

## 0. Executive summary

Intercollegiate athletics at UC Davis is a remarkable program. It was built by generations of individuals dedicated to the ideals of an academically-based program with high standards of integrity and with true student athletes as competitors. Those who have competed and worked directly in the program as well as the broader campus community, which has generously supported it, have much to be proud of. Few other institutions are comparable. Our headlines overwhelmingly reflect the successes of a high quality program and not the very unfortunate lapses of integrity that are too often reported in athletics at other institutions. We are convinced that our campus and its friends strongly support the idea that the general principles and values that have guided us so well in the past should continue to guide our future development. This committee joins in that vision.

In recent years, the transition to Division I and the ongoing budget crisis have stressed the program. In our view, the program has yet to complete its adjustment to Division I. The inherent challenges of this process have been greatly exacerbated by the still largely unresolved University-wide budget problems. Some of the administrative structures for governance and oversight have not evolved to suit a more difficult environment. Areas of concern to the Senate have emerged. We have specific recommendations for strengthening the Academic Senate role in governance and oversight and for improving reporting mechanisms and related processes. The Intercollegiate Athletics (ICA) budget is also an area of serious concern. Although we have some recommendations for improvements there, we emphasize that deeper analysis and realistic and comprehensive planning by other agencies are urgently needed.

While we recommend some changes, this is a time not to abandon our values and principles but rather to affirm them as a guide for future progress.

## Major Recommendations

The Eight Principles of The Davis Way for intercollegiate athletics deal with two major topics: integrity and opportunity. They become a fully coherent set when some fundamental assumptions that were tacit are made explicit. Thus we recommend that another principle be added.

**Principle 0:** Intercollegiate athletics at UC Davis is a student-centered, academically focused program. Opportunities for participation along with the welfare and accomplishments of student athletes in both academics and athletics are its primary concerns. Benefits to the institution are secondary.

### Defining excellence and success:

We recommend the following definition of excellence and success:

The program achieves excellence and success to the extent that each student athlete is encouraged to realize his or her full academic and athletic potential and is supported in doing so while the values of the campus and the principles for the program are maintained.

### Support for the principles of intercollegiate athletics:

We recommend that the Senate affirm support for the existing Eight Principles, with the interpretation and elaboration provided in this report, and add to these, Principle 0, as stated above.

### Oversight and Governance:

Given the heavy involvement of ICA in areas of Senate responsibility, we recommend that the Senate role in ICA governance and oversight be strengthened in the following ways:

- 1) The Athletics Administrative Advisory Committee (AAAC) should be reconstituted as a joint committee of the Senate and the administration that provides its advisory reports to both the Vice Chancellor for Student Affairs (VC-SA) and the Academic Senate.
- 2) The Faculty Athletics Representative (FAR) should be appointed by the Chancellor from a slate of candidates offered by the Senate. The FAR should report to the Chancellor and should be required to brief the Davis Division Senate chair on matters of concern to the Academic Senate each academic quarter. The term of the appointment should be for at least three years. Early dismissal by the Chancellor can occur only following consultation with the Davis Division chair and the Davis Division Executive Council.
- 3) The campus administration and the Academic Senate should join in endorsing the following major decision-making process for ICA, the wording of which is inspired by the UC Davis self-study document filed with NCAA when the move to Division I occurred:

When major issues (including material alteration of the eight principles) arise the process of consultation within the ICA program will be for the AD to first discuss the issues with the SMG and, as appropriate, with the VCSA. In consultation with the SMG, the AD would develop a base of information to ensure a full understanding of the issue by others, identify questions that need to be answered as part of the decision-making process, and plan a consultation process within ICA to get input regarding the issue. The desired outcome of the consultation process is a proposal developed by the AD in consultation with the SMG after receiving input from consulting groups, including AAAC, CAC, and SAAC. The goal is to achieve a consensus within ICA before the proposal is forwarded to the VCSA.

The VCSA may consult with the Vice Chancellor's Council within the Division of Student Affairs, and may refer major issues involving athletics to the Chancellor, who would ultimately make the final decisions on major issues. The Chancellor would determine the scope of the consultation process appropriate for the major issue, with the specific groups consulted varying from issue to issue. This process might involve one or more of existing committees and administrative groups, such as the CODVC, the Academic Senate Executive Committee, ASUCD (the undergraduate student body governance group), the Alumni Association, the Title IX Workgroup (if the issues involves gender equity in any way), or other campus groups. The Chancellor might also choose to form ad hoc committees charged with examining the issue and making recommendations. Upon receiving recommendations and information from the groups consulted, the Chancellor would make a final decision on behalf of the campus. The overall process is consistent with the process followed for major decisions involving other administrative offices or groups on campus.

In our discussion below, we offer **additional recommendations** that deal with:

- administrative processes and information routing related to admissions and academic performance (Principles 1 and 2),
- a general definition of "no tiering" (Principle 3),
- policy and funding for the lecturer appointments of teacher-coaches (Principle 8),
- fundraising policy (Principles 6 and 7),
- budget analysis and planning (Principles 6 and 7), and

We will also offer comments on the desired qualities in an athletics director and note that this report contains several recommendations that, if adopted, might significantly change the environment in which a new director would work. Thus, serious consideration should be given to delaying an employment offer until the campus has made, or decided not to make, significant changes.

## 1. Introduction

The current discussion of intercollegiate athletics was initiated by the release of the UC Davis Athletics Strategic Audit of 2011 by Cedric Dempsey in early October 2011. The Audit is associated with the search for a new Director of Athletics. The Academic Senate Special Committee on Athletics is charged with reviewing the Audit and the points of concern raised by Professor John Owens ("the Concerns") and with offering recommendations to aid the Academic Senate in formulating a position on the topics under discussion.

Intercollegiate athletics at UC Davis is guided by the Eight Principles of The Davis Way adopted by the campus in 2003 during the transition from NCAA Division II to Division I. Their purpose is to commit the campus to a path in Division I that maintains the principles of integrity and student opportunity that have guided athletics at UC Davis for fifty years.

We have structured this report to follow those principles. For each of the principles, we provide relevant comments from the Audit, from the Concerns, from the Chancellor's letter of January 3, 2012, to the Athletics Director Search Committee, and from this committee. We also include our recommendations to the Academic Senate. In the discussion, "the Audit" will refer to the UC Davis Athletics Strategic Audit of 2011. The list of eight concerns from Professor Owens presented at the Representative Assembly meeting will be referred to as "the Concerns." We will refer to the special committee as "we" or "this committee."

It is worth noting that discussions related to intercollegiate athletes usually use the word "athletics" to refer not to the full range of athletic activities, which encompasses recreation, intramurals, and club sports, but rather to the narrower endeavor of intercollegiate athletics or to Intercollegiate Athletics (ICA), the campus unit. ICA is an administrative unit exclusively concerned with intercollegiate athletics. It is a large unit that is led by the Director of Athletics and reports to the Vice Chancellor for Student Affairs (VC-SA). It is sometimes referred to as the Athletics Department. Other aspects of organized athletics on campus are associated with other units. For example, the physical education classes are offered by the Program in Physical Education, which is an academic unit in the College of Letters and Science. Intramural sports and the Activities and Recreation Center are administered within Campus Recreation, which is an administrative unit also reporting to the VC-SA. We have, ourselves, slipped into the convention of using "athletics" to refer to the endeavor of intercollegiate athletics or to ICA. Where there might be confusion or ambiguity, we have attempted to use clear terms.

It is difficult to fully understand the current discussion and the issues without a general understanding of the historical development of intercollegiate athletics at UC Davis and the many campus entities involved. The present program is the result of about fifty years of effort by many dedicated people to build a program that is based on integrity, high academic standards, and opportunity for students. The team members are true student athletes. During the decades preceding about 2000, the program operated very successfully with those values and became increasingly competitive. Many UC Davis teams and student athletes were highly ranked within Division II. Between 1997 and 2003, UC Davis was awarded the National Association of Collegiate Directors of Athletics Cup for the most successful athletics program in NCAA Division II six times.

