

Report of the Special Subcommittee of the Faculty Executive Committee July 26, 2012

Executive Summary and Overview

In this Report, the special subcommittee appointed by the Faculty Executive Committee (FEC) on May 14, 2012, sets forth its history, procedures, findings of fact, and recommendations. Unless stated otherwise, the Report obviously consists of the impressions, opinions, and judgments of the subcommittee. The first four parts of our Report describe the subcommittee's work and the previous reports on academic misconduct prompting the subcommittee's appointment. Part I describes the subcommittee's charge. Part II summarizes the subcommittee's procedures, including the names of 31 University officials whom it interviewed. Part III summarizes the findings of official reports and recommendations made about the academic misconduct prompting the subcommittee's appointment. Part IV sets forth the subcommittee's findings, particularly the issues that it determined have not been addressed or left unclear by earlier reports. We have found (1) no fault with or errors in any of the official reports we reviewed; (2) an absence of systematic or regular communication between the athletic department and the University Faculty as a whole; (3) no set or clear criteria for appointing or re-appointing department chairs; (4) uncertainty over clustering in certain courses or majors (including the patterns of majors or courses taken by student-athletes); (5) uncertainty over the extent and quality of the interaction between the different sets of people formally authorized to give academic advice to students (including student-athletes); (6) a risk that the current ratio of students to advisors on campus will be uneven and may undermine progress toward graduation for many students; (7) a significant risk that, because of the special demands placed on them, students who are competing in Division I sports will face substantial impediments to being fully integrated into the life of the University; and (8) a likelihood that, with so many different committees investigating the academic misconduct that is the subject of this report, there will be no authoritative, definitive resolution of the problem across the campus. Part V sets forth the subcommittee's recommendations. These include (1) requiring all students to have their schedules signed off by advisors in Steele Building; (2) establishing more regular, systematic communication between advisors and counselors; (3) establishing and publicizing criteria for appointing or re-appointing department chairs; (4) identifying best practices at peer institutions for ensuring that students generally and athletes in particular are fully integrated into the life of the University; and (5) the Chancellor appointing an entity consisting of distinguished individuals from outside the University that will provide an independent, comprehensive analysis of the complicated relationship between athletics and academics at UNC, and propose recommendations for its management. We believe that these recommendations will help the University to assure no repetition of the circumstances that prompted the appointment of this subcommittee. We also remain confident that the University administration is committed to addressing the issues arising from its goals of ensuring excellence in 28 Division I athletic programs and its academic mission.

I. Subcommittee Charge

Following release of the Report on Independent Studies in the College directed by Senior Associate Dean for Undergraduate Education Bobbi Owen, and the Report on the African and Afro-American Studies Department by Senior Associate Deans Jonathan Hartlyn and Bill Andrews, a number of faculty communicated their concerns to the FEC that these reports did not

fully explore all relevant issues. The FEC contemplated how to respond to concerns that more investigation might be necessary. Chair of the Faculty Council Jan Boxill then communicated the following to the FEC:

"After significant discussion about what action the FEC might take, and with the Chancellor's encouragement, we have formed a subcommittee to look further into these matters. Consisting of Professors Steven Bachenheimer (Microbiology and Immunology), Michael Gerhardt (Law School), and Laurie Maffly-Kipp (Religious Studies), the subcommittee will be charged with three primary tasks. FEC will then consider additional steps.

The subcommittee will:

1. Review all reports relevant to this situation, including the review of courses in African and Afro-American Studies, the report on Independent Studies in the College, and the 2011 review of the Academic Support Program for Student Athletes (ASPSA), and meet with the authors of those reports to discuss their processes and findings. Review other relevant materials and summarize and characterize the work that has already been done, including new procedures or policies already put in place.
2. Based upon this review and taking into account questions you and others have raised, identify questions or gaps in knowledge that remain regarding events, systems, practices, or structures that might have allowed or facilitated the troubling breaches of academic integrity. The committee should focus in particular on those matters that have not been sufficiently addressed by procedures and policies already put into place.
3. Create a plan for next steps. The subcommittee will consider what is necessary and feasible to investigate further in order to respond to the unanswered questions; and will make recommendations for other actions that need to be taken to reassure faculty and our community that we fully understand the problem, and that appropriate safeguards are already or will be put in place to ensure the integrity of our academic offering to students and our academic standards going forward."

