

Report of the Athletic Board to the UIUC Senate (2018-2019)

From: Prof. Michael H. LeRoy, Athletic Board Chair

To: UIUC Senate Executive Committee

Date: March 29, 2019

This Report begins with two personal mea culpas. Last year—my first as Chair— I did not report to the Senate. While the Senate Bylaws do not designate a reporting role to the Chair or anyone else, this obligation defaults to the Chair. In addition, as a member of the Athletic Board Executive Committee, I voted to approve a proposal to reduce our meetings from four to three times per year. In hindsight, I realize this change conflicts with the Senate Bylaws.

I am solely responsible for this neglect of duties.

I. OVERVIEW

We are having a routine year in our activities as a Board. We have reviewed detailed financial information, marketing initiatives, and the academic progress of our 500+ student athletes. The most recent data we have on academic achievement shows that 15 of our 19 athletic teams had cumulative GPAs of 3.00 or higher for fall 2018. This is a good barometer of the organizational effectiveness of DIA (Division of Intercollegiate Activities) in supporting the academic mission of UIUC intercollegiate athletics.

II. ORIGINS OF THE BYLAWS OF THE ATHLETIC BOARD

The primary emphasis of this Report is the internal operations of Athletic Board— particularly, areas where our Board has not complied with the Senate Bylaws, or areas where the Bylaws should be reviewed for possible modifications. The concerns raised in this Report do **not** pertain to DIA.

Before enumerating particular concerns, this Report provides background.

In 1988, UIUC dissolved the Athletic Association. This was a freestanding body outside many of the University's reporting and accountability functions. The UIUC Athletic Board was created as a successor organization.

A UIUC Task Force provided analysis and policy recommendations. The culmination of their work was a report titled "Governance Review Task Force for the Intercollegiate Athletics Programs University of Illinois at Urbana-Champaign."

Hereafter, I refer to this as the 1988 Report. I also attach a copy of the 1988 Report.

The best way to digest this information is to compare two organizational charts. At page 12, the 1988 Report shows the Athletic Board of Control (ABC), the predecessor to the current form of the Athletic Board. At page 17(a), the 1988 Report depicts the proposed reorganization of the ABC. The most significant change is a sole reporting line from the Athletic Board to the Senate. This intended to strengthen faculty control over academics

for the newly created Athletic Board by solely linking the Board to the Senate. *See* p. 17, stating:

The major characteristics of the recommended structure are as follows: the reporting line for the Athletic Director is directly to the Chancellor; the Athletic Board is advisory to the Chancellor and to the Athletic Director (*but as developed further below, retains authority in most academic areas, emphasis added*)....

The organizational chart at p. 17a is in place today with minor changes since 1988.

The 1980s were a period of upheaval in collegiate athletics: Faculty at UIUC and elsewhere chafed at their loss of institutional control of athletics. *See* 1988 Report at p. 20, stating: “Prior to the formation of the Athletic Board of Control in 1982, two faculty-majority committees governed intercollegiate athletics at UIUC.” The ABC structure which ran from 1982-1988 had many successes but also “episodes involving NCAA rules violations and recent disclosures of business and personnel irregularities which violated Athletic Association policies or were of questionable propriety.” *See* 1988 Report at p. 14.

This background is germane today because the 1988 reorganization served, in part, to restore *advisory* oversight by faculty and other Board members, including alumni and students. Emphasis is added to make clear that the Athletic Board was organized as an advisory body, not a policy-making or operational control group (excepting certain purely academic matters, such as setting and enforcing UIUC academic standards for student-athletes).

The 1988 Report emphasized three areas that are germane to this Report.

First: Faculty were given a prominent role in academic oversight of UIUC athletics. The first among five procedures recommended in the 1988 Report said:

Academic governance should be exercised by the Athletic Board.... To maintain present procedures in academic governance, the Athletic Board should continue the Academic Progress and Eligibility Committee, as mandated by the Senate in 1982.

See 1988 Report at pp. 25-26.

Second: The 1988 Report also recommended a broad advisory role for the Athletic Board. To highlight one specific area, the 1988 Report recommended:

To provide clarification in governance of academic and athletic policy matters, and to ensure faculty, alumni, and student involvement in other athletic matters, the Athletic Board should be advisory in the following areas: budget; the employment and terms of employment of the Athletic Director, the Associate Athletic Director for Women, and Head Men’s and Women’s Basketball Coaches, the Head Football Coach, the Head

Volleyball Coach, and the Assistant Director of Academic Services; and the addition or termination of varsity sports programs.

In those policy matters in which the Athletic Board has advisory responsibilities and in the event that its advice is not accepted by the Chancellor or the Athletic Director, the Athletic Board chair may report such disagreement to the Senate in open meeting at the next scheduled opportunity or to the Senate Council.

See 1988 Report at p. 28.

Third: UIUC's institutional relationship to the Big 10 and NCAA was a third area of emphasis. The 1988 Report preserved a strong role for faculty governance in this realm. *See* 1988 Report at pp. 25-26.

To put this broad framework into practice, the 1988 Report recommended the following composition of the UIUC Athletic Board:

That the Athletic Board should have seventeen members consisting of the two Faculty Representatives (**referring to faculty representatives to the Big 10 and NCAA**) and six additional faculty members (staggered three year terms); three UIUC alumni (staggered three year terms) and the Chair of the Board of Directors of the University of Illinois Alumni Association; two students (two-year terms); two administrators *ex officio* without vote (the Chancellor or designee and the University Comptroller or designee; and the Director of Athletics, *ex officio* without vote), all appointed in accordance with Section E.1 of the Senate Bylaws as adjusted for three-year terms. Annually the Board shall elect a chair from among its faculty members.