On several occasions, the general student body voted to increase their fees to support ICA and related facilities. At this time, students contribute about \$18M per year, which funds roughly 75% of the ICA budget. This is money that was previously called registration fees and is now called simply fees. It is not what was previously called educational fees, which are now called tuition. In 1998 ICA began offering student athletes grants-in-aid. These are funded by the student fees.

Beginning around 2000, the administrative leadership of the campus decided that UC Davis no longer fit well within Division II and initiated a long process to move our program to NCAA Division I. This move was a highly controversial matter. Many on campus opposed the move because the image of big time, big money, commercial college sports with its all-to-frequent scandals was distinctly unappealing. In 2003, faculty of the Academic Senate voted by a ratio of about 2 to 1 to oppose the transition to Division I. Many anticipated that the day would come, as it has with the Audit, when the argument would be made that the campus must abandon many of its values in order to be successful in Division I competition. Nevertheless, the transition continued and was complete by 2007. To assure the campus of a commitment to its historical values, the Eight Principles were

put in writing. They became part of the filing with NCAA that describes how UC Davis runs its intercollegiate athletics program. From 2003 to the present, they have functioned as a compact between our administrative leadership and the larger campus community.

The University and campus budget cuts beginning in about 2008 stressed all campus units. Difficult budget problems with no good solutions continue to the present. In 2010, the Chancellor decided to save money in the ICA budget by reducing the number of teams—in direct conflict with one of the Eight Principles. Both the decision and the absence of broad consultation created a great deal of controversy including a legislative hearing at the state capitol at which campus leadership gave testimony. Controversy associated with the transition to Division I and with the sports cuts continue to color attitudes about the program.

The Athletics Director who served for sixteen years and led the program during many very successful Division II years and through the transition to Division I retired June 30, 2011. This retirement initiated the current search for a new director. In early October of last year, the membership of the search committee, the Chancellor's charge letter to the committee, and the Audit were simultaneously released to the community.

At the Representative Assembly meeting in late October, Professor John Owens presented concerns about the athletics program. His points related to the issues raised by the Audit and were based on his experience on the Athletics Administrative Advisory Committee. After discussion, the members of the Representative Assembly voted to direct the Executive Council to form this Special Committee on Athletics.

During October and November, the search committee collected community comment on the Audit and the director search. Many read the Audit as a recommendation to switch from the UC Davis "educational model" for athletics to the "business model" most commonly used in Division I and to modify or abandon the principles that are barriers to a successful business model. This Audit precipitated the third vigorous debate about athletics at UC Davis in the past ten years. The search committee summarized input in a comprehensive report that was sent to the Chancellor. That report and the Chancellor's reply of January 3, 2012, were made public on about January 5. In our view, the Chancellor's reply is very constructive. In providing clear statements about intentions for the future and in expressing support for most of the Eight Principles, it resolved many contentious issues and changed the nature of the discussion. With this report, we offer recommendations for Senate contributions to the discussion.

The comments from a number of Senate committees are available here:

<http://academicsenate.ucdavis.edu/rfc/view.cfm?rfc=84>

These comments express very strong support for the principles of The Davis Way. Our views are consistent with almost all of the comments from the committees. The comments from Planning and Budget on the ICA budget are more pessimistic than ours.

As already noted, we have found it convenient to organize this report as a discussion of the Principles of The Davis Way. Following our charge, for each of the principles, we provide relevant comments from the Audit, from the Concerns, from the Chancellor's response letter of January 3, 2012, and from this committee. We also include our recommendations to the Academic Senate. Those are highlighted in **bold**.

#### Campus entities with a role in athletics:

In addition to ICA itself, there are a large number of campus entities that have a significant role in intercollegiate athletics:

Vice Chancellor for Student Affairs (VC-SA).  
ICA, AAAC, Admissions, and SASC all report to the VC-SA.

**Faculty Athletics Representative (FAR).**

The FAR is a faculty member who is appointed by and reports to the Chancellor. The FAR also communicates with VC-SA, ICA, and AAAC. There is some informal annual communication between the FAR and the Academic Senate, but this is not a strong communication link.

**Athletics Administrative Advisory Committee (AAAC).**

This committee includes faculty members and reports to the VC-SA. It has strong communication links with ICA and the FAR.

**University Admissions (UA), or simply, Admissions.**

This administrative unit makes admissions decisions using special procedures for prospective student athletes. It reports to the VC-SA and communicates with ICA.

**Student Affairs Research and Information (SARI).**

This administrative unit primarily reports to Administrative and Resource Management (ARM) but has additional reporting to the VC-SA. It prepares the annual "SARI reports" on student athlete academic performance.

**Student Academic Success Center.**

This unit provides some tutoring for student athletes. It reports to the VC-SA.

**Program in Physical Education (PE).**

This is an academic program in the College of Letters and Science. It offers lower and upper division courses including the PE 1 activities courses and PE 6, the course associated with participation in intercollegiate athletes. Through the UC Davis teacher-coach model, the ICA coaches teach both of these courses. When doing so, they have part-time academic appointments in PE.

**Davis Division of the Academic Senate (Senate).**

The Senate committees most relevant are Undergraduate Council (UGC) and Admissions and Enrollment. UGC receives the SARI reports. These reports are the information base for tracking student athlete academic performance. Admissions and Enrollment sets policy for undergraduate admissions at UC Davis in conformance with systemwide Senate principles and regulations. Admissions decisions on individual students are made by UA following Senate policy.

**Acknowledgment:**

Either in committee meetings or in other communications, we have received essential information from many individuals with experience as student athletes, ASUCD leadership, coaches, FARs, AAAC members, ICA leadership and staff, Physical Education leadership, and from the wider community, where there is a strong interest in athletics at UC Davis. We are grateful for their generous help. Without it, this committee could not have done its work.

**Online documents:**

**Charge to the special committee:**

<http://academicsenate.ucdavis.edu/committees/exec-council-athletics.cfm>

Documents related to the Athletics Director search, including the Audit and the Chancellor's letter of January 3, 2012 are available at

[http://chancellor.ucdavis.edu/initiatives/athletics\\_director/](http://chancellor.ucdavis.edu/initiatives/athletics_director/)

**UC Davis athletics site:**

<http://www.ucdavisaggies.com/>

**Senate committee comments:**

<http://academicsenate.ucdavis.edu/rfc/view.cfm?rfc=84>

SARI report:

<http://www.sariweb.ucdavis.edu/downloads/421.2011%20SARI%20Athletics%20Report.pdf>

Knight Commission:

<http://www.knightcommission.org/>

[http://www.knightcommission.org/index.php?option=com\\_content&view=article&id=503&Itemid=166](http://www.knightcommission.org/index.php?option=com_content&view=article&id=503&Itemid=166)

Chronicle of Higher Education, "What the Hell Has Happened to College Sports?":

<http://chronicle.com/article/What-the-Hell-Has-Happened-to/130071/>

Documents related to the 2010 decision to cut four sports are available here:

[http://www.news.ucdavis.edu/special\\_reports/sports\\_dropped/](http://www.news.ucdavis.edu/special_reports/sports_dropped/)

Our goal has been to base our discussion and recommendations on accurate information. However, it is a large, complex subject, and it is possible that there are some mistakes of which we are not aware. Messages concerning possible factual errors may be sent to the chair.

## 2. The Principles of The Davis Way

The Eight Principles of The Davis Way for intercollegiate athletics deal with two major topics: integrity and opportunity. They become a fully coherent set when more general tacit assumptions are made explicit. Thus we recommend the addition of

**Principle 0: Intercollegiate athletics at UC Davis is a student-centered, academically-focused program. Opportunities for participation along with the welfare and accomplishments of student athletes in both academics and athletics are its primary concerns. Benefits to the institution are secondary.**

This principle makes it explicit that student participation in intercollegiate athletics is a part of the educational mission of the campus.