II. Subcommittee Procedure

Between May 21 and June 26, 2012, the special sub-committee met with thirty-one individuals from across the university, including the authors of the reports, the Chancellor, the dean of the college of arts and sciences, the dean of the summer school, the director of athletics, the head football coach, a variety of faculty, and advisors in both the Loudermilk Center and Steele Building. Here is a complete list of our interviews:

Holden Thorp—Chancellor

Karen Gil (Psychology)—Dean of the College of Arts and Sciences

Bill Andrews (English and Comparative Literature, Senior Assoc. Dean-Fine Arts and Humanities), Jonathan Hartlyn (Political Science, Senior Associate Dean-Soc. Sciences)

Bobbi Owen—(Dramatic Art) Senior Associate Dean for Undergraduate Education

Harold Woodard—Assoc. Dean and Director of the Center for Student Success and Academic Counseling (CSSAC)

Jan Yopp—(Journalism, Mass Communication.) Dean of the Summer School

Larry Fedora—Head Football Coach, Corey Holliday—Assoc. Athletic Director, Football

Bubba Cunningham—Director of Athletics

John Blanchard— Senior Associate Director of Athletics for Student-Athlete Services

Robert Mercer—Director, Academic Support Program for Student Athletes (ASPSA)

Wally Richardson—Assoc. Director of ASPSA
Jenn Townsend—Assoc. Director of ASPSA
Brent Blanton—Associate Director of ASPSA
Amy Herman—Associate Athletic Director for Compliance
Joy Renner—(Allied Health Sciences), incoming chair of the Faculty Committee on Athletics (FAC)
Lissa Broome (Law, Faculty Representative to the NCAA and the ACC) and Steve Reznick (Psychology, Assoc. Dean for First Year Seminars)—past chairs of the FAC
Athletics Reform Group:
Jay Smith (History), Perry Hall (African & Afro-American Studies), Lou Margolis (Maternal & Child Health), Andy Perrin (Sociology), Richard Kramer (Sociology, Acad. Advising)
Richard Southall—(Exercise and Sports Science) Director of the College Sport Research Institute
Kenneth Janke—African & Afro-American Studies
Black Caucus members:
Larry Campbell (Chemistry), Reg Hildebrand (African & Afro-American Studies), Valerie Ashby (Chemistry), Deborah Strohmman (Exercise and Sports Science)
Steve Farmer—Director of Undergraduate Admissions
Will Leimenstoll—Student Body President

III. Official Findings and Recommendations Prior to the Appointment of the Subcommittee

Prior to the appointment of this subcommittee, the Hartlyn and Andrews (May 2, 2012) and Owen (April 10, 2012) reports identified and rectified problems that had allowed irregularities to occur in the College curriculum. They also made recommendations on how to avoid a repetition of the academic misconduct prompting the appointment of the subcommittee. The Academic Support Services for Student Athletes (ASPSA) report (September 1, 2011) coincided with relocation of the ASPSA (<https://cssac.unc.edu/athletic-counseling-program>) to the Center for Student-Athlete Excellence (the Loudermilk Center) and also took note of the uncovering in 2010 of agent-related activities and instances of academic misconduct involving members of the football team. That report made recommendations about improving program evaluation, staffing and services of the ASPSA. These reports and recommendations are summarized below.

A. Official Reports:

With respect to Independent Study (IS) Courses:

- Guidelines have been developed to standardize terminology and administration across the college, including a standardized formal learning contract (contact time, hours, regular meeting schedule, review of IS by directors of undergrad studies); the use of separately numbered sections for individual faculty members (for informational purposes); limits on the number of IS per faculty member per term (2 each); regular courses not taught as IS without unusual circumstances; special topics courses do not count as IS and cannot be offered more than twice; better articulation of a variety of course numbers to designate service learning, special topics, and other courses; and the development of minimum guidelines across the college for IS that must still adhere to basic guidelines for all undergraduate courses.

