

EXECUTIVE COMMITTEE MINUTES

Present: Bender, Joeckel, Konecky, Nickerson, Purcell, Rinkevich, Rudy, Sollars, Steffen, Woodman

Absent: Guevara, Ruchala, Wysocki

Date: Wednesday, December 10, 2014

Location: Dick & Peg Herman Family Student Life Complex, Memorial Stadium

Note: These are not verbatim minutes. They are a summary of the discussions at the Executive Committee meeting as corrected by those participating.

1.0 Call

3:00 pm. The Executive Committee was given a brief tour of the Student Life Complex by Senior Associate Athletics Director Leblanc.

2.0 Senior Associate Athletics Director Leblanc, Professor Potuto (Faculty Athletics Representative), Professor Hawks, Chair, Intercollegiate Athletics Committee, Assistant Registrar Putensen, Associate Director Schellpeper, Associate Director Jewell

Potuto reported that every institution belonging to the NCAA must have someone outside of Athletics to provide oversight. She noted that her position provides oversight of all academic services for student-athletes from their eligibility to play, to academic misconduct, and compliance with NCAA rules. She stated that her charge from the Chancellor is to look into any matters that could cause concern and to keep the Chancellor informed. She noted that as the Faculty Athletics Representative (FAR) she also has the opportunity to serve on NCAA councils and committees.

Nickerson stated that the idea to meet with some of the Athletics staff came about from statements that were made by other Big Ten schools at a recent CIC Faculty Leadership Governance Conference. He stated that he believes Nebraska is complying very well with NCAA regulations but wanted to get some assurance.

Potuto stated that she believes that, to the extent that it is humanly possible, Nebraska athletics is in good shape, although it is always possible that there is a smart bad actor who could do something wrong and get away with it for a while. However, with the kinds of protocol that we have in place here at the university, we are trying to do everything we can to ensure that we have no violations with Athletics. She noted that if something is detected that is occurring elsewhere, or they see a potential problem, they always come back and check to see if what we are doing is in compliance and/or if we could be doing something better. She pointed out that we have protocols about what tutors are permitted to do and we are one of the few schools that have these protocols. In

fact, one of the organizations that checks compliance of universities has just asked her to share a couple of forms that we have here because they would like to show these forms to other schools.

Woodman asked how Potuto was appointed as FAR. Potuto stated that usually the FAR of a university is appointed by the President or Chancellor and the FAR represents the university outside of the institution in regards to athletics. She noted that there was a search committee which forwarded names to the Chancellor and she was then selected.

Nickerson reported that he was contacted by a reporter who asked his opinion on Potuto's role as a consultant to The University of North Carolina regarding their recent trouble with NCAA violations. He stated that the reporter thought there could be a conflict of interest with Potuto being a consultant, but he told the reporter that he feels that Potuto was perfect for the situation. Potuto pointed out that she served on the NCAA Infractions Committee for nine years and the reporter thought there could be a conflict of interest because Nebraska might eventually compete with North Carolina. She stated that North Carolina asked her to take a look at what went wrong with their academic support program for student-athletes and she is not in any violation with NCAA for providing this consultation, nor does she see anything wrong in helping another school that is going through a tough time. Hawks pointed out that Potuto always emails the members of the Intercollegiate Athletics Committee (IAC) to keep them informed, particularly if there are any issues that might hit the news.

Rudy asked how typical the services are that UNL provides to its student-athletes and whether the same breadth of services are available at other schools. Leblanc noted that student services are in every university's athletics department, but there might not be as many counselors or a life skills center because of their budget. He pointed out that some universities have even more staff than we do, but he believes we have the right amount for what we need. Potuto pointed out that our services are for all student-athletes, whether they have a scholarship or not.

Nickerson asked what the protocols are if a student has a concussion. Potuto pointed out that the issue of concussions first came to the forefront at a conference she attended. After the conference she raised it with the IAC and the chair appointed a subcommittee to develop a protocol to handle these cases. Schellpeper stated that a policy was created with the help of Dr. Lonnie Albers, Director of Athletic Medicine at UNL. She reported that the name of the student and appropriate accommodations are communicated to the student's professors. She noted that a time frame of the recovery is provided. Potuto pointed out that other injuries also are part of the protocol. Schellpeper stated that some students may have temporary accommodations made through Student for Disabilities Services because of an injury and Counseling and Psychological Services might also be used. She stated that it all depends on the injury.