### Defining Excellence and success

Chancellor:

"... it is important that we as a university define the terms "success" and "excellence" as they relate to our intercollegiate athletics program."

This Committee:

In a student-centered, academically-focused ICA program, success and excellence are defined in terms of opportunities for students and in the quality of the student experience.

We recommend this:

### Definition of excellence and success:

The program has achieved excellence and success to the extent that each student athlete is encouraged to realize his or her full academic and athletic potential and is supported in doing so while the values of the campus and the principles for the program are maintained.

This definition makes it clear that intercollegiate athletics is a part of the educational mission of the campus and that we apply the same general measure of excellence to it as we do to other programs. We value winning in athletics just as we are pleased to see our best students win poetry contests or be accepted to top graduate schools. However, we give of our time and department resources so that all of the students in our classes are able to learn as much as they can. We often make more of a difference in helping a student who is struggling to reach a basic understanding than we do in working with a top student who will be very successful regardless of our efforts.

#### **Support for the principles of intercollegiate athletics:**

We recommend that the Senate affirm support for the existing Eight Principles with the interpretation and elaboration provided in this report and add to these Principle 0 as stated above.

**Principle 1:** UC Davis must offer a program that does not compromise the university's focus on the academic integrity of student athletes.

and

**Principle 2:** Admissions and graduation standards must in no way be specially altered or amended for student athletes.

#### The Audit:

The Audit does not discuss these points significantly and does not suggest or imply that academic standards should be compromised. We will assume that its author is a strong supporter of academic integrity and academic standards.

#### The Concerns:

1) Academic standards. Historically UC Davis student athletes look like the rest of the student body in terms of entering grades and test scores, UC Davis grades, and graduation rates. This is not the case at our peer institutions with a "business model." What academic compromises are we willing to make as an institution if we choose to pursue a business model?

4) Recent improprieties by the athletics department in admit-by-exception decisions for student athletes touch directly on the Academic Senate's responsibility for undergraduate admissions.

#### The Chancellor:

The Chancellor's response letter of January 3, 2012, includes a strong and unequivocal commitment to academic integrity, excellence, and outcomes.

#### This committee:

These two principles of academic integrity and academic standards are at the core of our approach to intercollegiate athletes. To verify that they are being maintained, we draw upon the academic performance indicators in the SARI reports. We are committed to maintaining the standard, adopted as part of the transition to Division I, that student athletes look like the rest of the student population in terms of their academic achievement. This gives quantitative meaning to the term "student athlete."

With regard to Principle 2, it is important to understand the role of ICA in admissions. We begin with a few basic, simplified facts about UC admissions. A UC applicant is UC-eligible or not based on academic measures such as high school classes taken, high school grades, and test scores. UC Davis is a selective campus. In our case, only about half of the UC-eligible applicants receive an offer of admission. Because of this, the academic profiles of admitted students are generally much better than what is needed to meet the requirement for UC eligibility. Each UC campus is allowed to admit applicants who are not UC-eligible, in various special circumstances, provided no more than 6% of an incoming class is admitted in this way. This is called admission by exception (ABE). The actual number of ABE students is typically around 2% for UC Davis.

The processes used for prospective student athletes when they are deemed likely to be UC-eligible vs. likely to be ABE candidates must be distinguished. Coaches collect student self-reported academic records from prospects. These are reviewed within ICA and sent to University Admissions by the ICA compliance office for an informal review to determine whether or not the prospect is likely to be UC-eligible. Admissions may also provide information on what further academic requirements need to be met to achieve UC-eligibility. This review may occur more than once during the time that a coach is in contact with the prospect. Coaches do not communicate directly with Admissions. If ICA chooses to "sponsor" a UC-eligible prospective athlete, Admissions will offer admission to that student regardless of what his or her ranking would be within the pool of UC-eligible applicants. Thus ICA effectively makes the admissions decision. While this means that UC-eligible student athletes could have academic measures that are much lower on average than those of other admits, that is not actually the case. In general it is not in the interest of coaches or ICA to sponsor athletes who are unlikely to be academically successful at UC Davis. In fact, the average academic profiles of admitted student athletes are only a little lower than those of regular admits and their academic performance at UC Davis is very close to that of other students. This is one of the unique aspects of our ICA program. In addition, UC Davis does not have special easy majors, classes, or professors for student athletes. While UC Davis student athletes do have access to academic advising from the Student Athlete Academic Services staff within ICA and to some tutoring provided by the campus Student Academic Success Center, the latter is quite limited and far less than what some institutions provide to athletes. A student cannot be a successful athlete at UC Davis unless he or she can first be a successful student.

The process for prospective student athletes who are not likely to be UC-eligible and are possible ABEs is different. These cases are reviewed within ICA. A major consideration is the likely academic success of the student in spite of what deficiency there may be in the academic record. If there is a determination to send the case to Admissions, then Admissions reviews the case as they would other possible ABEs and makes an admissions decision. As with all ABE cases, the main consideration is the likelihood that the student will be successful in spite of what deficiencies there may be in the record. ICA makes a request; Admissions makes the determination. Campus policy states that before a case for a possible ABE can be sent from ICA to Admissions, it must be approved by three people: the Director of Athletics, the Senior Associate Director of Athletics/Senior Women Administrator (SWA), and the Faculty Athletics Representative (FAR).

From this description, it is clear that the admissions process for student athletes involves judgments in both Admissions and in ICA. The average outcomes have been excellent with student athletes performing in the classroom comparably to the larger student population. This success depends on the integrity, experience, and high standards of the people in both ICA and Admissions and on the fact that enlightened individuals understand that in the long term, it is in no one's interest to admit students who will not be academically successful.

In spite of the overall success of the system, there are areas of concern. The first and largest concern is a recent major policy lapse. For an extended period of time, the FAR was not consulted on many ABE requests that were sent from ICA to admissions. This was a deliberate omission, not an inadvertent mistake. This problem was eventually detected by the FAR, the campus administration was notified, and some corrective actions were taken. We are deeply troubled by the duration of this failure to follow policy and the weak process that allowed it to remain undetected for an extended period. ICA does not keep records from which one could precisely determine the duration of the lapse. Based on available information, it appears that it was a year or longer.

Following this incident, an ad hoc group was appointed by the VC-SA to review the ICA-ABE policy. The result was a letter from the group to the VC-SA. The letter affirms the present policy requirement that the three individuals listed above must all approve the requests. The letter makes no mention of the fact that the policy was not followed for an extended time nor does it recommend improved processes to assure that it is followed. We certainly agree with the recommendation to leave the policy in place. However, we are troubled by the omissions in the letter concerning the policy lapse and the absence of suggestions for improved processes. Most likely there is a confidential report that does record the policy lapse. **We strongly recommend that the administrative processes be strengthened so that University Admissions can and will easily verify that, for each ICA ABE request,**

all three of the required individuals have given their approval. We have been informed that the VC-SA is already taking steps to implement such a process improvement.

Second, SARI reports reveal that there has been a recent increase in the percentage of student athletes admitted by the ABE process so that it has become much higher than the ABE percentage in the overall student population: around 5%-6% vs. around 2%-3%. The intent and expectation is that those percentages should be kept roughly equal.

Third, while the outcomes shown in the SARI reports remain strong, Undergraduate Council and AAAC members have noticed some small downward drift relative to the rest of the student body. It is essential that the system for continuous reporting and review be maintained.

Both Admissions and ICA report to the VC-SA. Advisory functions for student athlete admissions and for ICA, more generally, are provided by the Athletics Administrative Advisory Committee (AAAC) and the FAR. Although the Senate has input on the faculty members of AAAC and on the FAR, these are both administrative advisory positions. AAAC reports to the VC-SA. The FAR is appointed by, reports to, and serves at the pleasure of the Chancellor. A recent conscientious, hard-working, and widely-respected FAR, who was working in a manner consistent with that of previous campus FARs was fired by the Chancellor. Although communication with faculty is one function of the FAR, it is not among the FAR's highest responsibilities. When reports by FARs to the Senate occur, they are generally informal annual oral presentations. Reports from AAAC go to the VC-SA and are not generally available to the Senate. Had the latest AAAC annual report of September 2011 gone to the Academic Senate, the problems with ICA-ABEs would have been known and addressed on the Senate side much sooner.