In the case of improper courses in African and Afro-American Studies:

- There was a clear finding that only the former chair Julius Nyang'oro and Deborah Crowder, a former staff member, had been involved in problems with courses in the department; with the appointment of a new chair, Eunice Sahle, departmental culture seems to have changed very much for the better, and a strong structure of governance has been put in place. Although the Hartlyn and Andrews Report stated that student-athletes had not received favorable treatment compared to others, it should be noted that information has subsequently come to light that at least one of the phantom summer school courses put on the books by the former chair had only football players and one former player enrolled in it.

With respect to the ASPSA Report:

- It was recommended that the Faculty Advisory Committee to the ASPSA¹ be revitalized and more involved with issues related to academic support, that evaluation of athletes' progress be conducted in coordination with the Faculty Athletics Committee (FAC, <http://faccoun.unc.edu/committees-2/elected-committees/athletics-committee/>), that ASPSA take a stronger role in the admissions process, and that the tutoring staff be augmented and separated from mentoring functions. The Faculty Advisory Committee has since been revitalized, one more tutor has been hired, and the ASPSA has phased out the hiring of undergraduate tutors (except in certain circumstances).

B. Additional measures that have been undertaken include the following:

- The dean of the summer school has adopted policies and procedures from the Owen Report where appropriate, and now will remain in conversation with the dean of the college on course policies and continue to report directly to the provost.
- Each senior associate dean has reviewed teaching assignments for all faculty members in the College over the three previous terms and the summer school. This review of teaching assignments will now occur regularly.
- The Educational Policy Committee has initiated a study of university-wide policies for course syllabi.
- The new head football coach and director of athletics have stated their commitment to prioritizing educational time for student-athletes.
- The incoming chair of FAC, Joy Renner, has been meeting with a large number of faculty, administrators, and students across campus and will be proposing changes to FAC that will strengthen its effectiveness in serving as a liaison between the academic and athletic sides of campus.

C. Additional Documents Reviewed by the Committee

¹ The advisory committee, consisting of tenure-track and fixed-term faculty, as well as some appropriate full-time professional staff (EPA non-faculty) members has been in place since the late 1980s. Committee members are appointed by the Senior Associate Dean for Undergraduate Education to staggered terms. The current members are: Kim Abels, Writing Center (2011-2014); Kenneth Janken, AFAM (2012-2015); Genna Rae McNeil, History (2011-2013); Abigail Panter, Psychology (2011-2014); Eileen Parsons, Education (2011-2014); Steve Reznick, Psychology, Chair (2011-2012); Chloe Russell, Academic Advising Program (2011-2014); Sherry Salyer, EXSS (2011-2014); John D. Stephens, TAM, European Studies, Political Science (2011-2013); and Isaac Unah, Political Science (2012-2015). Organizational support is provided by the Director of ASPSA, Robert Mercer, who is an *ex officio* (non-voting) member. The *ex officio* (voting) members include: the Associate Dean and Director of the Center for Student Success and Academic Counseling (CSSAC), Harold Woodard; the Senior Associate Athletics Director for Student-Athlete Services, John Blanchard; the chair of the Faculty Athletics Committee, Joy Renner; and the Senior Associate Dean for Undergraduate Education, Bobbi Owen.

The subcommittee was provided with several documents describing athletics admissions. The first was prepared by the Advisory Committee on Undergraduate Admissions (December 2005) that was chaired by Bernadette Gray-Little, then Dean of the College. It provides a framework for admission policies for student-athletes. The second outlines procedures used by the Subcommittee on Athletic Admissions in reviewing prospective student-athletes for admission and making recommendations to the Office of Undergraduate Admissions (January 2010).

IV. Potential Gaps in Our Knowledge about Academic Misconduct on Campus, and Areas of Continuing Concern for the Faculty

The subcommittee has identified four areas of continuing concern. We examine each of these in detail below.