See 1988 Report at p. 6.

Now let us consider how this background relates to the present.

The main recommendations of the 1988 Report are operational 31 years later in the amended Senate Bylaws. *See* Appendix, Senate Bylaws (As Amended through February 4, 2019), at E.1 *et seq.*

There are some departures from the 1988 Report: Board members have four-year terms, to offer one example.

In substantive terms, the Bylaws enacted an expanded version of the 1988 Report's advisory jurisdiction. Specifically, the Athletic Board's advisory jurisdiction expanded from oversight of specific coaches and budget to this broad statement:

b. Duties as an advisory committee to the Chancellor and Athletic Director:

The Athletic Board shall work with the Chancellor in defining a *meaningful advisory role for the Board with respect to policies concerning financial management, personnel, and other operational aspects of the Division of Intercollegiate Athletics* (emphasis added). The Senate shall be kept informed of such policies.

See Appendix, Senate Bylaws (As Amended through February 4, 2019), at E.1.b.

In sum: The 1988 Report stated several core principles, including this: “the new governance system should contain elements of checks and balances that provide effective oversight and input into policy by administrative, faculty, student, alumni, and other constituent groups.” See 1988 Report at p. 3, No. 4. The following recommendations fulfill that comprehensive purpose.

III. RECOMMENDATIONS

The following recommendations should be considered:

1. The discrepancy between three annual Board meetings, and quarterly meetings referred to in the Bylaws, should be resolved: Either restore the *status quo ante* or revise the Bylaws to conform to the new practice.
2. As specified in the Bylaws (see section titled “Membership”), the Chancellor should consult the Board annually, beginning this year, in his consideration of reappointment of the incumbent Faculty Representatives.
3. The ten-year term limit for Faculty Representatives should be reviewed with consideration of a shorter term of office. The University of Minnesota model of a maximum of six years offers one example.
4. Consideration should be given to revising the internal practice of assigning only the two Faculty Representatives to the nineteen UIUC athletic teams. One possibility is to expand this contact to all faculty members of the Board.
5. Consideration should be given to a UIUC version of the University of Wisconsin’s Equity, Diversity, and Student-Welfare Committee for student-athletes.
6. The Board should have one year to consider these recommendations. Specifically, the Board should explore processes to share information more equally and solicit advisory input from all members “concerning financial management, personnel, and other operational aspects of the Division of Intercollegiate Athletics,” as stated in the Bylaws (*see Duties as an advisory committee to the Chancellor and Athletic Director* in Appendix below).
7. The Chair for 2019-2020 should follow-up with a report to the Senate on these matters in April or May 2020.

APPENDIX

Senate Bylaws (As Amended through February 4, 2019)

Part E - Governing and Advisory Bodies

This section as amended through April 26, 2010

Athletic Board

The Athletic Board is the committee concerned with intercollegiate athletics (varsity sports) at the University of Illinois at Urbana-Champaign. This Board is responsible to the Senate for the intercollegiate athletic program as it relates to the University's academic and educational objectives as defined by the Senate. The Athletic Board serves also as an advisory committee to the Chancellor and the Athletic Director on the financial management, personnel, and other operational aspects of the intercollegiate athletics program in the Division of Intercollegiate Athletics.

Duties as a Senate committee

The Athletic Board shall:

Establish the standards relating to recruitment and eligibility for student participation in intercollegiate athletics, and monitor their implementation.

Establish a Subcommittee on Academic Progress and Eligibility, composed of six or more faculty or student members of the Board. The Subcommittee shall review and approve or disapprove all certifications of athletic eligibility to, and all petitions for waivers of rules and regulations of, the Intercollegiate Conference of Faculty Representatives (Big Ten Conference) and the National Collegiate Athletic Association (NCAA).

Review and approve or disapprove schedules for all intercollegiate athletic contests which involve participants from the Urbana-Champaign campus.

Meet, as necessary, with responsible officials and others concerning the intercollegiate athletic program, including solicitation of the views and concerns of student athletes.

Hear reports from and offer guidance on the institutional vote of the campus representatives to NCAA meetings. In the event of disagreement between the Board and the Chancellor, they should meet to attempt to work out a resolution of the differences.

Establish the institutional vote of the faculty representatives to the Big Ten on all matters of academic policy.

Keep informed of issues and developments in the Big Ten and NCAA which affect the intercollegiate athletic program.

Keep informed in appropriate ways of campus desires and needs in intercollegiate athletics.

Establish liaison and ensure cooperation with the Senate Committee on University Student Life.

Monitor, review, and assess the intercollegiate athletic program in terms of academic requirements, and report the findings to the Senate.

Report to the Senate at least twice each year, with at least yearly input from the Athletic Director.

Be subject to Senate Bylaws, except where Part E.1 provides otherwise.

Duties as an advisory committee to the Chancellor and Athletic Director

The Athletic Board shall work with the Chancellor in defining a meaningful advisory role for the Board with respect to policies concerning financial management, personnel, and other operational aspects of the Division of Intercollegiate Athletics. The Senate shall be kept informed of such policies.

Membership

The Athletic Board shall consist of:

Nine faculty members:

The two Faculty Representatives of this campus to the Big Ten Conference, appointed annually by the Chancellor, following consultation with the Athletic Board. The Faculty Representatives shall serve at the pleasure of the Chancellor, but for a period normally not to exceed ten years. The Senate shall approve any extensions beyond ten years.

Seven faculty members, appointed by the Chancellor from nominations by the Senate.