As noted above, during the transition from Division II to Division I, there was a great deal of concern about maintaining the high academic performance of student athletes at UC Davis. As a result, Student Affairs Research and Information (SARI) is tasked with providing an annual report with statistics on the academic records of students athletes. On the Senate side, this report goes to the Undergraduate Council. This important check is essential in maintaining academic standards. However, by the time that the report is compiled and distributed, it is roughly a year behind. The Senate Committee on Admissions and Enrollment has overall responsibility for admissions policy at UC Davis, but it is not generally involved in any individual admissions decisions. Thus, while the Academic Senate has responsibility for admissions, its only direct connection with the student athlete admissions is through the annual SARI reports.

The SARI reports would be more useful if they were closer to being up-to-date and if more detail were provided in some places. For example, the April 2011 report has information on admits through fall 2009. **We recommend that AAAC, the FAR, the Committee on Admissions and Enrollment, and Undergraduate Council coordinate in proposing improvements to the SARI reports for including more recent data and distributions, where they would be most useful, rather than just means of the data on academic characteristics and performance.**

The generally successful operation of this system for many decades has depended to a great extent upon the integrity and commitment of the individual people in key positions and on a campus culture that very strongly supports high academic standards for student athletes. There is nothing in the system that guarantees that the present excellent outcomes will continue. In many ways, the transition from Division II to Division I is far from complete. Many people who are committed to The Davis Way and who have made the system work will retire. Pressure to increase the priority of athletic performance relative to academic performance will increase and stress the system.

Based on these considerations and others that will be described later, and with particular note of the important role of ICA in admissions, we recommend that the Academic Senate play a greater role in the oversight and governance of ICA. With regard to information on admissions, **we specifically recommend that**

1. At the end of each calendar quarter, UA will prepare a report on the cases of all ABE applicants (ICA and non-ICA) that have been evaluated by UA and accepted for admission (with redactions necessary for privacy). This will be sent to

the Academic Senate for informational purposes and routed to the Committee on Admissions and Enrollment and the Undergraduate Council. The report should include identifiers of the sources of the ABE requests. The proper functioning of the system will be more likely if the Senate receives this information on ABE cases.

2. AAAC and the FAR be required to report any concerns that they have about ICA admissions or academic standards to the Academic Senate.
3. The SARI Athletics report prepared annually for the Academic Senate and AAAC shall provide additional data comparing measures of academic performance and graduation rates for ABE student athletes and ABE non-student athletes (disaggregated) with their non-ABE counterparts.
4. Policy and processes on the admissions of prospective student athletes who are likely UC eligible and "sponsored" by ICA should be established. The decisions to admit those applicants rest with UA, and those applicants should be held to the standards for admission, as assessed through holistic review, that are used for the general applicant pool. In consideration of NCAA National Letter of Intent signing dates and accepting that some recruitment of student athletes falls outside of the fall term, appropriate measures of flexibility on the timing of UA evaluation of ICA sponsored applicants should be identified and approved by the Academic Senate (through its representative committees) after consultation with ICA and UA.
5. The admissions files of all prospective student athletes be given the standard holistic review, even if the applicants are admitted through an ICA-specific process, and that SARI reports show data on the academic performance of those UC-eligible student athletes whose holistic review scores are below the regular admissions bar (to the extent consistent with individual student privacy).

**Principle 3:** There can be no "tiering" among UC Davis sports, with some sports and their athletes receiving a better standard of treatment than others.

The Audit:

A central theme of the Audit is that Division I competitiveness requires high levels of financial investment and that the current UC Davis investments in football and basketball are insufficient. One suggestion from the Audit is to tier sports and redirect resources from other sports to football and basketball. Principle 3 is identified as inconsistent with the typical Division I "business model," in which athletics is an "auxiliary enterprise."

The Concerns:

This issue was not directly addressed.

The Chancellor:

This issue was not directly addressed.

This committee:

We view Principle 3 as a means to preserve opportunity. With it in place, there are opportunities for more student athletes, and each student athlete has an opportunity to develop. It remains unclear exactly how "no tiering" should be defined, and we are not aware of serious attempts to provide an operational definition. Due to financial pressure on the campus and budget stress within ICA (to be discussed further below), this becomes a serious difficulty. We believe that ICA will function better if progress can be made in achieving a shared view on the operational meaning of the term and how it can be used in an open and collegial budgeting process within ICA. It is important to recognize that different sports operate in very different environments and with very different needs. In addition, there are stringent restrictions on the distribution of resources that follow from Title IX, a related lawsuit settlement, NCAA rules, and league rules. It is not easy to simultaneously satisfy all of these constraints.

This committee is insufficiently informed and experienced to fill this void by supplying a detailed operational definition of no tiering. We do offer a conceptual framework for negotiating the allocation of financial resources. Our premise is that financial investments in sports quickly reach a point of diminishing marginal return as measured by their ability to produce higher levels of accomplishment. Once the basic needs for equipment, facilities, and training time are met, the non-monetary factors of innate

talent, dedication, teamwork, and coaching skill are much more important than money in determining the level of skill that any individual student athlete will attain. The goal should be a level of investment that leaves each student athlete limited primarily by their own characteristics and not by unmet basic needs. If there are insufficient resources to fund all sports at that level, then the goal should be to distribute the funds so that each student athlete is roughly equally limited in their ability to attain their full potential. Since the basic needs of student athletes in different sports are not the same and do not cost the same, this is not a standard that strives to spend the same dollar amount on each student athlete. It is also more of a qualitative ideal than a quantitative test. However, we suggest that it is a useful general standard that provides a basis for discussion.

An analogous standard can be used in setting the overall operating budgets for different sports. We suggest that the most important question should be whether each sport receives enough funding so that its performance in games is as good as it can be given the characteristics of the individuals, the coaching, and the teamwork. I.e., did the team play as well as it could have, not did it win. This is not a standard that necessarily apportions to each team a budget that is comparable to that of its league competitors. A standard of funding teams at the same level as the competition would amount to handing over our budgeting decisions to other institutions, some of which may be highly tiered. This standard does not make reference to win/loss records. It is, as we believe appropriate in a student-centered program, a standard that provides comparable opportunity to each student athlete.

Thus, following from Principle 0, we recommend that financial and material resources be allocated within ICA so that basic needs are met and each student athlete and each particular team of student athletes has an equal opportunity to develop to their full potential in both athletic and academic performance. We further recommend that changes to present practices, which may or may not measure up well relative to this standard, should be agreed upon within the program through an open process. For proposals that would involve a large resource reallocation, the process should include consultation with AAAC and the FAR. The goal should be a consensus that allocations are fair and move the program forward as a whole.

In this approach we do not devalue competitiveness and winning, rather we more highly value the opportunity for individual student athletes to develop. This is the essential difference between a program that is for the benefit of students and a program that is for the benefit of the institution's reputation for winning at sports.

**Principle 4:** UC Davis cannot retreat from its Title IX (gender equity) progress, but must continue to expand its efforts and compliance.

This principle has received little discussion. We are certain that is because it is not controversial, with the program and the campus community in full support of achieving and maintaining gender equity in athletics.

**Principle 5:** UC Davis cannot reduce its broad-based program, but rather must seek to add sports.

The Audit:

As already mentioned, a central theme of the Audit is that athletic competitiveness is proportional to financial investment and that the current UC Davis investments in football and basketball are insufficient. One suggestion for changing that would be by eliminating sports and redirecting those resources to football and basketball. Principle 5 is identified in the Audit as inconsistent with the typical Division I model of ICA as an "auxiliary enterprise."

The Concerns:

2) Student-athlete opportunities. UC Davis currently features a large, broad-based athletic program. The report recommends substantial cuts in the number of teams and student-athlete opportunities to give a smaller number of sports a better chance to win.