Rudy noted that the student-athletes' lives are regimented because of their busy schedules. He asked if the Athletics' staff ever become concerned that the student-athletes become compartmentalized. Leblanc stated that this is discussed a lot and the

life skills component and academics work closely together with athletics to make sure the student-athletes are well rounded people. Rudy asked if the student-athletes get a chance to do more than athletics. Potuto noted that the elite student-athletes spend a lot of time with their sport and the issue is whether the school can make them do other things. She stated that the goal is for them to have a well-rounded experience. Schellpeper reported that if she is aware of a study group she will encourage student-athletes to attend. She pointed out that it is valuable for the students to go to other activities and the counselors promote a variety of activities on a regular basis. She stated that there are student-athletes that make choices to do things outside of Athletics, some of which are to be involved in other kinds of student groups, and others intentionally integrate themselves into the community.

Woodman asked if student-athletes who are on scholarships have had to comply with more regulations than those who are not on scholarships. Potuto noted that there are particular bylaws that govern scholarships, but otherwise they are subject to campus requirements. Leblanc stated that academic progress reports and graduation rates have to be monitored. Woodman asked if UNL has its own requirements. Leblanc stated that all student-athletes have to meet the admissions requirements and they must meet with members of the Academic Support Program staff when they are a freshman and attend study hall.

Woodman stated that some of Athletics' requirements prohibit student-athletes from becoming TA's earlier in their academic career. He asked if there could be more flexibility for student-athletes who are not on scholarships. Schellpeper noted that the study hall requirement usually only affects student-athletes in their freshman year or first-year transfer students. She reported that if student-athletes pass 12-graded hours and have a GPA of 3.5 after their first semester they may opt out of study hall. Hawks stated that he had to participate in study hall when he was a student-athlete, but was able to opt out of it quickly, but he believes that study hall is important to help students learn how to manage and plan study time around their athletic schedules. He noted that once you have been assimilated into the Athletics program and you are established as a student you don't have to go through study hall.

Nickerson pointed out that the large schools in the five major conferences have recently been allowed to operate on their own in regards to some NCAA regulations. Potuto stated that the background for the autonomy of Division 1 schools allows the member institutions to provide a greater level of benefits for their student-athletes, whether it is full cost of attendance scholarships or other kinds of services. In the past these types of benefits were often voted down by the schools with lesser resources, even though the vote impacted the student-athletes negatively. She stated that the autonomy will now allow schools to offer multi-year scholarships and other kinds of benefits that will affect student wellbeing. She pointed out that the question is how many other things can be provided. She noted that the academic requirements are not part of the autonomy and the schools will still need to adhere to the NCAA regulations regarding academics. She stated that currently the NCAA now limits post graduate scholarships, but if a school has the opportunity to provide these they should be able to do it. She reported that the

thinking in the past about this has been that this benefit should be limited because it is viewed by some as a recruiting tool. She pointed out that the purpose of the autonomy is to get away from some of the nonsensical regulations.

Rudy asked what the minimum NCAA eligibility for admissions is when recruiting students and when Leblanc gets involved. Leblanc stated that he and Jewell are highly involved. He reported that recruiting coaches will hopefully get high school transcripts of the student-athletes which are then evaluated by Jewell. He noted that the compliance staff are also involved and there is an academic eligibility compliance committee. Putensen stated that the NCAA has several rules that apply to incoming freshmen in order for them to receive a scholarship in their first year. He stated that a final evaluation of the student's eligibility is conducted by the NCAA Eligibility Center. He noted that the main concern is with ensuring that student-athletes have their core courses and there is a sliding scale of test scores and GPA. For instance, a high test score can allow for a lower GPA. A middle ground certification level was recently created that would permit a student-athlete to receive a scholarship, but not be eligible to compete their first year. He stated that prior evaluation of a student-athletes' academic record occurs with counselors and compliance staff and he will assist in the evaluation if needed. Rudy asked if the NCAA admissions requirements are not as robust. Potuto stated that the NCAA requirements are minimal. The idea is that the institution will apply its own standards in addition to the NCAA requirements.