A. Advising and Counseling

Repeatedly, all the subcommittee members have been struck by the potential confusion of roles of the academic counselors in the Loudermilk Center (a group that serves student-athletes and reports to the College through Associate Dean Harold Woodard, but whose salaries are paid by the Athletics Department) and the academic advisors in Steele Building. We heard multiple accounts of how the two groups are or should be related. From some, we heard that the main role of Loudermilk counselors is to ensure compliance with NCAA eligibility requirements and progress towards degrees. Others said that in practice, the relationship with student-athletes is much more complicated. The location of the Loudermilk Center, its convenient hours for athletes, and its much higher staff to student ratio make it difficult to imagine that athletes would feel encouraged to use Steele Building staff for their academic advising needs. Here are our main concerns about this system as it now functions:

- The last review of the Academic Support Program for Student Athletes (ASPSA Report) was headed up by Senior Associate Director John Blanchard and Dean Owen. Given the likelihood of overlap in advising and counseling activities, we have wondered whether the program would benefit from more active faculty involvement, as well as periodic reviews undertaken independent from Athletics.
- We believe that the huge difference in staffing of advising between Steele and Loudermilk makes it very difficult for student-athletes to use the Steele advisers on a regular basis. The ratio of students to Steele Building advisors is over 500 to 1, about twice the national average (according to Dean Owen); thus it seems unlikely that every student can meet with an advisor every semester, and in any event only first year students are required to have an advisor sign off on their classes. We are concerned that this makes it nearly impossible for student-athletes to receive the personalized attention their complicated schedules demand, and that all students are unlikely to receive even a minimal level of assistance.
- Our interviews indicated that some student-athletes have complained in exit interviews about receiving conflicting advice from Steele advisors and Loudermilk counselors. We heard different accounts about who could actually sign off on student forms—or indeed, if any oversight after the first year is even required. We also learned that a student can have a Loudermilk counselor register him/her for classes—but the student has to sign off on it.

- Robert Mercer, the director of the ASPSA, reports on advising issues to Dean Woodard of the College, but has an additional reporting line to John Blanchard in Athletics for issues related to resources. Both Mercer and Blanchard are paid by the Athletics Department. This reporting system is ambiguous, lacks clarity, and is likely not to be very productive.
- While there are several liaisons between Steele and Loudermilk (including Barbara Lucido, the Steele advisor who attends Mercer's staff meetings), we believe that the structure itself lends a perception of equality to the enterprises that may not be desirable or work in the best academic interests of athletes.
- We received mixed reports about the usefulness and adequacy of the recently introduced online degree auditing and registration systems (it should be noted that these systems have not been fully implemented and have not yet reached their projected potential). For some counselors, by their own reports, paper forms are still the medium of choice. We also learned that the online registration system is cumbersome and difficult for students to navigate. There also appears to be some confusion by counselors as to whether summer school courses are a regular part of the worksheet for Steele Building advisors.
- The FAC only receives statistics on academic progress about student-athletes from the Athletics Department, if at all (sometimes the presence of media prevents this exchange); and they have no direct access to this information. In addition, they do not conduct exit interviews without a representative from Athletics being present.

Why are these issues surrounding the advising system so important? *Because they point to the place with the most potential to exploit structural weaknesses in the academic careers of student-athletes.* Currently everyone in the university community works in a system of competing demands on these students, and therefore we should not be surprised that some people, often with the best of intentions, find ways to exploit the ambiguities. Here are examples from recent events that we believe bear this out:

- Although we may never know for certain, it was our impression from multiple interviews that a department staff member managed to use the system to help players by directing them to enroll in courses in the African and Afro-American Studies Department that turned out to be aberrant or irregularly taught. We were told that athletes claimed they had been sent to Julius Nyang'oro by the ASPSA. This raises the question of whether they could also have been sent to other departments by Loudermilk counselors.
- It seems likely that someone in the African and Afro-American Studies Department called athletics counselors (who are professionally trained and hired by the College of Arts and Sciences) to tell them that certain courses would be available; it is less clear whether staff at the Loudermilk Center actually contacted departments to *ask* about the availability of classes (e.g., Nyang'oro's Summer School class). While we do not know exactly what transpired, clearly there is considerable uncertainty in the relationship between academic departments and athletic counselors. Further, athletic counselors have been discouraged from contacting faculty or questioning decisions about pedagogy. For example, in 2002 Robert Mercer and John Blanchard met with the FAC to discuss the teaching of IS courses, and were told that faculty members have great latitude to teach courses as they see fit. Counselors, then, concluded that it is not their responsibility to question decisions made within academic units about specific courses. In practice, athletic counselors are left in a difficult position with less than complete knowledge or

authority about the specific requirements for courses. We believe that this leaves too much of the burden for the selection of classes and knowledge about courses on individual student-athletes.