The Chancellor:

"I also stand committed to UC Davis continuing a broad-based program of intercollegiate athletics that includes the existing 23 teams. I have no plans, intentions or desire to discontinue any teams at UC Davis, not today and not in the foreseeable future."

This committee:

Like Principle 3, Principle 5, is an assertion that in balancing priorities, the campus places great weight on providing opportunities to many student athletes. Given the history of student initiatives and widespread UC Davis community opposition to the 2010 reduction from 27 to 23 teams, it is clear that there remains strong support for a program that prioritizes student opportunity over win/loss records. It is quite remarkable that students who are not intercollegiate athletes are willing to assess themselves to provide those broad-based opportunities for other students.

This committee concurs, but is also concerned by the practical problem that arises in reconciling "no tiering" and no team cuts with responsible budgeting. We have some related comments in the discussion of Principle 3, and more follow below.

**Principle 6:** The athletics program cannot depend for its financial survival on its record of wins and losses.

and

**Principle 7:** Permanent core funding must come from students and the institution, rather than from a dependency on external sources.

The Audit:

The Audit emphasizes that these principles are inconsistent with the business model, which has, at its core, a few potentially high revenue sports with favorable win-loss records. The goal is that they will bring in sufficient money to subsidize the rest of the program. However, the Audit points out that this path is expensive, risky, and cannot be traveled quickly.

The Concerns:

7) Coaches are now being asked to fundraise to support their programs, which raises significant conflicts of interest with their primary mission of providing the best possible environment for their student athletes.

The Chancellor:

In her response letter the Chancellor states that students will not be asked to pay more for the PE program or for ICA. In addition PE classes will continue to be taught by teacher-coaches. Other comments related to finances include "[The director] will be called upon to create and implement a sustainable financial model and an effective overall strategic plan." and "It will be the responsibility of the new director of athletics to find other sources of revenue to balance the budget for intercollegiate athletics." She also suggests that an ICA funding model "...should emphasize fundraising, marketing and the need to strengthen connections with alumni and other friends and supporters of the program."

This committee:

These two principles support the others by decreasing the financial incentives to compromise on ethics, academic integrity, and academic standards. Stable funding from internal sources also decreases incentives to tier or cut sports.

All of the principles have budgetary impacts. Inadequate funding and sub-optimal allocation of funds are the greatest threats to maintaining not only principles 6 and 7 but others as well.

We believe that Principle 7 will continue to be honored for the entirely practical reason that there is no conceivable replacement for internal funds. For similar reasons, Principle 6 is quite safe in the near term. With respect to it, the question is whether or not there will be a long-term plan to move to a business model in which the program would become dependent upon its win-loss record for financial health.

From the perspective of the Audit and the goals of an athletics business model, the strategy is to concentrate resources in two to four sports so that they will lift their profile and generate enough revenue to support the rest of intercollegiate athletics. This strategy and other myths concerning the economics of intercollegiate athletics are dispelled in Knight Commission reports and research cited therein. It is the rare case in which increased spending on athletics produces either financial or intangible benefits. Too often institutions that compete in the arms race of spending on athletics sink more deeply into a quagmire that reeks with the worst of both paths as they slog toward the end of a rainbow that disappears into the mists. Values are compromised and deficits mount. We do not recommend following this path. Certainly football at UC Berkeley has a far larger budget and higher profile than football at UC Davis, and yet ICA at UC Berkeley has been running large deficits. There is no sport at UC Davis that is currently able to subsidize others.

The link between spending on coaching salaries or other team support and winning is weak at best. Recruiting very promising prospective student athletes can make a difference. However the number of high school students who are both very talented athletes and able to be academically successful at UC Davis is very limited. For the best of those, we are competing with Stanford, the Ivies, and some other schools that highly value academic achievement in student athletes but also have the recruiting advantage of higher athletic profiles. Money alone will not make us successful in those cases.

In addition to the fact that tiering is only rarely financially successful and thus very risky to chase, it appears that in the balance between competitiveness in our leagues and opportunities for student athletes, the campus community privileges opportunity.

Like the budgets for all campus units, the ICA budget is complex and cannot be fully understood without assistance from those who regularly work with it. We do not pretend to have reached more than a very basic understanding. Any brief discussion involves some over-simplification. As with some of the other issues we have covered in this report, problems with funding reflect the combination of a transition to Division I that is not complete and stresses produced by the overall campus budget difficulties. **As a general recommendation, we concur with the Chancellor on the need for thorough budget analysis and modeling as a part of strategic planning for ICA.**

The ICA budget for 2010-11 was approximately \$24.1M. \$17.7M (73%) of that came from student fees (not tuition). Direct campus support was about \$0.3M. The difference includes many items of revenue from outside sources including NCAA distributions, royalties and sponsorships, contributions, game guarantees, and ticket sales. The largest single expense, at \$6.1M, is grants-in-aid for student athletes. There are 23 teams and a total of 600-700 student athletes. Other large expenses (in decreasing order) are staff salaries and benefits, coach salaries and benefits, facilities debt service and operating expenses, team travel, and fundraising, marketing, and promotions.

In recent years, total revenues have increased substantially due primarily to increased allocations from student fees. Revenues from game guarantees have increased. After many years at high levels, contributions were down for 2010-11. Direct institutional support has greatly decreased. On the expenditure side, grants-in-aid to student athletes have increased substantially. "Other operating expenses" have decreased substantially. Other categories are relatively small or have had much smaller changes. Coach salaries and benefits are little changed. Non-coach staff salaries and benefits rose sharply during the transition years from 2004-5 through 2007-8. They decreased the next year and have increased modestly since then. They have exceeded coach salaries and benefits for the last three years. The number of teams and the total number of student athletes have decreased.

If nothing were to change, we estimate the ICA budget has a structural problem of no more than about \$1M/yr., i.e. less than 5%. Unfortunately, there are huge uncertainties in attempting to predict future revenues and expenses. Already, the imposition of budget cuts to ICA for this year and next year related to shared service centers are adding to expenses. Hopefully the program will also decrease expenses by taking advantage of this new resource. Increasing emphasis on recruiting out-of-state student athletes will put further pressure on the budget. A new head coach was recently hired, and there are plans to hire another in addition to the new Director of Athletics. Absent a great deal of restraint on offers, the combined increase in expenditures from the salaries and benefits of these could be in the neighborhood of another \$1M/yr. Student funding will be reliable, and the

range of future variations can be estimated. Other items are much more difficult or impossible to predict with sufficient accuracy. Nevertheless budget analysis and planning must do more than show mounting deficits due to uncertain projections of external factors. Reallocations within the department are probably needed.

There are important factors that restrict the distribution of funds within ICA and the possibilities for cost savings through alternative approaches to Principle 3. Through Title IX and the settlement in an associated court case, UC Davis is committed to high standards of gender equity in athletics. This commitment applies to both participation opportunities and funding distribution. The proportions of female and male athletes and financial support for each must very closely match their proportions in the undergraduate student population.

In the current approach to the ICA budget, a very important factor is the NCAA rule that participation in the football games that generate game guarantee funds requires that grants-in-aid for football be funded at 90% of the NCAA maximum. Considering the large size of a football roster, Title IX, and the current approach to Principle 3, this drives the allocation of a large part of the over \$6M in GIAs from student fees. On the other hand, the game guarantee revenue is well under \$1M. The relatively small revenue from game guarantees is greatly decreasing budget flexibility. Without this restriction, there would be more options for budget savings while still satisfying all other constraints. **We recommend that a comprehensive cost/benefit analysis be conducted to evaluate this policy.** It is important to settle this issue before hiring a new football coach.

Much has been said of the desirability of increased revenues from ticket sales, donations, and marketing. Additional effort in fundraising of this type is certainly appropriate, and it may well lead to substantial increases. However, this should be viewed as a long-term effort, and we have heard from no one who expects that the increases can be fast enough to play a major role in improving the budget outlook for the next few years.