Purcell asks what happens when new coaches are hired. Leblanc stated that he and Jewell just recently met with new members of the football staff to inform them of the admission standards and how the staff works. He noted that there will be a more extensive review and training session later after they have adjusted to coming to Nebraska.

Nickerson reported that the Executive Committee met with Dean Cerveney earlier this semester and were informed that Admissions has an ad hoc committee to look at cases of special admittance, but Dean Cerveney did not indicate how low the standards are for admittance. He wondered how many of these special admittances are for student-athletes. Potuto stated that Admissions looks at what kinds of accommodations are available to help the student succeed in cases of special admittance. Leblanc noted that Admissions will check to see if there are support units available to assist the students. Jewell pointed out that there are various support groups on campus. For instance, the Thompson Scholars have a support staff at the Gaughan Multi Cultural Center. Nickerson stated that he has heard that at two other Big Ten schools a student-athlete could get a special admittance if a faculty member agrees to be a full-time tutor. Potuto pointed out that we do not have anything like that here. She noted that the issue that Athletics faces is the rules of the campus. She pointed out that if a campus does not have academic standards in a particular area it is hard for an Athletics department to require them. She noted that she worries about academic standards in a particular area because there are often political difficulties associated with it.

Woodman asked how many student-athletes have an ACT score below 20. Leblanc stated that he does not have that information. Potuto stated that the more appropriate question is how many student-athletes in the revenue producing sports of football and basketball have low ACT scores. She pointed out that the NCAA has done extraordinary research in what determines success for the student-athletes and they have concluded that for the student-athlete performance in the core courses is more predictive. Woodman stated that he finds it strange that the UNL Athletics department does not track ACT scores of the student-athletes. Jewell pointed out that they know on an individual basis what the ACT score is of a student-athlete, but the Athletics staff does not aggregate and compile the statistics. Woodman suggested that this information would be pertinent to making academic decisions. Jewell noted that this is done on an informational basis. Woodman asked how many student-athletes are here through special admittances. Leblanc stated that he does not have that information.

Steffen stated that the Athletics' Academic Support Program seems to have good control, but the student-athletes' academic interactions are with the faculty. He asked if faculty members, particularly new faculty members, are educated to make sure that they don't give any preferential treatment to student-athletes. Leblanc stated that the student-athletes should be treated the same as any other student. He noted that it is a concern of his staff members that someone who is not a tutor provides a student-athlete assistance. He pointed out that there have been some situations where a student became ineligible for their career because they received inappropriate academic assistance from someone they shouldn't have worked with.

Potuto stated that the NCAA academic requirements are not that tough. She said that student-athletes should receive no extra benefits, nor be treated better, than any other student. She stated that Athletics tries very hard not to intrude on faculty prerogatives and part of her effort is to assure that Athletics neither dictates, nor is perceived to dictate, what a professor can or cannot do. Konecky suggested that new faculty members be educated through new faculty orientation. Potuto stated that this is a good idea. She noted that in the past she has introduced herself to the incoming Senate President, has offered to interact in any way desired, but that her default has been to report to the IAC as it is the Senate Committee with jurisdiction. She said that the Senate preference has been for her to report to the IAC and for the IAC chair to interact with the Senate.

Woodman noted that there is a tutoring form used by Athletics, but he has students who have been tutors for Athletics who have said they have never seen the form which places restrictions on tutors and how much help they can provide to student-athletes. He stated that it is clearly more important for the tutor to know what they are allowed to do as a tutor. Schellpeper stated that the tutoring form has been in use since 2008 and she would like to know the names of the tutors if this is happening. Potuto pointed out that she meets with the tutors and informs them that they have to follow what the faculty member consents to as far as providing assistance and the form was developed to provide this information. Schellpeper pointed out that at the beginning of every tutoring session it is the tutor's responsibility to ask the student-athlete if what they are going to be working

on is a graded assignment, if it is, it is the student's responsibility to take the form to the instructor.

Nickerson stated that he assumes that the acknowledgement on the form that the student-athlete can receive tutoring on graded assignments does not mean the tutor can take an exam for a student. Woodman stated nor can the tutor help with the writing of a paper. Bender asked what receiving assistance on a graded assignment entails. Schellpeper pointed out that the assistance only applies to homework. Assistance with papers means that the trained writing consultants from the English department, or a tutor trained by that department, work closely with the student to provide guidance. She noted that the form also allows instructors to decide whether a student-athlete can receive tutorial assistance with foreign language compositions from a trained foreign language writing consultant.