B. Departmental Supervision and Faculty Conduct

The reports on Independent Study Courses and on African and Afro-American Studies suggested reforms that will make it more difficult for some of the recent aberrations to be repeated. That said, we are under no illusions that any set of rules and regulations can completely prevent the exploitation of a system that depends, in large measure, on the good will and responsible conduct of faculty members in a wide range of disciplines. Instead, we think the better approach is not simply to fill bureaucratic holes but to address the problems systemically, and to recognize that they are intrinsically and perhaps inevitably linked to the coexistence of a variety of academic cultures with a commitment to high-level athletics.

Looked at broadly, then, we see the need for closer interaction and better communication between faculty and other parts of campus. Faculty must better grasp the particular challenges faced by various types of students (not just student-athletes, but also students with other sorts of circumstances that make the everyday navigation of a large university difficult), and they must be given greater say in the decisions regarding admission and advising of those students once they have matriculated.

C. A Campus with Two Cultures

One might expect that the goal of the Athletics Department in mounting successful athletic teams, and that of the faculty in carrying out the educational mission of the University, can give rise to “Two Cultures” that work at cross-purposes. However, our interviews with AD Cunningham, head coach Fedora and members of the ASPSA staff revealed a well-articulated appreciation of the demands of the cultures of athletics and academics that have to be internalized by our student-athletes. From faculty members, this understanding seemed less evident. To our dismay there is increased distrust between ASPSA staff and faculty, especially since the revelations of academic misconduct. We heard from several staff members in Athletic Advising that they had been cautioned not to contact faculty to discuss course offerings for fear of being seen as trying to influence faculty with regard to student enrollment and pedagogy, and to let all communication run only through the associate directors at the Loudermilk Center. Conversely, some faculty reportedly are openly disapproving of having any student-athletes enroll in their courses; many more faculty have little knowledge of how the Athletics Department is run, and have no contact with either counselors or coaches. From the student-athlete perspective, a highly structured schedule and more specialized support systems in the Loudermilk Center leave them with few active incentives to join in the academic life of their fellow students on campus. Some specific observations include:

- To the subcommittee, the conflicts and gaps created by the two cultures does not seem to be so acute between student-athletes in general and others on campus, but principally between men’s football and basketball players and other students. This is, in a sense, not a problem with athletics *per se*, but with particular revenue sports. Because of the size of the team, the football program presents the most obvious point of continuing concern: this is where one finds the largest gaps with other students in terms of time spent on academics, academic preparation, and the ability to integrate into the life of the campus.

- The new AD and head football coach have expressed a desire to have informal faculty counselors. This is an important step toward ensuring that more interaction occurs between faculty and athletics. At this point, we do not know how their interlocutors will be chosen. We hope that this would include many faculty who are not invested in certain outcomes but who are willing to learn about the unique problems of students who participate in Division I athletics. We are also unsure how all coaches' continuing or heightened commitment to the educational experiences of their athletes can be monitored. It is critical that communication across different parts of the university be encouraged and the obvious barriers to such communication lessened.

The guidelines and procedures set in place by the Office of Undergraduate Admissions guarantees 140 *recurring recommendations* (recruiting slots) to the Athletics Department, of which no more than 25 ("committee cases") may fall below a threshold that requires review of their credentials and circumstances by a subcommittee of the Advisory Committee on Undergraduate Admissions (<http://faccoun.unc.edu/committees-2/appointed-committees/undergraduate-admissions-committee/>). The number of committee cases has declined since the adoption of the 2005 framework for admissions. Over the past six years the number of committee cases has been distributed among 5 or 6 programs and fluctuated between 14 and 21 in number, though the majority in each year involved potential recruits by football, and men's and women's basketball. The Athletics Department each year receives an additional 20 *incentive recommendations* for students "who would significantly improve the average academic profile of our recruited athletes", and review of these applications would take the same form that all applicants to UNC would receive. The 2010 Report of the Advisory Committee on Undergraduate Admissions lays out very clearly the procedures to be used by the Athletics Department in presenting recurring and incentive recommendations.