It is noteworthy that during the years 2004-05 to 2009-10, contributions were strong and ranged from \$1.3M to \$2.3M. Unfortunately, they were substantially less for 2010-2011. Hopefully, they will quickly return to the higher levels of previous years. Perhaps more can be done to base fundraising efforts, especially those directed at alumni, on the unique and admirable features of The Davis Way. The "Team Aggie" brochure is a start at this effort. The brochure depicts one facet of the need for contributions, but it falls short of communicating a coherent overall picture of the unique features of the program. Although there is some commercial advertising displayed on the ticket purchasing website, a place where fans already have their charge cards out, there is no pitch such as "Click here to add a \$10 donation to the Team Aggie scholarship fund."

**We recommend that donors be encouraged to consider contributions to grants-in-aid, team operating expenses, compliance, endowment, and services that directly affect the welfare of student athletes. Until there is a demonstrated need and a solid financial plan, we do not support large spending on spectator facilities such as increased seating or luxury boxes.**

We presume that University policies already cover conflicts of interest that could possibly arise in donations to ICA. **We recommend that policy be reviewed to assure that it is adequate to prevent outside donors from unduly influencing program decisions.** We see two topics that such policies should address. First, large donations should be used to further the existing priorities of the program rather than allowing them to materially shift those principles and priorities. Second, to prevent conflicts of interest or even the perception of conflicts of interest, donations to the program from individuals closely associated with current student athletes (such as parents) should not be directly solicited by coaches. If it is determined that donations from individuals closely associated with current student athletes are permitted by University policy, then they should be processed in such a manner that they will not create even the perception of possibly influencing coaching decisions about any individual student athletes. If donations are directed to established program priorities, University policies on conflicts of interest are followed and budgeting is transparent, then improper influence of donations can be avoided.

The comment from The Concerns likely also refers to a possible conflict of commitment in which the time devoted to fundraising might have an undo negative impact on the time needed to properly attend to student athlete welfare. This is a point where the value of the teacher-coach model becomes apparent. The situation is analogous to that of faculty members who are expected to

excel in both teaching and research, with the later often requiring substantial efforts devoted to obtaining funding. Faculty members are evaluated in both areas and are subject to the Academic Personnel Manual, which requires responsible behavior in teaching and in interactions with students. Likewise for the time they have contact with student athletes, teacher-coaches are acting in their PE 6 instructor roles. Thus they are also subject to the Academic Personnel Manual, and their accomplishments in this category are evaluated in the PE department. It is important to continue this aspect of the teacher-coach model and to have anonymous student evaluations for PE 6. We have other comments of the value of the teacher-coach model below.

Some fundraising possibilities are hindered by difficulties ICA has in receiving an equitable share of revenues generated by athletics events on campus. For some of these events, ICA is also faced with new charges by other campus units. These policies should be reconsidered. Many other campus units are also experiencing increased expenses due to intra-campus recharges. We are troubled by this approach to budgeting across campus. We recognize that there is an argument that it might lead to a more efficient allocation of resources. However, it undermines the concept that all units are here to further the mission of the University and serve the citizens of California. Excessive use of intra-campus recharges along with other aspects of the proposed new budget model encourage an approach in which units view revenues as theirs and in which the goal is to maximize some version of profit for the unit. None of the money with which we work is "ours." It is all given to us with the trust that we, as a public university, will use it wisely in serving the people of California and the country.

*Student fees, ICA, and PE classes:* Money from student fees not only supports a large part of the ICA program but also additionally pays for the lecturer parts of the teacher-coach appointments. These are academic appointments in the PE program, which reports to the Dean of Social Sciences. The program offers about 220 sections of the PE 1 half-unit activity class. These sections are taught by coaches and taken each year by about 9,000 students. PE 6 is one unit and can be taken by student athletes with their coach as instructor. Students can count up to six units of PE 1 plus PE 6 toward graduation. The PE 1 classes are very popular, and the lecturer-coaches receive very favorable student evaluations. In addition PE has many other lower and upper division courses. The program is also developing a minor.

In first approaching the subject, it is not apparent why courses with academic credit are supported by student fees rather than a combination of state funds and tuition. Prior to the budget crisis of the early 1990's, the courses were supported like others by a combination of state funds and the educational fee, but it was mostly state funds at that time. Rather than stand by and let PE 1 courses be eliminated to save money during the budget crunch of the early 1990's, the students voted to pay for them through an addition to their registration fees. During the beginning of the transition to Division I, campus general funds for PE were reinstated to aid in supporting a Division I athletics program. In association with the more recent budget crisis and team cuts, those campus general funds were again withdrawn. Including benefits, this amounted to a cut to the athletics budget of about \$2.2M/yr. starting in 2010-11. In addition, the lecturer salaries of some former teacher-coaches who are no longer coaching but still teaching are paid for by the athletics budget. This is about a quarter of a million dollars per year. This history can support an argument for using either campus general funds or student fees to pay for the PE 1 classes.

From our perspective, it seems that students are paying for PE 1 twice. State funds and tuition pay for other unit-bearing classes, we see no rationale for the for-credit PE 1 classes to be treated differently. The money that students and taxpayers provide should already pay for the classes they take, including PE. However students have to pay for those classes again through their non-tuition fees. It's hard to provide a convincing rational for treating PE 1 units differently than all other units. The new budget model will have tuition money explicitly flowing to the units that generate student FTEs. In this case, that would mean to the Dean of Social Sciences, who should apply it to the PE program budget. Since the campus community appears to strongly favor continuing The Davis Way in athletics, it needs to seriously consider funding mechanisms to make that possible. **We recommend that the lecturer part of the teacher-coach appointments be counted like the other academic units and be included in the budgeting of campus general funds. In addition, we recommend that the money that pays the PE lecturer appointments for teacher-coaches flow through the PE program budget rather than the ICA budget.** In our view, this plan is more logical and would improve the future outlook for both PE and ICA. This suggestion is not original. For example, AAAC has called for it repeatedly, including in its most recent annual report. In our discussions, we encountered many people, both inside and outside ICA, who support this suggestion and no one who opposes it.

ICA faces real budget problems as does the campus as a whole and most other campus units. It doesn't appear to this committee that abandoning Principles 6 and 7 and attempting to switch to a business model is likely to solve those problems or to quickly and directly lead to the higher level of competitiveness that must be an ingredient in that model. More likely, it will require large additional expenditures that will fail to produce the desired results and to increasing pressure to abandon other principles. To become more competitive in athletics, as we have become more competitive in academics, we will have to do it the hard, slow way by incremental improvements over decades. It took 100 years of dedicated work by generations of students, faculty, and staff to move from our start as the Berkeley farm to our present world-class accomplishments in teaching and research. Our present approach to athletics has been in place for about 50 years. During that time, we have moved to much higher levels of athletic competitiveness while maintaining our values. We have been in Division I for a just a few years. We can maintain our values and move to yet higher levels, but it will take time. As we continue to advance, we will be increasingly admired and will become the model for others. Many institutions with big time business-model athletics programs are now deeply troubled by the traps in which they find themselves. As much as they might like to, they face great difficulties in moving closer to the any of the principles that define The Davis Way. By that measure of success and excellence, we are far ahead of most Division I schools. In time, we will also be beating more of them on the fields and courts. Due mainly to the generosity of students, ICA has a very large and reliable funding stream. While there are difficulties to overcome and changes that will be necessary, the challenge is not insurmountable. Along with the students, the campus can support an intercollegiate athletics program based on our principles.

**Principle 8:** The athletics department at UC Davis must maintain a formal connection to the mission of the university, including preserving the current teacher/coach role.

The Audit:

The Audit states that a teacher/coach model is uncommon in Division I.

"With increased expectations on coaching staffs, the teacher/coach role needs to be reviewed to determine whether another model might better serve students desiring to develop athletic skills and increase their fitness levels."

The Concerns:

6) The teacher-coach model, where our coaching staff has had 50% academic appointments and teaches credit-bearing courses, is intended to keep our athletic programs closely tied to the academic side of the university. Recent hiring and renewal decisions by the athletic department are eroding this model.