Four graduates of the University of Illinois at Urbana-Champaign, who are members of the Alumni Association of the University, appointed by the Chancellor from nominations by the Urbana-Champaign Council of the Alumni Association.

Three student members:

One student appointed by the Chancellor from a slate of two candidates from the Student Athlete Advisory Board.

Two students appointed by the Chancellor from a slate of four candidates from the Illinois student government.

Designee of the Chancellor, ex officio without vote.

University Comptroller or designee of the Comptroller, ex officio without vote.

Athletic Director, ex officio without vote.

Appointment procedures, criteria and terms

Two nominees for membership on the Board shall be elected by the Senate for each faculty and student position to be filled from the Senate. The Senate Committee on Committees shall propose nominees; additional proposals may be made from the floor of the Senate. The Chancellor will be invited to meet with the Committee to discuss the composition of the Board and to suggest nominees. In proposing student nominees the Committee shall solicit the views of student groups. New appointees shall be selected soon enough that they may attend the last quarterly meeting of the Board that precedes the beginning of their term of office.

The nominations by the Senate and all appointments by the Chancellor shall be made with due regard for representation of those interested and knowledgeable in men's athletics, women's athletics, and minority participation in the intercollegiate athletic program, and knowledgeable of the University's educational and academic objectives, as well as those knowledgeable in business and financial management.

Terms of faculty (c.1) and alumni (c.2), ordinarily shall be four years, and of students (c.3) one year. Appointments ordinarily shall be staggered so that the terms of two faculty (one in leap years), one alumnus and three students begin each year. Faculty and alumni may be reappointed to a second term but are then ineligible for reappointment until a period equaling the length of their second term has passed. Students may be appointed to a second one-year term. Terms of office shall commence at the beginning of the first quarterly meeting of the Board in August.

All appointments made by the Chancellor to the Athletic Board shall be subject to the approval of the Board of Trustees including the two faculty representatives to the Big Ten.

Policies of the Athletic Board or the Senate providing for the suspension or removal of Board members shall be subject to the approval of the Board of Trustees.

The Chair

The Chair of the Athletic Board shall be a faculty member elected annually by the Board. The Faculty Representatives will not be eligible for the position of Chair.

Governance Review Task Force
for the
Intercollegiate Athletics Programs
University of Illinois at Urbana-Champaign

REPORT

November 30, 1988

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University of Illinois at
Urbana-Champaign

Governance Review Task Force
for the
Intercollegiate Athletics Programs
REPORT

SECTION I

SUMMARY OF CHARGE, GUIDING PRINCIPLES AND RECOMMENDATIONS

Chancellor Morton Weir appointed the Governance Review Task Force for the Intercollegiate Athletics Programs of the Urbana-Champaign campus on July 22, 1988.

The charge given the Task Force by Chancellor Weir was to develop recommendations for bringing "the governance of intercollegiate athletics from its current, stand-alone structure to a position within the structure of this campus."

The Chancellor asked that the report of the Task Force be submitted by Thanksgiving.

The membership of the Task Force is composed of fourteen persons with considerable knowledge of and experience with various aspects of intercollegiate athletics and its administration, including six faculty members (all of whom have served on the Athletic Board of Control, four as chairpersons and one as faculty representative); one student (a current member of the Athletic Board of Control); five

administrators (all with experience in the administration of athletics), including the Associate Athletic Director for Internal Affairs; and two alumni (one a former member of the pre-1982 Athletic Association Board of Directors and the other involved in capital fund raising for athletics).

Following an organizational meeting on August 12, the Task Force met on a weekly basis beginning on August 30 with a meeting with Chancellor Weir and continuing through most of November. Information was gathered and assessed through a survey of athletic governance and funding patterns of nine educational institutions (two are state educational institutions in Illinois), review of previous studies of athletic governance at the University of Illinois, information provided by specialists in various aspects of athletic administration, and various documentary materials available to or specially developed for the Task Force.

Much of the work of the Task Force and the development of recommendations were undertaken by three subcommittees on Academics, Finance and Business Affairs, and Personnel, chaired respectively by Emily Watts, Richard Margison, and Donald Wendel. This subdivision of work reflects the importance in athletic governance of assuring academic integrity and faculty control, providing for adequate funding and financial controls, and developing appropriate processes and policies for transferring employees from a separate

corporation into the University's employment systems.

As the Task Force examined how to bring "the governance of intercollegiate athletics from its current, stand-alone structure to a position within the structure of this campus," four principles guided its consideration of governance reform: (1) lines of administrative authority, control, and accountability should be clarified and strengthened; (2) the strengths of the present governance system in the areas of academics and faculty control should be preserved; (3) the new governance system should provide flexibility in business and personnel policies necessary for an effective intercollegiate athletic program without sacrificing necessary control; and (4) the new governance system should contain elements of checks and balances that provide effective oversight and input into policy by administrative, faculty, student, alumni, and other constituent groups.

Application of these principles led to the following recommendations, presented here in summary form and developed in further detail in following sections of this Report:

1. That the Athletic Association should be dissolved, that the intercollegiate athletics program should be designated as an "Activity" as defined in the University Guidelines 1982 (Illinois Legislative Audit Commission), and that a new unit, the Division of Intercollegiate Athletics, should be established to conduct the

intercollegiate athletics program at the University of Illinois at Urbana-Champaign.