According to Stephen Farmer, his office and the Athletics Department have increased efforts to discourage teams from presenting candidates that represent exceptionally high risks in terms of their ability to succeed academically at UNC. There is evidence that these efforts are working. In addition his office is accumulating data on the academic performance of admitted students so that looking forward, they will have an improved basis for assessing and managing risk.

We have identified several issues based on our review of athlete admissions:

- While the number of "committee cases" is trending downward, it is unclear whether the caliber of students filling the other 120 or so recurring recommendation slots is improving or declining. In addition it is not clear what oversight mechanisms are in place that might alter the distribution of recurring slots to reward academic success among the various teams.
- While the overall quality of undergraduate applications to UNC has gotten much better we are concerned that the profile of the "committee cases" has stayed about the same. This leads the subcommittee to conclude that there is a widening preparation gap between some groups of student-athletes and other matriculated students.
- The Office of Undergraduate Admissions receives and reviews recommendations from the subcommittee with regard to admitting students who come under the "committee case" procedures. It appears that Admissions can override decisions of the subcommittee, though a recommendation by the subcommittee has never been overruled since Farmer has been director. What criteria or influences would be used in such cases?

D. Need for Institutional Transparency Regarding Athletics

We were struck in general by the *lack* of sharing of information about athletics, athletic advising, and the relationship between athletics and academics, to various constituencies across the campus, including the faculty. The investigations that have already taken place are fine as far as they go, but they have had different, quite circumscribed charges and have been directed by the people with the most investment in particular areas. We also heard reports, although we were not informed directly, about several additional investigations within various units. Most recently, there appears to be another example of duplication of efforts with an investigation initiated by UNC System President Tom Ross and undertaken by the Board of Governors. The result is, on the one hand, a sense of over-investigation by those called in for continual questioning, and on the other hand, little sense that the faculty and administration as a whole have a clear grasp of the larger issues at stake. Indeed this sub-committee report may also be subject to such criticism. The piecemeal statements of the university in response to each new report ends up being imperfect, because none deals comprehensively with the larger issues, nor has the time been taken to confront constructively and proactively the systemic issues around athletics and academics. We believe two immediate concerns about faculty morale stem from this:

- These investigations have taken a major toll on morale in the Department of African and Afro-American Studies. Much collateral damage has been inflicted on faculty in that department who were not only entirely innocent of any wrongdoing, but also performing their duties with the high level of integrity we expect from our faculty.
- A substantial number of faculty have been left feeling that they have no say in academic decisions taking place at the university, especially with regard to student-athletes. A significant number of our faculty are also concerned that revenue athletics are seriously compromising the academic mission of the university. They have expressed a desire for the following: 1) more explicit monitoring of athletics by faculty; 2) no oversight by athletic advising on courses; 3) a study of athletes' course selections over a longer period (e.g., 10 years); and 4) a broader, systematic approach to addressing issues of athletes as students. Generally, they call for an external review of athletic advising, independent of the Athletic Department, as well as more forthright statements from the administration about the compromises made to host Division I athletics at UNC.

V. Subcommittee Recommendations

We take as our guideline for making recommendations two documents: first, the mission statement of the university; and second, the list of principles compiled by the Athletics Reform Group, which we take to be a sound statement of principles.

Mission Statement

Our mission statement provides that,

The University of North Carolina at Chapel Hill, the nation's first public university, serves North Carolina, the United States, and the world through teaching, research, and public service. We embrace an unwavering commitment to excellence as one of the world's great research universities.

Our mission is to serve as a center for research, scholarship, and creativity and to teach a diverse community of undergraduate, graduate, and professional students to become the next

generation of leaders. Through the efforts of our exceptional faculty and staff, and with generous support from North Carolina's citizens, we invest our knowledge and resources to enhance access to learning and to foster the success and prosperity of each rising generation. We also extend knowledge-based services and other resources of the University to the citizens of North Carolina and their institutions to enhance the quality of life for all people in the State.

