risk" prospective athletes should be conducted by admissions officials during the recruitment process.
24. As stated in the recommendation for a framework for protecting institutional integrity, the final decision-making authority for the admission of student/athletes must reside with the academic and admissions officials who make decisions for all other students.

25. UNC-CH should consider requiring a “year of readiness” for student/athletes admitted under the “special admissions” category, and consider advocating for this reform nationally. During this year, these students would be ineligible to participate in varsity competition (though they would retain four years of athletic eligibility) and would have limited practice participation.
26. In the interest of further improving academic outcomes for all students participating on intercollegiate teams, UNC-CH should consider reducing the number of hours student/athletes devote to sports activities, both locally and on conference/national levels.
27. UNC-CH and/or the Atlantic Coast Conference should develop a mandatory education program for coaches. Ideally such a program would serve as a national model.
28. Within the first 12 months of its administration, UNC’s executive leadership (chancellor, provost, legal counsel and other senior administration with athletics oversight) should seek advice from senior leadership at selected peer institutions concerning their oversight responsibilities for college athletics. This information sharing could be done independently or as part of the recommended relationship with a “network of peers”.

September 3, 2013