2. That a governance structure for athletics should be established in which (see Figure 2):

- a. the Athletic Director reports to the Chancellor;
- b. the Athletic Board is advisory to the Chancellor and to the Athletic Director, but retains authority in most academic matters;
- c. the Athletic Board continues as a Committee of the Senate and reports to the Senate;
- d. the Business and Finance and Academic Services units of the Division of Intercollegiate Athletics report directly to the Athletic Director, but also have reporting responsibilities, respectively, to the campus chief business officer and the Academic Progress and Eligibility Committee of the Athletic Board; and
- e. the Athletic Director becomes a participant in key committees (e.g. Deans & Directors) and is expected to attend meetings of the Chancellor's Cabinet on a regularly scheduled basis.

3. That the current Athletic Board of Control (ABC) should be reconstituted as a Senate committee, named the Athletic Board, and be advisory to the Chancellor and

the Athletic Director in all administrative policy matters related to athletics. The Athletic Board should maintain its present authority in academic governance, primarily through continuation of the ABC's present subcommittee, the Academic Progress and Eligibility Committee (APEC). Four other functions of the Athletic Board are recommended to be instituted or clarified:

- a. the University's position on NCAA matters related to academic policy should be determined by the Athletic Board;
- b. the University's position in Big Ten matters related to academic policy and on "White Resolutions" should be determined by the Athletic Board;
- c. the Chairperson of the Athletic Board should report (at least once a year) to the Senate in open meeting; the Athletic Director should accompany the chairperson; and
- d. the Assistant Director of Athletics for Academic Services, a position recommended to be upgraded from Director of Academic Services, should sit ex officio without vote as a member of the Academic Progress and Eligibility Committee of the Athletic Board and have a job description jointly defined by the Athletic Board and the Athletic

Director.

4. That with the exception of academic matters, the Chancellor should have final campus authority on all athletic matters. Where there is conflict between the Chancellor and the Athletic Board over the University's position on NCAA and Big Ten legislative proposals related to academics, the Senate should have final authority.

5. That the Athletic Board should have seventeen members consisting of the two Faculty Representatives and six additional faculty members (staggered three-year terms); three UIUC alumni (staggered three-year terms) and the Chair of the Board of Directors of the University of Illinois Alumni Association; two students (two-year terms); two administrators ex officio without vote (the Chancellor or designee and the University Comptroller or designee); and the Director of Athletics, ex officio without vote, all appointed in accordance with Section E.1. of the Senate Bylaws as adjusted for three-year terms. Annually the Board shall elect a chair from among its faculty members.

6. That the business and financial operations of the intercollegiate athletic program should be conducted in accordance with University policies and guidelines governing such activities, recognizing that certain

8 Faculty
4 Alumni
2 Students
2 Adm. (ex officio)
1 AD (ex officio)
17
14 voting members

policy and procedural modifications will be required to account for the special characteristics of athletic administration and to maintain the efficiency and effectiveness of the athletic program. Areas requiring modification include: (a) contracting beyond the current fiscal year for scheduling athletic events in future years; (b) procedures for handling costs associated with recruitment travel, team travel, and hosting recruits on campus; (c) the sale of advertising and the involvement of advertisers in promotional activities; (d) the broadening of policies and procedures for gifts-in-kind; (e) mechanisms for the preservation of contractual arrangements for the endorsement or use of athletic equipment which provide substantial price advantages for athletic equipment and a significant portion of coaches' compensation packages; and (f) other steps necessary to preserve and enhance existing sources of athletic program revenue, including royalties derived from registered marks or logos and merchandise sales.

7. That the President or the President's designee should be authorized by the Board of Trustees to make exceptions to University business policies and procedures when deemed appropriate and important to develop and maintain an excellent athletic program.

These exceptions should be reviewed and approved by the Comptroller and the University Counsel to assure compliance with sound fiscal policies and applicable law. Further action by the Board of Trustees may be required in this area.

8. That the University should approach the integration of Athletic Association personnel into the University personnel system as if it were a successor organization. Athletic Association employees should be assigned to appropriate University academic professional, student, and nonacademic employment categories to the extent possible without loss of status, salary, job position, job security, or accumulated vacation and sick pay.

9. To the extent possible, Athletic Association employees should be provided the options of (a) transferring to University employment with their accumulated Athletic Association sick pay and vacation time intact or (b) treating the Athletic Association's dissolution as their termination, in which case they would receive, upon termination, pay for their accumulated sick and vacation time.

10. That the Board of Trustees should authorize the President or the President's designee to enter into employment contracts with certain athletic personnel which contain terms and conditions different from those

currently in existence for the academic-professional classification. It is recognized that this may require modification to the University Statutes and General Rules. Therefore, pending the final completion of the incorporation of the varsity athletic program into the University, the Board of Trustees should grant interim authority to the President or the President's designee to assume existing employment contracts and to enter into new employment contracts with athletic personnel with special employment terms. Examples of special terms are multi-year employment contracts, additional employee benefits, operation of sports camps, radio/television sports shows, sportswear manufacturer representation, and endorsements. All such contracts must be reviewed and approved by the Comptroller and University Counsel.

11. That in the new structure, facilities maintenance staff (and golf course staff) should be employees of the new Division of Intercollegiate Athletics, following the precedent for facilities maintenance and operation staff in other select campus units.

12. That to carry out the complex transition to a new governance structure for athletics, the Chancellor should appoint a transition team immediately with responsibility, in cooperation with athletic department

administrators, for creating an effective Division of Intercollegiate Athletics within the Urbana-Champaign campus.

13. That a Business and Finance Transition Coordinator should be appointed on a temporary basis and assigned to the intercollegiate athletics program to assist in the transition. This appointment should be half-time or more.