*With **lux, libertas**—light and liberty—as its founding principles, the University has charted a bold course of leading change to improve society and to help solve the world's greatest problems.*

We believe that in considering any action taken with respect to the admission of student-athletes, their advising, and ensuring that they have the meaningful opportunity to progress toward graduation at this University, this Mission Statement should always be kept in mind and never compromised.

Athletics Reform Group Statement of Principles:

Institutional Openness. *The University should confront openly the many conflicts created by its commitment to winning in the athletic arena. The University must commit itself to honest, open, regular conversation about the divergent imperatives, and competing values, that drive athletic and academic success. All data needed to understand the athletics department, and to address the issues raised by its operations, should be readily available.*

Educational Responsibility. *The University should commit itself to providing a rigorous and meaningful education to every student. All students should be integrated fully into the life of the campus, and they should be well prepared for life after college. All students—those who participate in sports and those who do not—should be permitted and encouraged to take full advantage of the rich menu of educational opportunities available at UNC.*

Mission Consistency. *Athletics must be integrated into the common enterprise of the University. Faculty committees and administration must be empowered to oversee athletics and ensure that it supports and remains in alignment with the University's core missions. In times of hardship, the University must consistently work to preserve these core missions, even if such preservation comes at the expense of athletic success.*

With these principles in mind, we recommend the following:

A. Advising and Counseling

- Every student should have an academic advisor in Steele Building sign off on courses every semester. While we understand from Associate Dean Owen and others that this suggestion might be unrealistic, we believe that a full, candid discussion about the risks arising from the present student to advisor ratio would be extremely beneficial for our faculty, the administration, and our students.
- The director of the Academic Support Program for Student Athletes should only be reporting to the associate dean and director of academic services in the College of Arts and Sciences.
- There should be clearer lines of accountability for academic advisors and counselors. Academic advising should be done in Steele and okayed by Loudermilk counselors, not the other way around. These are both important units but they do not have identical functions at this University.

- We encourage greater resources be put into both athletic counselors and academic advisors.
- There should be regular auditing of student registrations/transcripts. There must be, for example, regular monitoring of the clustering of student-athletes into particular majors and courses as well as any anomalies in data. There are many valid reasons why students might cluster in courses or majors, but academic deans need to ensure that there are legitimate reasons for any patterns found. We are not sure that Tar Heel Tracker presently provides an adequate system for auditing students' general progress towards meeting the requirements for graduation.

B. Departmental Supervision and Faculty Conduct

- There should be regular oversight of department chairs' teaching activities (including summer school), as well as auditing of all teaching loads across CCO, summer school, and the regular academic year. Deans should share data on clustering of any kind and be in touch regularly.
- There is an obvious need to reframe the problem of Nyang'oro's misconduct as an administrative problem—not an issue of the entire department. The University needs to vocally offer full and consistent support to that department.
- There should be a widely publicized set of criteria for evaluating the performance of department chairs. This is an area where it would be useful to see what best practices can be adopted here.
- To improve communication and increase transparency, we propose regular publication of status reports to the faculty detailing progress on implementation of all recommendations.

C. A Campus with Two Cultures

- The ASPSA's FAC members need independent access to course enrollment and grade stats on student-athletes; currently the committee is more advisory, but perhaps we need to change the charge to make it more of a watchdog. We have been encouraged to learn that incoming FAC chair Joy Renner is seeking changes in the organization of the committee to better reflect its role in oversight of student-athletes and in its advisory capacity to the Chancellor. For example, while the FAC does an exit survey, someone from the Athletics Department is always present, diminishing the value of these surveys. The Committee's charge is voluminous and unrealistically all encompassing with regard to the campus intercollegiate athletics program. We encourage the committee to better target its efforts to issues related to the academic experience of student-athletes.
- We propose that a partnership between the Department of Athletics and the College be established to look for ways of integrating athletes into campus life "beyond the game."
- A closer partnership between faculty and officials within the Athletic Department would facilitate opportunities to talk privately and not in the press. One salutary outcome would be an increased focus on what is going right with student-athletes and not just what is going wrong.
- We also encourage the academic advising program in the College to better publicize the fact that certain programs seated in the Loudermilk Center, e.g. supplemental instruction, are available for all undergraduate students, and that these programs be enumerated on the ASPSA Web page.