The Chancellor:

"I want to continue the teacher-coach model in some form largely because I believe it is integral to maintaining the academic integrity of intercollegiate athletics at UC Davis. I agree with the members of the Athletics Administrative Advisory Committee, who pointed out that coaches contribute directly to the core academic mission of the university, but I also believe the model needs to be adapted to the needs and realities of UC Davis today. I recommend that the new director of athletics, in consultation with our many constituents, explore ways to possibly modify our current model so our approach can be more in sync with the growing expectations and demands (e.g., fundraising, recruiting, etc.) on coaches' schedules."

This committee:

Modern universities have largely abandoned the historical mission of education in ethics and preparation of students for civic participation and leadership. Training for and competing in intercollegiate athletics while maintaining outstanding academic work is a unique opportunity for experience in practical ethics. In this experience, the coach should be an exemplary mentor and role model.

The teacher-coach model supports Principles 1 and 2 on academic integrity and standards. The teacher-coach ties to our academic mission come both from direct student contact and through the lecturer appointments, governed by the Academic Personnel Manual, that they hold in an academic department.

Awareness of this teaching expectation helps the program to recruit new coaches who will maintain the values and principles of The Davis Way in athletics.

Through assessing themselves fees, registering in large numbers for PE 1 classes, giving very favorable course evaluations, and in presenting a petition in support of this arrangement, students have shown that they also highly value The Davis Way teacher/coach model as it benefits their experience in the PE classes.

Through the class PE 6, in which student athletes enroll and receive units during the season of their sport, teacher-coaches receive teaching credit through student contact time. In this circumstance, it is important, as it is with other classes, that the teacher-coach, who has student contact, be the instructor of record and that there be anonymous student evaluations as for other classes including PE 1.

It is difficult to provide a quantitative answer to the question of how much teaching of students who are not student athletes is sufficient to accomplish the philosophical goals of the teacher/coach model. For many years, the appointments have been 50%-50%. It is our understanding that the current policy is to hire new coaches and first assistant coaches at appointments that are 32% lecturer in the PE program. This implies teaching three PE 1 activities classes or the equivalent per year. At 50%, the expectation is 5 PE 1 classes per year. Earlier it was as high as nine. In addition, coaches receive PE 6 teaching credit for student contact while coaching. Thus there have already been accommodations for the greater duties of a Division I coach. This committee believes that an appointment at 32%, including student contact in three PE 1 classes, is probably sufficient. **We strongly recommend that there be no further erosion of the percentage as lecturer or in the number of contact hours with ordinary students. In addition we strongly recommend that all head coaches and first assistant coaches hold lecturer**

appointments at no less than 32%. We believe that teacher-coaches can be expected to excel in and be evaluated on both their teaching and coaching similarly to faculty members in other disciplines being evaluated on both their teaching and research.

### 3. Governance and oversight

#### The Concerns:

3) The major decision-making process that the campus adopted in its move to Division I is no longer being respected, notably during the process of cutting sports 16 months ago.

5) The dismissal of the Faculty Athletic Representative by the Chancellor on October 1 raises serious questions about the current ability of the faculty to properly oversee the academic integrity of intercollegiate athletics.

8) Finally, the athletic department has recently exhibited a troubling lack of transparency in its relationship with AAAC, particularly in its budget.

#### This committee:

The preceding discussions describe the involvement of ICA and coaches in areas of Senate responsibility including admissions, academic advising, and teaching. ICA also enjoys special privileges in related areas. In addition to the special admissions processes already described, there are also provisions for late applications for admissions that are not available to other applicants. Student athletes also enjoy priority registration for classes. The Senate encourages faculty to make arrangements for student athletes when their out-of-town games conflict with graded work in classes.

Faculty members are currently directly involved in ICA oversight through the FAR and AAAC. Both of these report within the administration and have no direct responsibility to the Senate. AAAC and the FAR have identified concerns and attempted to deal with them within that framework. In some important cases, they have found the responses by ICA and the administration to be insufficient. Many of the concerns are clearly and forcefully described in AAAC and FAR communications to ICA and to higher levels in the administration. Since these communications do not come to the Senate, it has remained largely uninformed about the concerns of the faculty members with the greatest knowledge and experience. The most recent AAAC annual report cited areas of concern including teacher-coach appointments, ABE admissions, disregard for the major decision making policy, and budget issues. It characterizes the ICA oversight as inefficient and ineffective.

The Faculty Athletics Representative (FAR) is most directly charged with attending to the primary faculty concerns of academic integrity and student-athlete welfare. However at UC Davis, the FAR has no formal reporting responsibility to the Academic Senate, and the Senate is largely unaware of the work and concerns of the FAR. Both of the two previous FARs faced unusual difficulties in performing their duties. As already noted, the most recent previous FAR was dismissed by the Chancellor. Since the role of the FAR is to identify shortcomings in the program related to Senate responsibilities and advocate that they be addressed, this is a development of great concern. If the position of the FAR is not strongly supported, then intercollegiate athletics on this campus, or at any other institution, is unacceptably open to the possibility that initially manageable problems will develop into the abuses that lead to unfortunate headlines all too often—but have not yet occurred at our campus. As the traditions and structures that have protected us are stressed by the continuing adjustment to Division I, we must assure that the frontline safeguards, including the key position of the FAR, are strongly supported and that the Senate is well informed and able to properly share in the governance of a program deeply involved in areas of Senate responsibility. **Thus we recommend that the position of the FAR at UC Davis have stronger links to the Senate as described below.**

This committee's concerns about the ICA budget and the need for a rigorous review and realistic planning have already been noted. Our requests to ICA for budget projections produced calculations based on pessimistic assumptions that generate sharply rising expenses. We did not hear of plans for savings within the program that could aid in balancing the budget. Thus we

remain uncertain about how or if they plan to address the deficit. The comments from the Senate Committee on Planning and Budget describe similar concerns. Given the oversight and advisory role of AAAC and the fact that the Principles of The Davis Way cannot be maintained without sufficient funding and responsible budgeting and cost containment, it is appropriate for ICA to be clear and transparent in describing its budget plans to AAAC. An important problematic example is the failure of ICA to provide AAAC with an adequate budget justification for the decision to cut the number of teams in 2010 or with alternatives for achieving the savings by other methods.

This leads us to a discussion of the major decision-making process. As part of the transition to Division I, the campus engaged in extensive planning and filed a long self-study with NCAA. There is a description of program governance. The eight principles are listed, and any future changes to those are included in the list of major decisions. There is also a description of the process by which major changes can be made. The clear intent of the described process is to assure inclusive consultation with the goal of achieving consensus. During the process by which four teams were cut in 2010, this process was circumvented. Stakeholders including AAAC and the FAR were not adequately consulted. The chair of AAAC and the FAR resigned in protest from an ad hoc work group that had been formed as an alternative to the full consultation of the major decision-making process described in our NCAA filing. AAAC wrote a very strong letter to the VC-SA expressing its dissatisfaction with the flawed process and further stating

"Of immediate concern are two major issues; 1) the lack of transparency in the ICA budget that requires that opportunities for student participation be reduced, and 2) the lack of adherence to the written review process developed for this purpose. These concerns, if not addressed will further erode AAAC's confidence in both the campus and ICA leadership and will, in the long run, undermine the role of the faculty, staff and students in the shared governance of a highly visible program at UC Davis, Inter-Collegiate Athletics."

Very regrettably, these warnings proved to be well founded. Two years on, negative fallout from this process is a factor in almost all of the discussions we have had with ICA stakeholders inside and outside the program. We believe that the program is most likely to positively move forward if the negative consequences of the decision process used in eliminating sports are openly acknowledged and steps are taken to repair the damage. An important part of such a process is confidence building. As a contribution to that, we are recommending below that the wording of the major decision-making process be tightened so that it is clear that the campus is fully committed to following the process in the future should a need arise. We emphasize that the greatest source of dissatisfaction and resentment from difficult situations that present no good choices is often less from the outcome itself and more from a process that leaves longstanding and dedicated stakeholders feeling disenfranchised. This fact suggests another step to address the negative fallout that we will discuss in commenting upon the desirable qualities in a new Athletics Director.