SECTION II

ADMINISTRATIVE STRUCTURE AND CONTROL

Historical Perspective

Since 1892, intercollegiate athletic programs at the University of Illinois have been the responsibility of the Athletic Association of the University of Illinois. The Athletic Association is a not-for-profit corporation whose members are its Board of Directors. Prior to 1982 the Board of Directors shared governance responsibilities with a committee of the Urbana-Champaign Senate (Senate Committee on Athletics and Recreation), which was responsible for educational policy concerning student athletes and which reported to the Senate. The Board of Directors had responsibility for policy concerning the athletic program and the financial and administrative activities of the Athletic Association.

In 1982, growing out of recommendations developed in 1981 by the Ad Hoc Committee to Review the Organizational Structure of the Athletic Association, a committee established by then-Chancellor John Cribbet, the Senate committee was reorganized as the Athletic Board of Control (ABC) with membership identical to that of the Board of Directors. The ABC is a committee of the Urbana-Champaign Senate with specific responsibilities related to academic

standards, and reports to the Senate. The Board of Directors of the Athletic Association is responsible for program, financial, and administrative policy for intercollegiate athletics. The Athletic Director reports to the Board of Directors. The Bylaws of the Senate set forth the governing arrangement for athletics as follows (Part E-1):

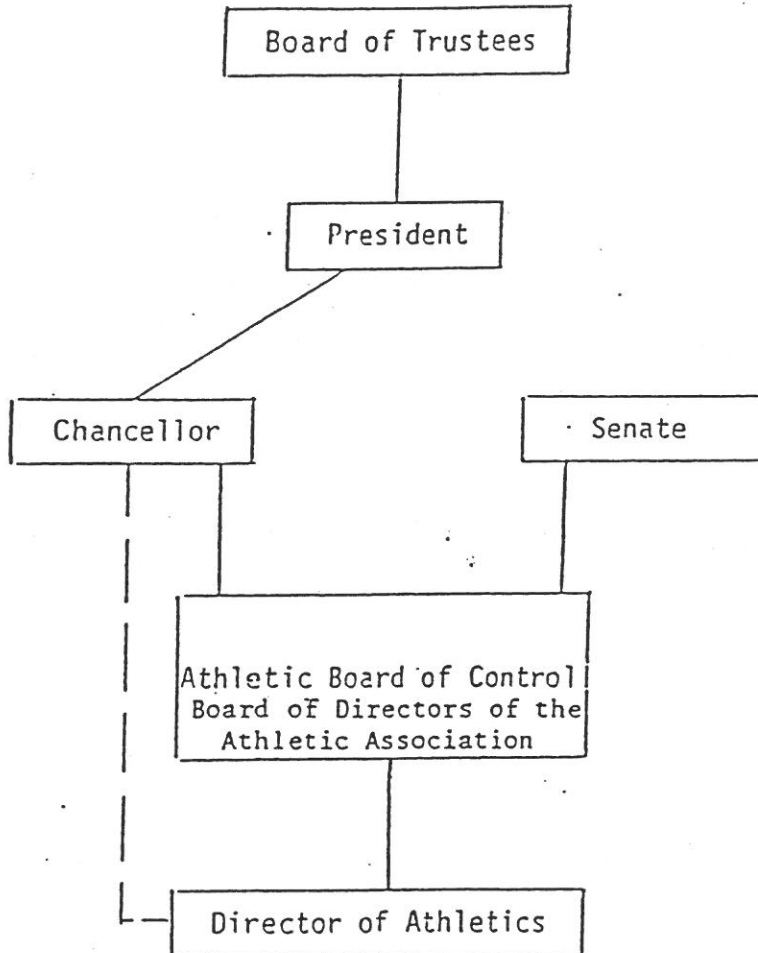
The Athletic Board of Control is the governing body for intercollegiate athletics (varsity sports) at the University of Illinois at Urbana-Champaign. Acting as the Athletic Association Board of Directors, this Board is responsible, through the Chancellor and the President, to the Board of Trustees for the fiscal and operational aspects of the intercollegiate athletic program. Acting as a Senate Committee this Board is responsible to the Urbana-Champaign Senate for the intercollegiate athletic program as it relates to the University's academic and educational objectives as defined by the Senate.

There are nineteen members of the ABC and the Board of Directors of the Athletic Association: seventeen voting and two non-voting. This includes ten faculty members, two students, two administrators (non-voting), and five graduates of the University of Illinois at Urbana-Champaign. Members of the ABC are appointed by the University's Board of Trustees upon recommendations of the Chancellor and the President.

The governance system for athletics that has been in place since 1982 is depicted in Figure 1. This system was recommended by the 1981 Ad Hoc Committee to remove confusion about the roles of the Athletic Association Board of Directors and the previously separate Senate Committee on Athletics and Recreation. The 1981 Ad Hoc Committee also

Figure 1

Current Governance Structure
for Athletics
University of Illinois
at Urbana-Champaign



————— Reporting lines

- - - - - Lines of coordination

considered a governance model that would abolish the current corporate structure for administering athletics and place athletics within the normal administrative structure of the University. This model was rejected, the Committee concluding that the advantages of a separate corporate entity for administering athletics outweighed the disadvantages.

In many respects the current governance system for athletics has served the University well. Judged with respect to some of the provisions of the 1988 statement on "Philosophy and Governance of Intercollegiate Athletics at the University of Illinois at Urbana-Champaign" that was adopted by the Athletic Board of Control and approved by the Chancellor, intercollegiate athletics under the current governance system has earned high marks. The faculty-controlled board has responsibility for nearly all academic governance issues, for budget review, and for most policy matters. Academic progress of student athletes receives high priority and is closely monitored. A broad-based sports program is supported by the Athletic Association. Until recently the Athletic Association has been successful in raising the revenues from non-State sources necessary to support the nineteen sports programs available to men and women undergraduate students. The level of excellence of the University's athletic programs has improved. The University and its many constituencies have benefited from the

excellence and success of its intercollegiate sports programs.