- We encourage the FAC to form a partnership with AD Cunningham to seek some transparent assurance that all team coaches are adhering to the idea of promoting the educational aspirations of student-athletes.
- We encourage the Office of Undergraduate Admissions to develop clear guidelines and rationales for reversing decisions of the subcommittee with regard to admission of students considered under the “committee case” procedures.

D. Need for Institutional Transparency Regarding Athletics

We believe that the cumulative effect of the proliferation of committees with limited charges to examine discrete areas of institutional governance has been more confusing than clarifying, and that their conclusions and recommendations will be viewed at best as not comprehensive and at worst self-serving. Further, the repeated revelations in area newspapers of information not previously or clearly reported in the University’s official statements and reports on academic fraud involving athletes on campus undermine the University’s assurances of the comprehensiveness of these reports. We believe that the best and most credible approach is for the Chancellor to commission an outside entity or commission to examine the state of academics and athletics at Carolina. We recommend the appointment of an independent panel, composed of individuals outside the university with experience in higher education administration that will be charged with the task of looking broadly at athletics and academics. It is our hope that such a panel of distinguished experts will both highlight what we are doing right and identify areas of deficiencies in organization and procedure, point to best practices that can be brought to bear on these deficiencies, encourage buy-in by all parts of the University community in solutions, and create a path forward towards implementation.

We believe the following questions could usefully be addressed by an outside commission:

- Is it possible to mount competitive teams that meet most of our educational expectations for student-athletes? Being in a NCAA Division I school entails certain kinds of compromises to successfully meld academics and athletics. This does not make us unique as an institution; every school faces this. The tremendous majority of Division I athletes never go pro, so how do we approach our responsibilities to care about them both as students and members of society following their collegiate athletic careers.
- What is the goal of admitting student-athletes to UNC? Is it to ensure they have a 50% chance to graduate? To make sure that no one fails? Precise goals have not been clarified. What would it mean during the recruiting and admission phases to do this right?
- Is it reasonable to expect that student-athletes not cluster in courses and majors? Why or why not? Is clustering an inherently a bad thing? If not, in what cases is it suspect? How can we encourage student-athletes to look broadly at options for majors? How can coaches, academic counselors, academic advisors and the faculty participate in this goal?
- Why is there a separate center for support of athletes? We are aware that other schools do not follow this scheme. What are the risks of continuing this scheme? Does it structurally segregate athletes even further? Is it inherently confusing to have advisors, academic counselors, and learning specialists in various locations, reporting to different people? Despite the construction of an impressive center for academic support for student-athletes, are resources housed in the Loudermilk Center under staffed and under funded?

- How can we affirmatively integrate student-athletes into the broader undergraduate academic culture? What would it take to provide national leadership on this issue? What can the faculty actually do to achieve this goal, and how can they be better equipped to aid in the education of all students?
- NCAA rules have real unintended consequences in the choice of a major, and in steering student-athletes to a narrower range of electives than their non-student athlete peers. What will be required in order to have honest conversations about these tradeoffs and how they affect the academic culture of the university?

Conclusion

The purpose of this Report is not to find fault with, or criticize, any of the officials who have investigated the academic misconduct that has troubled this campus for more than a year. Instead, we wish to focus attention on several issues that we believe still confront the University pertaining to the complicated relationship between our commitment to excellence in 28 Division I athletic programs and our standing as one of the nation's premier academic institutions. No doubt, grappling with these issues will not be easy. But, we believe that the University should at the very least give more careful consideration to best practices at peer institutions addressing similar issues and, based on that analysis, devise significant steps to fulfill the University's commitments in athletics and to protect its academic mission.

Respectfully submitted,
Steven Bachenheimer (Microbiology and Immunology)
Michael Gerhardt (Law)
Laurie F. Maffly-Kipp (Religious Studies)