**Given the ICA role in admissions, the influence of coaches on student academic accomplishment, the direct connection of several of the principles to Senate responsibilities, and the principles of shared governance, we recommend that the Senate role in ICA oversight be strengthened in the following ways:**

1. The Athletics Administrative Advisory Committee (AAAC) should be reconstituted as a joint committee of the Senate and the administration that provides its advisory reports to both the Vice Chancellor for Student Affairs (VC-SA) and the Academic Senate.
2. The Faculty Athletics Representative (FAR) should be appointed by the Chancellor from a slate of candidates offered by the Senate. The FAR should report to the Chancellor and should be required to brief the Davis Division Senate chair on matters of concern to the Academic Senate each academic quarter. The term of the appointment should be for at least three years. Early dismissal by the Chancellor can occur only following consultation with the Davis Division chair and the Davis Division Executive Council.
3. The campus administration and the Academic Senate should join in endorsing the following major decision-making process for ICA, the wording of which is inspired by the UC Davis self-study document filed with NCAA when the move to Division I occurred:

When major issues (including material alteration of the eight principles) arise the process of consultation within the ICA program will be for the AD to first discuss the issues with the SMG and, as appropriate, with the VCSA. In consultation with the SMG, the AD would develop a base of information to ensure a full understanding of the issue by others, identify questions that need to be answered as part of the decision-making process, and plan a consultation process within ICA to get input regarding the issue. The desired outcome of the consultation process is a proposal developed by the AD in consultation with the SMG after receiving input from consulting groups, including AAAC, CAC, and SAAC. The goal is to achieve a consensus within ICA before the proposal is forwarded to the VCSA.

The VCSA may consult with the Vice Chancellor's Council within the Division of Student Affairs, and may refer major issues involving athletics to the Chancellor, who would ultimately make the final decisions on major issues. The Chancellor would determine the scope of the consultation process appropriate for the major issue, with the specific groups consulted varying from issue to issue. This process might involve one or more of existing committees and administrative groups, such as the CODVC, the Academic Senate Executive Committee, ASUCD (the undergraduate student body governance group), the Alumni Association, the Title IX Workgroup (if the issues involves gender equity in any way), or other campus groups. The Chancellor might also choose to form ad hoc committees charged with examining the issue and making recommendations. Upon receiving recommendations and information from the groups consulted, the Chancellor would make a final decision on behalf of the campus. The overall process is consistent with the process followed for major decisions involving other administrative offices or groups on campus.

#### 4. Characteristics of the next director of athletics

##### The Chancellor:

Here we think that it is important to include the full section from the chancellor's letter on this topic and then add our comments.

The characteristics of the next director of athletics at UC Davis

I see the director of athletics as a key position in the UC Davis administration, an adviser who attends meetings of the Council of Deans and Vice Chancellors, as is currently the case, and is integral to the academic mission.

Having now reviewed the committee's report, I share the committee's perspectives and I embrace and recommend all of the characteristics for the next director of athletics that are laid out in Section III of the report, along with other committee recommendations elsewhere in the report:

- UC Davis' next director of athletics, first and foremost, must espouse a convincing and unequivocal commitment to ensuring that academic integrity and academic excellence are mainstays of the Intercollegiate Athletics program and that these principles will not be compromised.
- The director must be of high integrity and strong moral character, generally reflective of the UC Davis community, a person who can be trusted to "do the right thing" and be committed to operate the department and implement the budget in an open, transparent manner.
- The director also must be a proven visionary with outstanding financial acumen. She or he will be called upon to create and implement a sustainable financial model and an effective overall strategic plan. The new director must be capable of launching a planning process that begins with a thorough review of Intercollegiate Athletics' current operations and culminates with a strategic plan that clearly defines the program's future mission, scope, objectives and goals. The plan must be one that all coaches and staff can embrace and commit to, so as to ensure the program's success.
- The director must have a proven track record of being entrepreneurial and creative when it comes to fundraising, marketing and identifying other innovative approaches to generating revenues. The director must openly embrace this as a fundamental responsibility of the job.

I also concur with the committee's recommendation that the director "must not only be comfortable with fundraising but must also display strength in fundraising and openly embrace it as fundamental to the success of the program, along with marketing and

promotions."

Just as important, the next director of athletics must be someone who is comfortable and adept at working directly with students and student athletes. It is important that student athletes in all sports develop a strong relationship with the new director so that they can develop greater pride in the entire program. The director of athletics, in turn, needs to show an interest in all teams. It is also important that the new director of athletics develop strong relationships with the entire student body, as students pay for three-quarters of the Intercollegiate Athletics budget each year.

The new director also should have experience building an endowment or having led successful efforts to build new athletics facilities, particularly those that support student welfare (e.g., academic support, strength and conditioning, and athletic training).

Our new director must also understand and appreciate the "culture" of UC Davis and UC Davis' unique town-gown relationship with the city of Davis and the region.

It goes without saying that a strong director of athletics at UC Davis would bring athletics experience, preferably someone who supports and has experience with a broad-based program. It would be beneficial, but not imperative, that the new director be someone who has either coached or played intercollegiate athletics, and be someone who has had a variety of experiences in athletics program similar to UC Davis, but not necessarily from a BCS-level school.

#### This Committee:

We agree that all of these characteristics are important, but we wish to recommend some changes in emphasis and suggest some qualifiers.

We add our emphasis to the first points concerning a commitment to academic integrity, academic excellence, and that the director should exemplify and model high integrity and strong moral character. In this context **we recommend increasing the importance of having tangibly demonstrated those qualities at an institution similar to UC Davis.**

Although it is already implied in the Chancellor comments, we state directly that **a successful director will be comfortable with The Davis Way embodied in the principles.**

The challenging combination of the principles that the campus community and the Chancellor intend to uphold and the continuing financial difficulties faced by the campus make the strategic planning process by the new director vital to the well-being of the program. We believe that the resulting plan is most likely to succeed if, in addition to being one "that all coaches and staff can embrace and commit to," there is also broad support for its major priorities in the larger campus community.

We would like to draw particular attention to the need for the new director to have the flexible personality and the skills needed to lead both the athletics department and the campus into an era of shared principles and goals, openness, and trust.

Regrettably a lack of strong community consensus on important and highly controversial decisions, including especially the move from Division II to Division I and the more recent elimination of four sports, have resulted in continuing hard feelings and distrust. These must be overcome. This requires patience, openness, respectful attention to all viewpoints, and adherence to the athletics major decision-making process and the principle of shared governance at the University of California. As a result of our success in Division II and in the manner in which the Eight Principles were established in the transition process, the campus community not only supports but additionally feels a sense of attachment to, and ownership of, those principles and of an ICA program in which we can all take pride as a unique and admirable attribute of our campus. A successful athletics director will join in those feelings. While the situation in which we find ourselves brings to mind the need for a "visionary," we believe that visions must be strongly tempered by realistic expectations concerning the values and principles to which we are committed and the limited authority and prerogatives of any individual who joins the University of California.

This report offers several recommendations that, if adopted, might significantly change the environment in which a new director would work. **Thus we recommend that no offer be made to a new director until the campus has made, or decided not to make, significant changes.**

With regard to process, we endorse the Chancellor's suggestion that:

As part of that effort and timeline, I ask that the committee schedule and publicize a series of public forums with each of the finalist candidates for the director position. The finalists will have an opportunity to present their visions, to be followed by question-and-answer sessions. I specifically ask that the committee publicize these public forums on campus websites so that those who participated in providing input to the committee can easily obtain this information.

**Members of the Academic Senate Special Committee on Athletics**

Sue Bodine  
Scott Carrell  
Theodore DeJong

Patrick Farrell  
Joe Kiskis, Chair  
Tonya Kuhl