On the other side of the ledger are the episodes involving NCAA rules violations and recent disclosures of business and personnel irregularities which violated Athletic Association policies or were of questionable propriety. These departures from expectations led Chancellor Weir in summer, 1988, to conclude that he did not have authority commensurate with his responsibility for the intercollegiate athletics program.

Aspects of athletics governance at Illinois differentiate it substantially from University governance generally. The Athletic Director reports and is responsible to the Athletic Board of Control, not to an administrative officer. The Athletic Association has its own business affairs operation, which in a number of respects functions with financial procedures and controls different from those of units fully within the University structure. Employees of the Athletic Association are under the Association's independent personnel system, and none of the University's personnel systems (faculty, academic-professional, nonacademic) is totally applicable to them.

The Governance Choice: A Division of Intercollegiate Athletics

The Task Force explored a structure which would retain

a separate corporation (the Athletic Association) within the University and modify the Association's Bylaws, policies, and regulations to provide for the controls and administrative reporting lines deemed necessary for effective integration into the campus administrative structure.

That structure was not recommended for two reasons. It is apparent that increasing regulation and constraints placed upon the separate corporation by the University and state government have significantly altered the freedom and flexibility that were its main attractions, thereby reducing or eliminating its advantages as a governance form for athletics. Secondly, the activities of the Athletic Association differ in a fundamental way from the activities of the University of Illinois Alumni Association and the University of Illinois Foundation in that athletics are primarily related to and involve students. For this reason, it is appropriate that athletics be integrated within the University structure. The Task Force believes that the University can and should operate its athletic program successfully within its normal administrative structure, which is the situation at nearly all peer institutions.

In accordance with the charge from the Chancellor, the Task Force recommends that the Athletic Association (the not-for-profit corporation) be dissolved and that a new unit, to be called the Division of Intercollegiate Athletics, be

established at the Urbana-Champaign Campus with the purpose of conducting its intercollegiate athletics program.

University Guidelines 1982, promulgated by the Illinois Legislative Audit Commission and adopted by the University of Illinois Board of Trustees, establishes the financial management practices of university revenue-generating enterprises, activities, and services and defines two organizational forms for such units. One is Auxiliary Enterprises, defined as "operations which are not directly related to instruction, research or service organizational units, but which support the overall objectives of the university." Among examples of Auxiliary Enterprises given in the Guidelines are bookstores, parking operations, student unions, and assembly halls.

The other organizational type is Activities, defined in the Guidelines as "functions which are self-supporting in whole or in part which are directly related to instructional, research or service units." Among examples of Activities given in the Guidelines are athletics, student programs and services, recreation centers, and clinics.

The Task Force recommends that the intercollegiate athletics program be designated as an "Activity." Intercollegiate athletics contain a significant educational component; therefore, designation as an Activity is appropriate.

Administrative Organization of Athletics as an "Activity"

The recommended governance structure for athletics as an Activity is depicted in Figure 2. This structure includes several standing committees of the Athletic Board, recognizing that the Board is likely to appoint additional committees as it finds appropriate.

The major characteristics of the recommended structure are as follows: the reporting line for the Athletic Director is directly to the Chancellor; the Athletic Board is advisory to the Chancellor and to the Athletic Director (but, as developed further below, retains authority in most academic areas); the Athletic Board continues as a Committee of the Senate and reports to the Senate; the Business and Finance and the Academic Services units of the new Division of Intercollegiate Athletics report directly to the Athletic Director but also have reporting responsibilities, respectively, to the campus chief business officer and the Academic Progress and Eligibility Committee of the Athletic Board.

The Task Force considered whether the Athletic Director should report to the Chancellor or to one of the Vice Chancellors. The norm on this campus is for major operating units to report to a Vice Chancellor; the Task Force is aware of no examples of operating units with a reporting line

directly to the Chancellor. The Task Forces believes, however, that the Athletic Director must have direct access to the Chancellor for decisions on major policy issues because many athletic matters have implications for the entire campus, including those related to academics, students, public relations, maintaining a balanced budget, and fund raising. On the other hand, a direct reporting line to the Chancellor places significant additional burdens on the Chancellor's time. Moreover, many "day-to-day" matters which require administrative consultation and consideration can be adequately managed at levels below the Chancellor.

The conclusion of the Task Force is that the advantages of establishing the direct reporting line from the Athletic Director to the Chancellor outweigh the disadvantages. In recommending that the Athletic Director report directly to the Chancellor, the Task Force recognizes that many of the "day-to-day" relationships will need to be assigned to either a member of the Chancellor's staff or one or more Vice Chancellors.

The Director of Athletics is responsible for the program of intercollegiate athletics at the University of Illinois at Urbana-Champaign. The Athletic Director should be a professional administrator skilled in the area of athletic administration, sensitive to the academic traditions and mission of the University, and be charged with responsibility

for providing an excellent and balanced intercollegiate athletic program. The Director should be granted the authority necessary to accomplish this responsibility within the guidelines of the Senate in academic matters and the supervisory controls of the Chancellor and the advice of the Athletic Board.

High priority should be given to assuring greater participation by the Athletic Director in the broader affairs of the University than has occurred in the past. The development of athletic policy and practice will be more consistent with the goals of the University when the Athletic Director is well informed about and understands the basis for decisions that are made in non-athletic affairs of the University.