Konecky stated that tutors must go through a ten-hour certification training process. She asked what guidance and standards are taught during this training. Schellpeper stated that the training is broken into two three-hour sessions. The tutors meet with a compliance officer and learn what things are acceptable. The second part is a video that Potuto has put together which describes what is acceptable and unacceptable tutoring. She stated that she reminds tutors to trust their instincts if they think they could be crossing the line. She stated that the second part of the orientation deals with teaching the tutors the difference between telling someone knowledge and building knowledge. She stated that tutors are trained to ask the student-athletes questions which allows the student to come up with the answer. She noted that staff members from the Office of Services for Students with Disabilities also gives a presentation. Steffen stated that he does not have any concerns as long as the form is signed. He pointed out that the Student Code of Conduct is clear on what is considered cheating.

Nickerson asked if the tutors use old exams when tutoring student-athletes. Leblanc stated that if the instructor makes them available they would be used, but there are no files of old tests. Schellpeper stated that the Executive Committee members are welcome to sit through the tutoring orientation if they are interested. Potuto pointed out that if the academic services moved to using old exams a system would need to be set up to make sure that the exams were not in current use.

Schellpeper stated that the tutoring form allows instructors to leave specific comments on exceptions and quite a few faculty members leave comments specifying what tutors can and cannot do. She noted that this information is uploaded on to a master list and all tutors know where this master list is located.

Joeckel asked if the main points provided in the video shown to the new tutors have been shown to the faculty at large. Schellpeper noted that the video is based on an article written by Potuto and has been published. Joeckel suggested that it might be good to have a short document that briefly outlines what is involved with tutoring. Hawks pointed out that the IAC is reviewing the tutoring program at UNL this semester. He encouraged anyone with concerns about the tutoring should contact either himself or other members of the IAC.

Woodman stated that he teaches a large biology course and students line up after class asking him to sign forms. He suggested that the academic support staff should tell the student-athletes to make an appointment to come to see the faculty member during office hours. Hawks noted that student-athletes should not be treated any differently from other students and suggested that an instructor make an announcement in class that students need to have forms signed during office hours.

Nickerson asked if there are any university policies that should be changed so we don't have any incidents similar to what happened at North Carolina. Potuto noted that what happened at North Carolina started out initially as an academic failure. Griffin asked who faculty members should contact if they ever feel pressured by someone in Athletics or administration to change a grade. Leblanc stated that either he or Potuto should be contacted. Potuto pointed out that coaches are told not to have any contact with faculty members.

Steffen asked how they handle tutors who may get pressured by the athletes, or by peers, to do more work than they should. Potuto stated that she and Schellpeper have an open door policy with the tutors and they can speak with them about any concerns they may have. She pointed out that while many students apply to be tutors, some people are not hired. Schellpeper pointed out that many students are turned away, particularly if they are a roommate with a student-athlete. Potuto reported that when speaking to student-athletes in meetings she talks to them about the difficult position they could be putting tutors in if they ask for assistance that is beyond what the tutor is allowed to provide. She noted that she tells all of the tutors that they have a responsibility and that tutoring must be conducted in the tutoring center.

Nickerson thanked Leblanc, Potuto, and the other members of the academic support center for their time and looks forward to working with them.

4.0 Approval of December 3, 2014 Minutes

The approval of the December 3 minutes was postponed for further clarification.

5.0 Unfinished Business

6.0 New Business

6.1 Executive Committee Meeting January 7

The Executive Committee agreed to meet on January 7 to discuss the upcoming Senate meeting.

6.2 Comments on Candidates for University President

Nickerson noted that the Executive Committee members can send in their comments on the candidates for University President separately, but he would also like to provide collective feedback from the Executive Committee and asked that comments be sent to him so he can submit them from the Committee.

The meeting was adjourned at 5:18 p.m. The next meeting of the Executive Committee will be on Wednesday, January 7 at 3:00 pm. The meeting will be held in the Faculty Senate Office. The minutes are respectfully submitted by Karen Griffin, Coordinator and Tad Wysocki, Secretary.