The Task Force considered a number of possibilities for attaining the goal of greater involvement by the Athletic Director. These possibilities included membership of the Athletic Director on the Chancellor's Cabinet, or invitations to the Athletic Director to meet with the Cabinet on a regularly scheduled basis, and/or participation of the Athletic Director in the meetings of the Council of Deans or of the Deans and Directors. The Task Force recommends that the Athletic Director become a participant in key committees (e.g., Deans and Directors) and be expected to attend Cabinet meetings on a regularly scheduled basis.

SECTION III
ACADEMIC GOVERNANCE

Establishment of a Division of Intercollegiate Athletics requires restructuring of the present Athletic Board of Control, a redefinition of its goals, and a reconsideration of campus policy and procedures related to Senate, faculty, alumni, and student involvement in intercollegiate athletics.

This section is divided into two subsections. The first explains the recent history of athletic governance at UIUC, including NCAA and Big Ten governance policy, and is a prologue to the second. The second portion delineates procedures necessary to maintain academic integrity and to mandate involvement of the Senate, faculty, alumni, and students in athletic policy concerns.

Recent History of Athletic Governance at UIUC

Prior to the formation of the Athletic Board of Control in 1982, two faculty-majority committees governed intercollegiate athletics at UIUC. The Senate Committee on Athletics and Recreation was charged with direction of both athletics and recreation and was also responsible for academic governance of intercollegiate athletics, including eligibility and scheduling. The committee was composed of

five faculty members, two students, and the campus representative to the Big Ten (non-voting, ex officio). The Board of Directors of the Athletic Association was composed of seven faculty members, six alumni, and two administrators (non-voting, ex officio) and was charged with the supervision of financial, personnel, facilities, and other policy related matters. Both committees met the Big Ten mandate of faculty control of athletic governance committees.

In the late 1970's, it became apparent that the Senate Committee on Athletics and Recreation had become a largely ineffective body for academic governance of intercollegiate athletics. There were two reasons. First, the charge to the committee was too broad. The supervision of both recreation and academic governance of intercollegiate athletics was appropriate at a time when the Athletic Association had been responsible for both recreation and intercollegiate athletics. However, in 1976, when recreation was assigned to the Vice Chancellor for Academic Affairs and intercollegiate athletics remained with the Board of Directors of the Athletic Association, the Senate Committee found itself spread too thin. Second, the Senate Committee had never had enforceable access to the Athletic Director or the Chancellor, and the Senate Committee and Board of Directors had contact with one another only through the Faculty Representative. Hence, especially after 1976, academic

governance of intercollegiate athletics was divided between two groups, and neither was clearly aware of the other's goals and actions.

In the fall of 1982, after a year-long study by the Ad Hoc Committee to Review the Organizational Structure of the Athletic Association (report dated May 1981), the Senate Committee was disbanded and the Athletic Board of Control (ABC) was established as a Senate committee, with a joint charge as the Board of Directors of the Athletic Association. The delineation of the ABC is Part E of the Bylaws of the Urbana-Champaign Senate (attached as Appendix 1 to this Report). The supervision of recreation was charged to another committee.

With the academic governance functions of the Senate Committee on Athletics and Recreation and the responsibilities of the Board of Directors combined, academic governance of athletics, as well as involvement of alumni and students, was assured. During the 1980's, through the efforts of the ABC and the Faculty Representatives, and with the cooperation of then-Chancellor John Cribbet and Athletic Director Neale Stoner, major initiatives were quickly achieved: the establishment of firm guidelines for scheduling of season games and for post-season football bowl competition; the hiring of a full-time director of academic services within the Athletic Association; the increased

activity in the admissions process by the assistant and associate deans (resulting in the Committee on Admission of Student Athletes [CASA], a committee appointed by the Vice Chancellor for Academic Affairs); the monitoring of academic records of student athletes by the campus Office of Admissions and Records; and the inclusion of athletes in the Bridge and Transition programs. Although the campus athletic program has been investigated twice in the 1980's by the NCAA, no irregularities were discovered in the areas of academic compliance.

During this same period, the athletic program passed a Title IX Review--the first major university to be so investigated and approved. The Title IX review confirmed that the UIUC athletic program in the early 1980's had met standards of equity and affirmative action.

In 1983, authority over internal auditing procedures, including travel and purchases, was assumed by the University pursuant to Section 3.2 of the "Agreement of the Board of Trustees and the Athletic Association, May 31, 1983." The ABC retained responsibility for developing the budget and recommending the budget for approval by the Chancellor, the President and the Board of Trustees.

In 1987, the Council of Ten incorporated the Western Conference of Intercollegiate [Faculty] Representatives as the Big Ten Conference. Control of Conference matters was

effectively shifted from the Faculty Representatives to the Council of Ten: "Ultimate authority over all Conference matters lies with the [Council of Ten], including policy matters" ("Summary of the Bylaws and Certification of Incorporation of the Big Ten Conference," dated September 24, 1987, p. 4).

In the past decade, therefore, faculty have lost ultimate control of the Big Ten Conference. Faculty at UIUC, however, currently exercise governance on most academic matters, determine athletic policies, and play an active role in the hiring of the Athletic Director, the Associate Director for Women's Athletics, and Head Men's Basketball Coach and Head Football Coach.

Finally, it should be noted that, under the current structure, there is no established means of resolving a conflict between the Chancellor and the ABC in determining our institutional vote in NCAA matters. Although the Chancellor and the ABC have generally agreed on the vote during the 1980's, there have been a few instances of disagreement.

Recommended Structure for Academic Governance

With the establishment of the Division of Intercollegiate Athletics as a unit of the campus, the Athletic Board would become an advisory committee except in academic matters. Administrative control would be shifted

directly to the Chancellor. With the reduction of the present faculty role, as well as the alumni and student roles, to advisory, the Task Force concluded that specific procedures and controls had to be established, especially in the area of academic governance. The Task Force recommends:

A. A faculty-majority committee should be appointed to govern all the academic aspects of intercollegiate athletics and to advise the Chancellor and the Athletic Director in all other policy matters related to athletics. The committee should be named the Athletic Board. The Athletic Board should be a Senate Committee and should have as its chairperson a member of the faculty. The composition of the membership "shall be made with due regard for representation of those interested and knowledgeable in men's athletics, women's athletics, and minority participation in the intercollegiate athletic program, and knowledgeable of the University's educational and academic objectives, as well as those knowledgeable in business and financial management" (Senate Bylaws E.1. [d.2]).

B. Academic governance should be exercised by the Athletic Board. To establish and enhance academic governance, five procedures should be instituted:

1. To maintain present procedures in academic governance, the Athletic Board should continue the

Academic Progress and Eligibility Committee, as mandated by the Senate in 1982.

2. To ensure faculty governance at UIUC in NCAA matters related to academic policy, the determination of the Athletic Board should govern the institutional vote. If the Chancellor is in disagreement, he/she should meet with the Athletic Board to work out a resolution of the differences. If there is an unresolvable conflict, the matter should be submitted to the Senate, in open meeting, with the vote of the Senate considered final. If, as often occurs, the institutional vote must be established within a narrow time frame, such unresolved conflict should be submitted to the Senate Council, which will establish the institutional vote and will report the matter and its resolution at the next open meeting of the Senate. If, in the course of debate on the NCAA floor, the institutional representative believes that there are compelling reasons to modify any instructed institutional vote, he/she may alter the vote, but, at the earliest opportunity, must report the altered vote and the circumstances to the Athletic Board and the Senate. In certain instances, the Athletic Board may choose not to

take a position and to delegate the determination of the institutional vote to the institutional representative.

3. To ensure faculty governance in Big Ten matters relating to academic policy and on the occasion of a "White Resolution," the determination of the Athletic Board should govern the institutional vote. If the Chancellor is in disagreement, he/she should meet with the Athletic Board to work out a resolution of the differences. If there is an unresolvable conflict, the matter should be submitted to the Senate, in open meeting, with the vote of the Senate considered final.
4. To ensure Senate involvement in athletic governance, the Chair of the Athletic Board should report (at least once a year) to the Senate during an open meeting. At least one report each year should also involve the Athletic Director.
5. To ensure faculty supervision of academic advising in the athletic program, the present position of Director of Academic Services within the Athletic Association should be redesignated as Assistant Director of Athletics for Academic Services, with a direct reporting line to the Athletic Director. The Assistant Athletic Director

for Academic Services should sit as an ex officio non-voting member of the Academic Progress and Eligibility Committee of the Athletic Board. Finally, the Athletic Board, along with the Athletic Director, should define the job description for the Assistant Athletic Director for Academic Services.

C. To provide clarification in governance of academic and athletic policy matters and to ensure faculty, alumni, and student involvement in other athletic matters, the Athletic Board should be advisory in the following areas: budget; the employment and terms of employment of the Athletic Director, the Associate Athletic Director for Women, the Head Men's and Women's Basketball Coaches, the Head Football Coach, the Head Volleyball Coach, and the Assistant Athletic Director for Academic Services; and the addition or termination of varsity sports programs.

In those policy matters in which the Athletic Board has advisory responsibilities and in the event that its advice is not accepted by the Chancellor or the Athletic Director, the Athletic Board chair may report such disagreement to the Senate in open meeting at the next scheduled opportunity or to the Senate Council.

D. To provide continuity of governance in academic

and policy matters and to ensure the involvement of faculty, alumni, and students in athletic matters, the Athletic Board should be composed of the following members:

1. eight faculty members, including the two Faculty Representatives;
2. three alumni of UIUC;
3. the Chair of the Board of Directors of the UIUC Alumni Association, or his/her designee, either of whom must be a UIUC graduate and a member of the Alumni Association Executive Board;
4. two students;
5. the Chancellor or designee, ex officio, without vote;
6. University Comptroller, or his/her designee, ex officio, without vote;
7. Athletic Director, ex officio, without vote.

The terms of office for the six faculty members nominated at large and the three alumni should be for staggered three-year terms, with projected reappointment for a second three-year term. At the time of reappointment, the nominating bodies in the Senate and Alumni Association should consider attendance and contributions of the faculty members or alumni. After a three-year absence from the Athletic Board, faculty members and alumni may be eligible for reappointment. The term of office for student members

should be two years. Student members of the Board should participate and vote on all matters and be assigned to standing and ad hoc subcommittees of the Board.

The mechanism for appointment of all members of the Athletic Board should be as described in Section E.1. (d) of the Senate Bylaw as adjusted for three-year terms. Sections E.1. (e), (f), and (g) should also apply.

Annually the Board shall elect a chair from among its faculty members. The Athletic Board should establish three standing committees and such other committees as needed. The suggested duties and composition of the standing committees are contained in Appendix 2 of this Report. The three standing committees are:

1. The Academic Progress and Eligibility Committee;
See Senate Bylaws E.1.(a) 2);
2. Public Affairs and Development Committee;
3. Budget and Finance Committee.